



# METRO

# Agenda

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

**MEETING:** METRO COUNCIL  
**DATE:** February 14, 1991  
**DAY:** Thursday  
**TIME:** 5:30 p.m.  
**PLACE:** Metro Council Chamber

**NOTE:** Revised agenda -  
Item No. 7.1 has been added;  
Note later adjournment time.

Approx.  
Time\*

Presented  
By

5:30 CALL TO ORDER/ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS
3. EXECUTIVE OFFICER COMMUNICATIONS

5:35  
(5 min.) 4. ORDINANCES, FIRST READINGS

4.1 Ordinance No. 91-378, For the Purpose of Amending Metro Code 2.02, Section 2.02.040(e), Relating to Confirmation by Council of Certain Appointments to Fill Positions (Referred to the Finance Committee)

4.2 Ordinance No. 91-383, An Ordinance Authorizing the Issuance of Revenue Bonds and Bond Anticipation Notes of the Metropolitan Service District for the Purpose of Financing the Acquisition, Renovation, Furnishing and Equipping of an Administrative Offices Building for Use in the Operations of the District; and Establishing and Determining Other Matters in Connection Therewith (Referred to the Finance Committee)

5:40  
(45 min.) 4.3 Ordinance No. 91-384, An Ordinance Adopting A Seltzer Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 90-3: Washington County (Action Requested: Conduct Public Hearing; the Council will vote on the issue at the Second Reading tentatively scheduled for February 28, 1991)

## 5. RESOLUTIONS

### NON-REFERRED RESOLUTION

6:25  
(10 min.) 5.1 Resolution No. 91-1393, For the Purposes of Authorizing \$85,000 in Additional Funds for Due Diligence Phase II Contracts to Evaluate the Purchase of the Sears Facility and the Amendment of the BOOR/A Contract (Action Requested: Motion to Adopt the Resolution)

Continued

\* All times listed on this agenda are approximate. Items may not be

Approx.  
Time\*

Presented  
By

**5. RESOLUTIONS (Continued)**

REFERRED FROM THE FINANCE COMMITTEE

6:35  
(10 min.)

- 5.2 Resolution No. 91-1398, For the Purpose of** Hansen  
Authorizing the Release of the Metropolitan  
Service District's Request for Proposals (RFP) for  
Provision of General Technical Services (Action  
Requested: Motion to Adopt the Resolution)

REFERRED FROM THE SOLID WASTE COMMITTEE

6:45  
(10 min.)

- 5.3 Resolution No. 91-1400A, For the Purpose of**  
Approving a Request for Proposals for a Modeling  
System to Simulate Solid Waste Generation,  
Reduction, Transport, and Delivery and Entering  
into a Multi-Year Contract with the Most Qualified  
Proposer (Action Requested: Motion to Adopt the  
Resolution)

6:55  
(10 min.)

- 5.4 Resolution No. 91-1402, For the Purpose of**  
Expressing the Council's Intention to Amend Title  
5 of the Metro Code to Change the Designation of  
the Solid Waste Transfer and Recycling Center  
Located at 6161 N.W. 61st Avenue, Portland,  
Oregon, from "Metro East Station" to "Metro  
Central Station" (Action Requested: Motion to  
Adopt the Resolution)

REFERRED FROM THE TRANSPORTATION & PLANNING COMMITTEE

**BEFORE THE CONTRACT REVIEW BOARD OF THE METROPOLITAN SERVICE DISTRICT**

7:05  
(10 min.)

- 5.5 Resolution No. 91-1394, Authorizing a Sole**  
Source Contract Under Metro Code 2.04.060 (Action  
Requested: Motion for the Contract Review Board  
to Adopt the Resolution)

**6. COUNCILOR COMMUNICATIONS & COMMITTEE REPORTS**

7:15  
(45 min.)

- 7.1 Strategic Planning** Collier

8:00 p.m.

**ADJOURN**

\* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.





# METRO

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

DATE: February 19, 1991

TO: Metro Council  
Executive Officer  
Interested Staff

FROM: Paulette Allen, Clerk of the Council

RE: COUNCIL ACTIONS OF FEBRUARY 14, 1991 (REGULAR MEETING)

COUNCILORS PRESENT: Presiding Officer Tanya Collier, Deputy Presiding Officer Jim Gardner, Larry Bauer, Roger Buchanan, Richard Devlin, Tom DeJardin, Sandi Hansen, David Knowles, Ruth McFarland, Susan McLain, and Jud Wyers

COUNCILORS ABSENT: George Van Bergen

## AGENDA ITEM

## ACTION TAKEN

### 1. INTRODUCTIONS

None.

### 2. CITIZENS COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

### 3. EXECUTIVE OFFICER COMMUNICATIONS

Executive Assistant Don Rocks informed the Council Project Operations Manager Neil McFarlane submitted his resignation effective February 14. Mr. Rocks said a briefing on Strategic Planning would be given under Agenda Item No. 6.

### 4. ORDINANCES, FIRST READINGS

#### 4.1 Ordinance No. 91-378, For the Purpose of Amending Metro Code 2.02, Section 2.02.040(e), Relating to Confirmation by Council of Certain Appointments to Fill Positions

Referred to the February 21, 1991 Finance Committee meeting.

(Continued)

AGENDA ITEM

ACTION TAKEN

- 4.2 Ordinance No. 91-383, An Ordinance  
Authorizing the Issuance of Revenue Bonds and  
Bond Anticipation Notes of the Metropolitan  
Service District for the Purpose of Financing  
the Acquisition, Renovation, Furnishing and  
Equipping of an Administrative Offices  
Building for Use in the Operations of the  
District; and Establishing and Determining  
Other Matters in Connection Therewith
- 4.3 Ordinance No. 91-384, An Ordinance Adopting a  
Final Order and Amending the Metro Urban  
Growth Boundary for Contested Case No. 90-  
3:Washington County
5. RESOLUTIONS
- 5.1 Resolution No. 91-1393A, For the Purposes of  
Authorizing \$85,000 in Additional Funds for  
Due Diligence Phase II Contracts to Evaluate  
the Purchase of the Sears Facility and the  
Amendment of the BOOR/A Contract
- 5.2 Resolution No. 91-1398A, For the Purpose of  
Authorizing the Release of the Metropolitan  
Service District's Request for Proposals  
(RFP) for Provision of General Technical  
Services
- Referred to the  
February 21, 1991  
Finance Committee  
meeting.
- Senior Regional  
Planner Ethan Seltzer  
gave the Hearings  
Officer's report.  
Washington County  
Planning Manager Brian  
Curtis concurred with  
Metro staff's report.  
The Presiding Officer  
announced the  
ordinance would  
receive a second  
reading and hearing  
February 28. No  
members of the public  
appeared to testify on  
the ordinance.
- The motion to suspend  
the rules with regard  
to non-referred  
resolutions passed  
(DeJardin/Devlin; 10-0  
vote). Resolution  
adopted (Bauer/Wyers;  
11-0 vote).
- Acting Director of  
Finance &  
Administration Neil  
Saling gave staff's  
report. Adopted  
(Hansen/Devlin; 11-0  
vote).



AGENDA ITEM

ACTION TAKEN

- 5.3 Resolution No. 91-1400A, For the Purpose of Approving a Request for Proposals for a Modeling System to Simulate Solid Waste Generation, Reduction, Transport, and Delivery and Entering into a Multi-Year Contract with the Most Qualified Proposer
- Councilor McLain explained Solid Waste Committee discussion and amendments to the resolution. Adopted (McLain/Devlin; 11-0 vote).
- 5.4 Resolution No 91-1402, For the Purpose of Expressing the Council's Intention to Amend Title 5 of the Metro to Change the Designation of the Solid Waste Transfer & Recycling Center Located at 6161 N.W. 61st Avenue, Portland, Oregon, from "Metro East Station" to "Metro Central Station"
- Adopted (McFarland/Hansen; 11-0 vote). Councilor Wyers requested Public Affairs staff issue a press release under Councilor Hansen's name.
- 5.5 Resolution No. 91-1394, Authorizing a Sole Source Contract Under Metro Code 2.04.060
- The Metro Council recessed and the Contract Review Board of the Metropolitan Service District convened to consider the resolution. Adopted (Bauer/Hansen; 11-0 vote).

6. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

1) Betsy Bergstein, Consultant, briefed the Council on the progress of the Strategic Planning program to-date; 2) Councilor Wyers announced the Solid Waste Committee would dissolve the Plastics Recycling Task Force; 3) Councilor Knowles briefed the Council on MERC Resolution Nos. 112, 113, and 114 adopted by the Metropolitan Exposition-Recreation Commission this date; and 4) Councilor Devlin briefed the Council on the status of legislation pertaining to Metro currently under consideration by the State Legislature.

Agenda Item No. 4.1  
February 14, 1991

ORDINANCE NO. 91-378



STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 91-378  
AMENDING METRO CODE 2.02, SECTION 2.02.040(e)

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Date: February 6, 1991

Presented by: Dick Engstrom

FACTUAL BACKGROUND AND ANALYSIS

Metro Code Section 2.02.040(e) specifies that appointment or promotion to certain positions by the Executive Officer must be confirmed by a majority of Council. This section names each of the positions which fall under this requirement and includes all Metro Department Managers. As outlined in Resolution 90-1375, two new department manager positions, Director of Finance and Management Information and Director of Regional Facilities are being created, and the classification of Director of Finance and Administration is being abolished. Due to the department manager status of each of these positions, Council action is required.

This Ordinance is being submitted to comply with the intent of the Code, to recognize the status of the new positions, and, as a housekeeping measure, to remove from the Code reference to a classification (Director of Finance and Administration) which no longer exists. For those instances in the Contracting Ordinance where the Director of Finance and Administration is authorized to execute contracts in the absence of the Executive Officer or Deputy Executive Officer, the Director of Regional Facilities shall be substituted.

Fiscal Impact: Sufficient funds are available in the Fiscal Year 1990-91 budget for the proposed Ordinance.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance 91-378.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 91-378
CODE CHAPTER 2.02, SECTION 2.02.040(e),	)	
RELATING TO CONFIRMATION BY COUNCIL	)	Introduced by
OF CERTAIN APPOINTMENTS TO FILL	)	Rena Cusma,
POSITIONS.	)	Executive Officer

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The Metro Council has acted to approve the creation of the positions of Director of Finance and Management Information and Director of Regional Facilities and the amendment to the Pay Plan for non-represented employees to include these two new classifications.

Section 2. Concurrent with the creation of the two new classifications, Metro Council has acted to abolish the classification of Director of Finance and Administration and to remove this classification from the Pay Plan.

Section 3. Code Section 2.02.040(e) specifies that appointment or promotion of persons to fill certain positions, including all department managers, must be confirmed by a majority of the Council.

Section 4. As the result of the actions described in Sections 1 and 2 above the new positions of Director of Finance and Management Information and Director of Regional Facilities should be added to the list of positions requiring Council confirmation, and the position of Director of Finance and Administration should be deleted.



Section 5. Section 2.02.040(e) should be amended to read as follows:

Pursuant to the terms and intent of ORS 268.180(5), ORS 268.210 and ORS 268.215, all appointments of employees shall be the sole responsibility of the Executive Officer subject to this chapter. However, because the duties associated with certain positions include an independent and concurrent policy impact on both the Council and the Executive Officer, the appointment or promotion of persons to fill the following positions must be confirmed by a majority of the Council prior to the effective date of each such appointment or promotion:

- (1) General Counsel
- (2) Government Relations Officer (lobbyist)
- (3) Public Affairs Director
- (4) Deputy Executive Officer
- (5) Solid Waste Director
- (6) Zoo Director
- ~~(7) Finance and Administration Director~~
- (8) (7) Convention Center Project Director
- (9) (8) Planning and Development Director
- ~~(10) (9) Transportation Director~~
- (10) Director of Finance and Management Information
- (11) Director of Regional Facilities

Section 6. The Sections of the Code listed below provide that the Director of Finance and Administration may be designated to approve contracts in the absence of the Executive Officer or Deputy Executive Officer. These sections are amended to provide that the Director of Regional Facilities may be so designated:

2.04.043 (c)	2.04.053 (b)
2.04.044 (b)	2.04.054 (b) (2)
2.04.045 (c) (3)	2.04.090 (c) (2)
2.04.052 (c)	

ADOPTED by the Council of the Metropolitan Service District  
this      day of                      , 1991.

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Tanya Collier, Presiding Officer

Agenda Item No. 4.2  
February 14, 1991

ORDINANCE NO. 91-383



## STAFF REPORT

### CONSIDERATION OF ORDINANCE NO. 91-383, FOR THE PURPOSE OF AUTHORIZING THE ISSUANCE OF REVENUE BONDS AND BOND ANTICIPATION NOTES

Date: January 17, 1991

Presented by: Sims/Cooper

#### FACTUAL BACKGROUND AND ANALYSIS

On December 13, 1990, the Council extended the Due Diligence period for consideration of purchase of the Sears facility to April 30, 1991. The extension was made to allow additional time for:

1. Determining the marketability of the Metro Center and Sears facility for purposes of leasing and subleasing;
2. To perform additional analysis of the acquisition, renovation and furnishing costs; and
3. To establish a financing strategy and structure.

The ability to secure reasonably priced financing is critical to the financial feasibility of this project. Toward that end, a two-phase financing strategy has been developed.

Phase one would address the need for short-term funding in funding the acquisition and immediate renovation costs. During this period, the renovation would be initiated and tenants would be secured. The interim phase one financing would include two funding instruments; the tax exempt portion of the funding would be derived from bond anticipation notes. The taxable portion of the project would be funded on an interim basis from an interfund loan from the Solid Waste Revenue Fund. The use of Metro resources for the taxable portion would gain a better rate than outside borrowing. These funds would be repaid when long-term bonds were issued interest would be paid to the Solid Waste Fund at the same rate as other agency investments.

Phase two, or the long-term financing, would be from general revenue bonds. These bonds would reimburse the Solid Waste interfund loan and pay off the bond anticipation notes. The term for these bonds would be 25 years and their anticipated issuance date would be in one to two years from the close of the purchase.

The proposed Ordinance is the first step in establishing the mechanisms for implementing this financing strategy. The Ordinance directs the Executive Officer to prepare a Master Ordinance for Council consideration and eventual adoption. It requires further Council action to actually issue the bond anticipation notes.

This document was prepared by Ed Einowski of Stoel Rives Boley Jones and Grey, Bond Counsel, and reviewed by Metro's financial advisor, Public Financial Management, Inc., with internal review by Jennifer Sims, Manager of Financial Services, and Dan Cooper, General Counsel.

Simultaneous with introduction of this Ordinance, the Finance Team on this project will be crafting a Master Ordinance for Council consideration, establishing revenue capacity for payment of bonds, conducting preliminary rating discussions, and preparing documents for marketing the note sale. The minimal projected time frame for completing these tasks is eight weeks.

This item is presented at this time in order to establish the financing strategy and structure for the Sears facility and ensure that financing is in place prior to a decision on acquisition. This will allow us to know the costs and agency impact of funding this purchase and allow us opportunity to meet requirements for legal notice.

Costs associated with preparing Ordinance No. 91-383, the General Revenue Bond Master Ordinance and official statement will be necessary with any Metro general revenue financing. These work products can be utilized at a later date if the Sears facility is not acquired.

#### THE EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 91-383.



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# Ordinance No. 91-383

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## The Council of the Metropolitan Service District

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**An ordinance authorizing the issuance of revenue bonds and bond anticipation notes of the Metropolitan Service District for the purpose of financing the acquisition, renovation, furnishing and equipping of an administrative offices building for use in the operations of the district; and establishing and determining other matters in connection therewith.**

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**Enacted on February 28, 1991**

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*Prepared by:*

*Stoel Rives Boley Jones & Grey,  
Bond Counsel*

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*Note: This Table of Contents is provided solely for the convenience of the reader. It does not constitute a part of Ordinance No. 91-383.*

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**Metropolitan Service District**  
Counties of Multnomah, Clackamas and Washington  
State of Oregon

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**Ordinance No. 91-383**

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An ordinance authorizing the issuance of revenue bonds and bond anticipation notes of the Metropolitan Service District for the purpose of financing the acquisition, renovation, furnishing and equipping of an administrative offices building for use in the operations of the district; and establishing and determining other matters in connection therewith.

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**Be it enacted by the Council of the Metropolitan Service District:**

**Section A. Findings.** The Council (the "Council") of the Metropolitan Service District, a political subdivision organized and existing under the laws of the State of Oregon (the "Issuer"), hereby finds and determines as follows:

(a) Pursuant to and in accordance with the provisions of Oregon Revised Statutes Chapter 268 (the "Act") and related provisions of the Oregon Revised Statutes, the Issuer is authorized, without voter approval, to issue and sell from time to time revenue bonds for the purpose of carrying into effect all or any of the powers granted to it.

(b) In order to meet the present and continuing needs of the Issuer for office facilities to house its legislative, executive, administrative and operational undertakings, the Issuer is currently investigating the feasibility of acquiring, renovating, furnishing and equipping an existing building in the City of Portland, Oregon commonly referred to as the Sears Building (the "Project").

(c) In the event the Issuer determines to proceed with the Project, it will be necessary to finance the acquisition, renovation, furnishing and equipping thereof by means of revenue bonds issued pursuant to the Act. In connection with the issuance of such revenue bonds, it will be in the long-term interest of the Issuer to enact an ordinance (the "General Revenue Bond Master Ordinance") providing a comprehensive framework for the issuance of such revenue bonds and any additional revenue bonds that may be necessary or appropriate to finance future undertakings of the Issuer, all for the purpose of dedicating and pledging appropriate revenues of the Issuer to the payment of such revenue bonds, establishing the necessary funds and accounts in connection therewith and setting forth appropriate covenants, terms and conditions in order to enable all revenue bonds issued thereunder to be

marketed and sold on the best possible terms.

(d) Under the Act, at any time and from time to time after the issuance of revenue bonds has been authorized as contemplated above, the Issuer may issue and sell notes in anticipation of the receipt of the proceeds of the sale of such revenue bonds and within the maximum authorized amount of such revenue bonds. In order to provide adequate time to prepare the General Revenue Bond Master Ordinance and otherwise arrange for the issuance and sale of the revenue bonds to finance the Project on the most advantageous terms, it is in the best interests of the Issuer to authorize the issuance and sale of such bond anticipation notes for the purpose of financing the costs of the Project on an interim basis pending the issuance and sale of such revenue bonds.

#### **Section 1. Authorization of Revenue Bonds to Finance Project and Related Matters.**

(a) **Principal Amount.** For the purpose of financing the acquisition, renovation, furnishing and equipping of the Project and all costs and expenses associated therewith, there are hereby authorized to be issued pursuant to the Act revenue bonds in an aggregate principal amount not to exceed \$27,700,000 or in such greater or lesser amount as may hereafter be determined to be necessary or appropriate for such purpose (the "Bonds"); *provided that*, for purposes of the foregoing, in the event any Bonds are issued and sold at an original issue discount, such original issue discount shall not, for purposes of the amount of Bonds authorized to be issued hereunder, be deemed to be a part of the principal amount thereof, it being the intent hereof that the stated principal amount of the Bonds less any such original issue discount shall not exceed \$27,700,000. The Bonds shall be issued pursuant to and shall have such terms and conditions as shall be set forth in the provisions of the General Revenue Bond Master Ordinance to be hereafter enacted by the Council.

(b) **Limited Obligations.** The Bonds and all obligations of the Issuer under or with respect to the Bonds shall be and remain limited obligations of the Issuer payable solely and only out of the revenues and other assets and properties of the Issuer hereafter pledged or mortgaged thereto pursuant to the General Revenue Bond Master Ordinance (the "General Revenue Bond Trust Estate"). No recourse shall be had against any properties, funds or assets of the Issuer (other than the General Revenue Bond Trust Estate) for the payment of any amounts owing under or with respect to the Bonds. Neither the Bonds nor the obligations of the Issuer under or with respect thereto shall constitute or create an indebtedness of the Issuer within the meaning of any constitutional or statutory debt limitation.

(c) **Taxable and Tax-Exempt Obligations; Issuance in Series.** To the fullest extent permissible under the provisions of the Internal Revenue Code of 1986, as amended, and the rules and regulations promulgated or applicable thereunder (the "Code"), the Bonds shall be issued as obligations the interest on which is excludable for federal income tax purposes from the gross incomes of the owners thereof ("Tax-Exempt Obligations"). To the extent the Bonds cannot be issued as Tax-Exempt Obligations, the Bonds shall be issued as obligations the interest on which is not excludable for federal income tax purposes from the gross incomes of the owners thereof ("Taxable Obligations"), and pursuant to and in accordance with ORS 288.600 the Issuer hereby expressly consents to such taxability of the interest on such portion of the Bonds. In order to accommodate the issuance of certain of the Bonds as Tax-Exempt Obligations and the balance of the Bonds as Taxable Obligations, the Bonds may be issued in two or more series.

(d) **Preparation of General Revenue Bond Master Ordinance.** The Executive Officer of the Issuer, the General Counsel of the Issuer and the Issuer's staff, financial advisor and bond counsel are hereby authorized and directed to prepare the General Revenue Bond Master Ordinance as contemplated herein and to present such General Revenue Bond Master Ordinance to the Council for consideration as expeditiously as is practicable.



## **Section 2. Authorization, Issuance and Sale of Bond Anticipation Notes.**

**(a) Authorization and Principal Amount; Covenant as to Payment.** In order to provide interim financing for the Project pending the issuance and sale of the Bonds, the Issuer shall borrow money and issue its bond anticipation notes therefor pursuant to the provisions of the Act (the "Notes"). The Notes shall be issued in an aggregate principal amount not in excess of \$27,700,000; *provided that*, for purposes of the foregoing, in the event any Notes are issued and sold at an original issue discount, such original issue discount shall not, for purposes of the amount of Notes authorized to be issued hereunder, be deemed to be a part of the principal amount thereof, it being the intent hereof that the stated principal amount of the Notes less any such original issue discount shall not exceed \$27,700,000.

The Notes shall be payable out of the proceeds to be derived from the issuance and sale of the Bonds or from such other revenues of the Issuer as may hereafter be specifically appropriated for such purpose in accordance with law. Subject to the provisions of applicable law, the Issuer hereby covenants and agrees, for the benefit of the owners from time to time of the Notes, to issue the Bonds at such time and in such amount as will enable the Issuer to pay in full all amounts owing on the Notes on or before the maturity date thereof, and to otherwise take such lawful actions as may be necessary or appropriate to pay in full all amounts owing on the Notes on or before the maturity date thereof.

**(b) Maturity Dates, Interest Rates, Redemption Provisions and Denominations.** The Notes shall be issued in denominations of \$5,000 or any integral multiple thereof and shall be issued in fully registered form; *provided that*, to the extent the same does not adversely affect the federal tax-exempt status of the Notes to be issued as Tax-Exempt Obligations, the Notes may be issued in bearer form. The Notes shall mature on such dates and in such principle amounts, bear interest at the rate or rates *per annum* and be subject to redemption prior to maturity at such times and on such terms and conditions, all as shall be hereafter approved by resolution of the Council.

**(c) Manner of Sale.** The Notes shall be sold in a private negotiated sale at such price as the Council shall hereafter approve by resolution; *provided that*, if the Executive Officer of the Issuer shall determine that a public competitive sale of the Notes is in the best interest of the Issuer, then the Notes may be sold at a public competitive sale in accordance with the laws of the State of Oregon at such price as the Council shall hereafter approve by resolution.

**(d) Authorization of Other Actions.** The Notes shall be executed on behalf of the Issuer by means of the manual or facsimile signatures of the Executive Officer and Deputy Executive Officer of the Issuer and shall have affixed or imprinted thereon the seal of the Issuer or a facsimile thereof. The Executive Officer and staff of the Issuer are hereby authorized and directed to take any and all actions necessary or appropriate in order to arrange for the issuance and sale of the Notes, including but not limited to the preparation of an appropriate official statement pertaining thereto. The Executive Officer of the Issuer is hereby authorized, empowered and directed, for and on behalf of the Issuer, to take any and all actions necessary or appropriate in order to issue and sell the Notes and apply the proceeds thereof for the purposes herein contemplated, including but not limited to the execution and delivery of all documents, instruments and certificates necessary or appropriate in connection therewith, the selection and appointment of a paying agent and registrar therefor, and the selection and appointment of an underwriter.

**(e) Disposition and Application of Note Proceeds.** There is hereby established, as a special subaccount of the Building Management Fund of the Issuer, the 1991 Note Proceeds Account. The moneys on deposit from time to time in the 1991 Note Proceeds Accounts shall be invested in such investments as are permitted under the laws of the State of Oregon for the investment of moneys of the Issuer. The moneys on deposit from time to time in the 1991 Note Proceeds Account, including any investment earnings derived therefrom, shall be disbursed and applied from time to time for the purpose of paying the costs of financing, acquiring, renovating, furnishing and

equipping the Project, including, without limitation, the costs of:

(i) any demolitions or relocations necessary in connection with the acquisition, construction, reconstruction, improvement, betterment and extension of the Project and any replacements, alterations, improvements, additions, machinery, furnishings and equipment, facilities, paving, grading, excavation, blasting or removals deemed by the Issuer to be necessary or useful or convenient in connection therewith;

(ii) obligations incurred for labor and materials and payments made to contractors, builders and materialmen in connection with the acquisition, construction, reconstruction, improvement, betterment and extension of the Project, and for the restoration of property damaged or destroyed in connection therewith;

(iii) fees and expenses of any paying agent and registrar during construction, payments, taxes or other governmental charges lawfully levied or assessed during construction or on any property acquired, and premiums on insurance (if any) during such construction or acquisition or reimbursement to the appropriate person for such premium payments;

(iv) fees and expenses for studies, surveys and reports, engineering, borings, testings, estimates of costs and revenues, preparation of plans and specifications and inspecting or supervising construction or acquisition, as well as for the performance of all other duties of engineers or architects in connection with the acquisition, construction, reconstruction, improvement, betterment or extension of the Project or required by this Ordinance;

(v) expenses of administration properly chargeable to the acquisition, construction, reconstruction, improvement, betterment or extension of the Project, including legal expenses and fees, financing charges, costs of audits and fiscal advice, the fees and expenses of the consultants and advisors, and other similar administrative costs incurred during the construction period but only to the extent such fees, expenses and costs have been capitalized, and all other items of expense not elsewhere in this definition specified, incident to the acquisition, construction, reconstruction, improvement, betterment or extension of the Project, including the acquisition of real estate, franchises and rights-of-way therefor, and abstracts of title and title insurance;

(vi) the cost and expense of acquiring by purchase or condemnation or by leasing such property, lands, rights-of-way, franchises, easements, and other interests in land as may be deemed necessary or convenient for the acquisition, construction, reconstruction, improvement, betterment or extension of any part of the Project, and options and partial payments thereon, and the amount of any damages incident to or consequent upon the same;

(vii) any obligation or expense heretofore or hereafter expended or incurred by the Issuer or any other person and any amounts heretofore or hereafter advanced by the Issuer or any other person for any of the foregoing purposes or otherwise related to the Project;

(viii) any costs of issuance incurred in connection with a the Notes or the Bonds; and

(ix) interest on the Notes during the period of construction, installation, acquisition and testing of the Project.

The moneys (including any investment earnings) on deposit in the 1991 Note Proceeds Account at the time of issuance of the Bonds shall be applied in one or more of the following ways as shall be determined by the Executive Officer of the Issuer: (A) to the payment of the principal of and interest on the Notes at maturity or upon prior redemption; (B) to the payment of any costs of issuance incurred in connection with the Bonds; or (C) retained in the

1991 Note Proceeds Account or transferred to the fund or account which is to receive the proceeds from the issuance and sale of the Bonds and applied to pay the remaining costs of the Project.

**(f) Taxable and Tax-Exempt Obligations; Issuance in Series.** To the fullest extent permissible under the provisions of the Internal Revenue Code of 1986, as amended, and the rules and regulations promulgated or applicable thereunder (the "Code"), the Notes shall be issued as obligations the interest on which is excludable for federal income tax purposes from the gross incomes of the owners thereof ("Tax-Exempt Obligations"). To the extent the Notes cannot be issued as Tax-Exempt Obligations, the Notes shall be issued as obligations the interest on which is not excludable for federal income tax purposes from the gross incomes of the owners thereof ("Taxable Obligations"), and pursuant to and in accordance with ORS 288.600 the Issuer hereby expressly consents to such taxability of the interest on such portion of the Notes. In order to accommodate the issuance of certain of the Notes as Tax-Exempt Obligations and the balance of the Notes as Taxable Obligations, the Notes may be issued in two or more series.

**Section 3. No Recourse.** No recourse shall be had for the payment of the principal of or interest on the Bonds or the Notes or for any claim based thereon or on this Ordinance against any member, officer or employee of the Issuer or any person executing the Bonds or the Notes.

**Section 4. Severability of Invalid Provisions.** If any one or more of the covenants or agreements provided in this Ordinance on the part of the Issuer to be performed should be contrary to law, then such covenant or covenants or agreement or agreements shall be deemed severable from the remaining covenants and agreements and shall in no way affect the validity of the other provisions of this Ordinance.

**Section 5. Governing Law.** This Ordinance shall be interpreted, governed by and construed under the laws of the State of Oregon, including the Act, as if executed and to be performed wholly within the State of Oregon.

**Section 6. Headings Not Binding.** The headings in this Ordinance are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Ordinance.

**Section 7. Effective Date.** This Ordinance shall, except as otherwise provided by law, become effective immediately upon enactment.

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## Certification of Ordinance

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*The undersigned do hereby certify that we are the duly elected or appointed, qualified and acting Executive Officer, Presiding Officer of the Council and Clerk of the Council of the Metropolitan Service District, Counties of Multnomah, Clackamas and Washington, State of Oregon; that the foregoing is a true and complete copy of Ordinance No. 91-383 as enacted by the Council of said district at a regular meeting duly called and held in accordance with law on February 28, 1991; and that the following Councilors voted in favor of said Ordinance:*

\_\_\_\_\_  
\_\_\_\_\_  
*the following Councilors voted against said Ordinance:*

\_\_\_\_\_  
\_\_\_\_\_  
*and the following Councilors abstained from voting on said Ordinance:*

\_\_\_\_\_  
\_\_\_\_\_  
*In addition, the Executive Officer hereby certifies that the foregoing ordinance has not been vetoed thereby.*

*In witness whereof, the undersigned have hereunto set their hands as of the dates set forth below.*

*Attest:*

\_\_\_\_\_  
*Tanya Collier, Presiding Officer*

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

\_\_\_\_\_  
*Clerk of the Council*

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

\_\_\_\_\_  
*Rena Cusma, Executive Officer*

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



Agenda Item No. 4.3  
February 14, 1991

ORDINANCE NO. 91-384



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503 221-1646

# Memorandum

**DATE:** February 7, 1991

**TO:** Interested Parties

**FROM:** Paulette Allen, Clerk of the Council *PA*

**RE:** ORDINANCE NO. 91-384, AN ORDINANCE ADOPTING A FINAL ORDER AND AMENDING THE METRO URBAN GROWTH BOUNDARY FOR CONTESTED CASE NO. 90-3: WASHINGTON COUNTY

The above referenced ordinance and supporting documents (ordinance, staff's report, Exhibit A, Vicinity Map and Exhibit B, Report and Recommendation of the Hearings Officer,) have been distributed under separate cover to Councilors, staff and other interested parties. Because of the volume of the supporting documentation, only staff's report and the ordinance have been included in this agenda packet. Those who wish to receive copies of the supporting documentation should contact the Clerk of the Council at 221-1646, ext. 206.

## STAFF REPORT

### CONSIDERATION OF AN ORDINANCE ADOPTING A FINAL ORDER AND AMENDING THE METRO URBAN GROWTH BOUNDARY FOR CONTESTED CASE 90-3: WASHINGTON COUNTY

Date: FEBRUARY 14, 1991

Presented By: Larry Shaw  
Ethan Seltzer

#### FACTUAL BACKGROUND AND ANALYSIS

Contested Case No. 90-3 is a petition from Washington County for a locational adjustment of the Urban Growth Boundary (UGB) in Washington County. The property proposed for inclusion within the UGB includes a total of about 6.7 acres, now a portion of two tax lots located south of the present right-of-way of Tualatin-Sherwood Road in the vicinity of Cipole Road. The present UGB is the centerline of the present right-of-way for Tualatin-Sherwood Road. The amendment is being proposed in order to allow the realignment and reconstruction of Tualatin-Sherwood Road, consistent with the RTP, and for purposes of improving safety and capacity. The City of Tualatin supports the petition.

Metro Hearings Officer Larry Epstein held a hearing on this matter on January 3, 1991, beginning at 1:30 pm in the Tualatin City Council chambers. Testimony was presented by Washington County staff and by a consultant to the County. No opposition was expressed either in writing or during the hearing. The Hearings Officer's Report and Recommendation, attached as Exhibit B, concludes that the proposal meets all applicable standards and should be approved. No exceptions were submitted by parties to the case.

Locational adjustments are meant to be small scale, technical adjustments to the Urban Growth Boundary (UGB). They are a device used to adjust the boundary when a mistake was made in the original drawing of the boundary line, when the addition of a small acreage will uniquely facilitate the development of lands adjacent to the proposed addition and already in the UGB, or the addition involves an addition of two acres or less intended to make the UGB coterminous with property lines. In any case, the need for the property in the UGB is not a factor in judging the suitability of the proposed addition.

In brief, a successful demonstration of compliance with the standards must show that the adjustment will:

- result in a net improvement in the efficiency of the delivery of public facilities and services in adjoining areas within the UGB, and that the land in question itself can be served in an orderly and economic manner;

- lead to maximum efficiency of land uses;
- positively relate to any regional transit corridors and positively address any limitations imposed by the presence of hazard or resource lands;
- retain agricultural land when the petition involves lands for which no exceptions to goals 3 and 4 have been granted; and
- be compatible with nearby agricultural uses, or show why adherence to all the other conditions clearly outweigh any incompatibility.

In addition, a locational adjustment adding land to the UGB must be for less than 50 acres and must include within its boundaries all similarly situated contiguous lands, in order to avoid the piecemeal expansion of the UGB through a series of contiguous locational adjustments.

This case raises two notable issues:

- 1) Appropriateness - As a general comment, this petition exemplifies the way in which the locational adjustment process should work. The petition stems from a road project that has been extensively reviewed by the petitioner, both in terms of petitioner's comprehensive plan as well as in coordination with the plans of Sherwood and Tualatin. Alternatives to meeting the service needs of the County other than through a UGB amendment were evaluated. Only the land needed to accomplish the service objective is included in the petition. This kind of analysis and the linkage to comprehensive land use plans is an appropriate use of the locational adjustment process.
- 2) Proposal involves rural lands not excepted from Statewide Planning Goals 3 and 4 - The locational adjustment process was intentionally designed to be very protective of agricultural and forest resource lands. Care was taken to ensure that the process not become a "backdoor" exceptions process for rural resource lands adjacent to the urban growth boundary, or lead to the exacerbation or creation of conflicts with existing agricultural practices.

In this instance, the petitioner demonstrated and the Hearings Officer concluded that although the proposed addition contains high-quality, Class II soils, "(r)etention of the subject property as agricultural would preclude the efficient and economical provision of an arterial road for, and therefore urbanization of, land within the UGB..." (emphasis added). The Hearings Officer also concluded that the proposed realignment of the road and amendment of the Urban Growth



page 3

Boundary would be compatible with the agricultural uses adjoining the site.

Since no exceptions to the Hearings Officer's report were received, the Council can decide whether it wants or needs to hear from parties following presentation of the case. In its deliberations, the Council may consider motions to remand the findings to the Hearings Officer or to staff for revisions. If no such motions are approved, the Council may allow Ordinance No. 91-384 to proceed to a second reading with the findings and recommendation as proposed in the Hearings Officer's report.

ES/es  
2/1/91



WASHINGTON  
COUNTY,  
OREGON

January 30, 1991

Ethan Seltzer  
Metro  
2000 S.W. First Avenue  
Portland, OR 97201

Dear Ethan,

The Washington County staff have received the hearings officer's report and recommendation for case number 90-03, and generally concur with his findings. We do not intend to take an exception to his report. We would appreciate it if you would schedule this matter for the Metro Council at the earliest opportunity.

Sincerely,

Mark Brown  
Principal Planner

MB/se

c: Jill Hinckley

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ADOPTING A FINAL ORDER )      ORDINANCE NO. 91-384  
AND AMENDING THE METRO URBAN )  
GROWTH BOUNDARY FOR CONTESTED CASE )  
NO. 90-3:WASHINGTON COUNTY )

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY  
ORDAINS:

Section 1. The Council of the Metropolitan Service District hereby accepts and adopts as the Final Order in Contested Case No. 90-3 the Hearings Officer's Report and Recommendations in Exhibit B of this Ordinance, which is incorporated by this reference.

Section 2. The District Urban Growth Boundary, as adopted by Ordinance No. 79-77, is hereby amended as shown in Exhibit A of this Ordinance, which is incorporated by this reference.

Section 3. Parties to Contested Case No. 90-3 may appeal this Ordinance under Metro Code Section 205.05.050 and ORS Ch. 197.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

Tanya Collier, Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of the Council

ES/es  
2/1/91

Agenda Item No. 5.1  
February 14, 1991

RESOLUTION NO. 91-1393

## STAFF REPORT

### CONSIDERATION OF RESOLUTION 91-1393 FOR THE PURPOSES OF AUTHORIZING \$85,000 IN ADDITIONAL FUNDS FOR DUE DILIGENCE PHASE II CONTRACTS TO EVALUATE THE PURCHASE OF THE SEARS FACILITY AND THE AMENDMENT OF THE BOOR/A CONTRACT

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Date: January 15, 1991

Presented by: Neil Saling

#### FACTUAL BACKGROUND AND ANALYSIS

At its December 20, 1990 meeting, the Metro Council approved Resolution 90-1357 authorizing the Executive Officer to amend the previously executed Sales Agreement for the Sears facility to extend the due diligence period until April 30, 1991, and to continue the due diligence evaluation of the Sears purchase. Specifically, the amendment granted more due diligence time in order to continue (1) the architectural analysis; (2) review the initial cost estimates; (3) assess financing uncertainties and risks; and (4) pursue pre-leasing activity of the Sears' tenant space.

Resolution No. 91-1393 acts to authorize spending of an additional \$85,000 during the second phase of due diligence. Exhibit A details this work program. It also acts to authorize an amendment to the BOOR/A contract which would continue the architectural evaluation of the Sears building. The proposed amendment is attached as Exhibit B.

BOOR/A's fee proposal for this additional work is \$45,500. The proposed work includes the preparation of a formal program, continued concept design development and preparation of presentation materials useful for pre-leasing activity. The formal program would be useful to Metro whether Metro moves to the Sears Building, some other facility, or remains at First Avenue. The remaining work is specific to the Sears facility. The continued concept development would result in a more detailed renovation program. This will be used to better define project costs and to market the tenant space. It is anticipated that all work could be completed within six weeks.

The second major phase II activity proposed by project staff is the continued refinement of construction costs. An independent cost consultant would be retained and based on the above described BOOR/A work would more closely evaluate the project construction costs. The cost to perform this work is



estimated to be \$15,000. With this cost information, Metro can better determine the overall financial feasibility of relocating to the Sears Building.

Leasing the Sears excess space and Metro Center space is a third work program element. The phase II budget reflects funds via the BOOR/A amendment for tenant space planning.

A final element of the phase II work program is to establish financing strategy and structure for the acquisition and renovation work. An ordinance authorizing the issuance of bonds and bond anticipation notes has been drafted. Other tasks include preparing a master ordinance, determining revenue capacity for payment of bonds, conducting preliminary rating discussions and preparing documents for marketing the bond sale. Costs for these services are included in the phase II budget.

It is expected that, based on the information realized from this phase II due diligence work program, the Relocation Task Force would make their recommendation regarding the purchase of the Sears Facility by mid March, and allow the Metro Council to act prior to the April 30, 1991 deadline.

RECOMMENDATION:

The Executive Officer recommends approval of Resolution No. 91-1393 by the Metro Council and the Contract Review Board.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING )  
\$85,000 IN ADDITIONAL FUNDS FOR )  
DUE DILIGENCE PHASE II CONTRACTS )  
AND TO AMEND THE BOOR/A )  
CONTRACT )

RESOLUTION NO. 91-1393  
Introduced by Rena Cusma,  
Executive Officer

WHEREAS, by Resolution No. 90-1338, the Council of the Metropolitan Service District authorized the execution of a sales agreement for the acquisition of the Sears facility as the site for Metro's administrative offices; and

WHEREAS, the Sales Agreement included a provision for a 67 day due diligence period by which Metro would employ a variety of consultants to determine the economic and pragmatic feasibility of the Sears facility as Metro's headquarters; and

WHEREAS, Resolution 90-1357 authorized the amendment of the Sales Agreement to extend the due diligence period until April 30, 1991 to allow Metro additional time to continue and refine the consulting work originating from the initial due diligence period; and

WHEREAS, \$85,000 in additional funds are required to continue due diligence work per the contract items listed in Exhibit A; and

WHEREAS, approximately half of this phase II work will be of on-going value to Metro; and

WHEREAS, an amendment, attached as Exhibit B, is required to the BOOR/A contract to allow continuation of the due diligence architectural work.

BE IT RESOLVED, that the Council of the Metropolitan Service District hereby authorizes the Executive Officer to proceed with additional due diligence contracts as listed in Exhibit A .

BE IT FURTHER RESOLVED, that the Council of the Metropolitan Service District, acting as Contract Review Board, authorizes the amendment of the BOOR/A contract to continue the due diligence architectural review of the Sears Building.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_ day of February, 1991.

\_\_\_\_\_  
Tanya Collier  
Presiding Officer

## Exhibit A

### SEARS BUILDING PROJECT

Due Diligence Phase II Contract Items/Budget  
As of Monday, January 21, 1991

#### Initial Due Diligence Contracts Status

Amount allocated:	\$65,000
Amount spent to date:	\$56,100
Amount remaining:	\$ 8,900

#### Phase II Due Diligence Proposed Contracts

BOOR/A amendment to continue architectural work	\$45,500
Independent Cost Estimator	15,000
PFM	25,000
Bond Counsel	5,000
Contingency	<u>3,400</u>
	\$93,900

Less amount remaining from phase I \$ 8,900

Total \$85,000

**Exhibit B**

**AMENDMENT NO. 1**

**BROOME, ORINGDULPH, O'TOOLE, RUDOLF, BOLES & ASSOCIATES**

**Contract No. 901-531**

The contract between the Metropolitan Service District, hereinafter referred to as "METRO", and Broome, Oringdolph, O'Toole, Rudolf, Boles & Associates (BOOR/A), hereinafter referred to as "CONTRACTOR", to preform architectural analysis of the Sears Building as part of Metro's Due Diligence efforts, Contract No. 901-531, is hereby amended as follows:

The original contract amount of \$9,700 is increased by \$45,500, to the current contract amount of \$55,200.

The Scope of Work is amended as follows:

Additional tasks include:

- 1) Prepare a formal program for all Metro (First Avenue) spaces to be housed in one facility. The program would be useable in any facility and will identify the purpose, function, organization, space relationships, space sizes and needs, and growth potential.
- 2) Prepare limited Concept Design drawings for the Sears Building that indicate a potential design consisting of floor plans, a site plan, and two building elevations or a perspective sketch.
- 3) Prepare additional drawings and material identification of the Sears Building which will verify current costs estimates. This item consists of two building sections, a typical wall section, further development of the atrium, typical corridor treatment, including wall materials, door, and ceilings, and an outline specification identifying assumed materials used to develop costs.
- 4) Prepare a space plan to house a potential tenant in approximately half of the Grand Ave. level of the Sears Building.

All of the additional tasks shall be completed within 6 weeks of Notice to Proceed.

The contract expiration date shall be extended to April 30, 1991.

All other terms and conditions remain in full force and effect.

BOOR/A

Metropolitan Service District

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

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

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

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

Agenda Item No. 5.2  
February 14, 1991

RESOLUTION NO. 91-1398



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503.221-1646

# Memorandum

DATE: February 7, 1991  
TO: Interested Parties  
FROM: Paulette Allen, Clerk of the Council *PA*  
RE: RESOLUTION NO. 91-1398

The Council Finance Committee will consider the above referenced resolution February 8. The Committee report will be distributed at the Council meeting February 14, 1991.

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 91-1398 FOR THE PURPOSE  
OF AUTHORIZING THE RELEASE OF THE METROPOLITAN SERVICE  
DISTRICT'S REQUEST FOR PROPOSALS (RFP) FOR PROVISION OF  
GENERAL TECHNICAL SERVICES

January 22, 1991

Presented By: Neil E. Saling

### Proposed Action:

Adoption of Resolution No. 91-1398 would authorize the Finance and Administration Department to issue a request for submission of proposals (RFP) from firms interested in providing technical services to the district in support of its capital construction and facilities development activities.

The contract resulting from the RFP will be executed by requesting services at a prenegotiated rate. The contract will be a "multi-year" contract and is not currently identified in the fiscal year 1990-91 contracts list.

### FACTUAL BACKGROUND AND ANALYSIS

Metro has a limited in-house capability for performing technical services and analyses associated with design, construction and maintenance of its public facilities. Once this in-house capability is exhausted, it becomes necessary to procure assistance through contracting.

An alternative to multiple small contracts is a standing contract for technical consulting and advisory services, sometimes referred to as an "open-end architect/engineer contract." Fees are paid on a per-task basis as opposed to a single lump sum or retainer.

To satisfy its needs, Metro desires a single consultant or point of contact within a firm to perform the work or to organize a team to accomplish the desired work. It is anticipated that the operating departments will require work costing a maximum of \$50,000 before the end of FY 1990-91.

The scope of anticipated services to be provided on request include:



STAFF REPORT  
Page 2.

General Assistance

- \* Plan to project approach & organization
- \* Consult on project delivery systems
- \* Develop or review schedules & budgets
- \* Prepare or review project summaries, RFPs and work scopes
- \* Serve as a resource for Metro management and staff

Technical Consulting

- \* Review plans and specifications for function and constructability
- \* Prepare or review various levels of project cost(s)
- \* Assist staff with defining and obtaining the need for special technical assistance
- \* Assist staff in resolution of Building Code and environmental conflicts and/or problems

Construction Management

- \* Assist with the administration and management of planning, design and construction contracts
- \* Advise on construction management approach
- \* Develop or review quality assurance/quality control plans
- \* Provide construction oversight
- \* Review proposed changes
- \* Provide periodic review of completed projects
- \* Assist with facility acceptance

Other Services

- \* Conduct or participate in special studies
- \* Assist with A/E selection and performance evaluation
- \* Support negotiations
- \* Serve as a "trouble-shooter"
- \* Serve as a "Mentor" or resource to staff

Budget Impact

It is anticipated that services in the amount of up to \$50,000 may be requisitioned by district departments in the remainder of fiscal year 1990-91. Funds for additional services will be requested in FY 1991-92 and subsequent budgets.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 91-1398.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 91-1398
THE RELEASE OF AN RFP FOR	)	
GENERAL TECHNICAL SERVICES	)	Introduced by Rena Cusma,
IN SUPPORT OF ITS CAPITAL	)	Executive Officer
IMPROVEMENT AND FACILITY	)	
DEVELOPMENT PROGRAMS	)	

WHEREAS, the Metropolitan Service District (METRO) anticipates a continuing responsibility for the planning, design and construction of a wide range of public facilities; and

WHEREAS, METRO has a limited in-house capability for performing technical services and analyses associated with its facilities development programs; and

WHEREAS, METRO desires to augment its in-house capabilities with a single consultant or point of contact within a consulting firm which can provide for a wide range of technical services; and

WHEREAS, the request for proposals has been subjected to Metro's internal review procedures; and

WHEREAS, the contract is subject to Council review and approval pursuant to Metro Code 2.04.033;

BE IT RESOLVED,

The Council of the Metropolitan Service District hereby authorizes the attached Request for Proposals for General Technical Services to be issued by Metro's Finance and Administration Department and, pursuant to Metro Code 2.04.033 (b), waives the requirement for Council review of the contract and authorizes the Executive Officer to execute the contract.

ADOPTED by the Council of the Metropolitan Service District

this \_\_\_\_\_ day of \_\_\_\_\_ , 1991.

Tanya Collier, Presiding Officer

REQUEST FOR PROPOSALS (RFP)  
FOR GENERAL TECHNICAL SERVICES FOR  
PUBLIC WORKS PROJECTS AND FACILITIES

I. INTRODUCTION

Metro is seeking proposals from qualified and experienced individuals or firms to provide a variety of technical consulting and advisory services. It is anticipated that tasks will be assigned thru a series of work orders issued by Metro. Compensation will be based on predetermined rates and the agreed level of effort for each assigned task.

Period of service will include the remainder of FY 90-91 with potential for renewal at Metro's sole option. During the period of the contract, the firm or individual will not be eligible for other Metro contracts of any kind.

The maximum value of potential tasks during the FY 90-91 period will be \$50,000. Metro does not warrant this amount or the amount of work that may be assigned.

II. BACKGROUND/HISTORY

Metro anticipates a continuing responsibility for the planning, design and consultation of a wide range of public facilities. With increasing frequency the technical staff and management find they could improve their productivity and move projects forward more smoothly if a senior person with varied and extensive experience were available for consultation and advice and to undertake a variety of short term tasks will providing a continuity and Metro familiarity not obtainable by concentrating with a number of separate persons or firms.

III. PROPOSED SCOPE OF WORK

Assignment of a senior qualified and experienced person to be available on call as needed to serve as a general consultant and advisor to Metro. The person will be available to Metro management and staff to provide general assistance, technical consulting and construction management support on various public works projects and facilities.

REQUEST FOR PROPOSALS (RFP)  
FOR GENERAL TECHNICAL SERVICES FOR  
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Assignment of a senior qualified and experienced person to be available on call as needed to serve as a general consultant and advisor to Metro. The person will be available to Metro management and staff to provide general assistance, technical consulting and construction management support on various public works projects and facilities.

Tasks assigned by Metro may include but not be limited to:

General Assistance

- \* Plan project approach & organization
- \* Consult on project delivery systems
- \* Develop or review schedules & budget
- \* Prepare or review project summaries, RFPs, work scopes
- \* Serve as a resource for Metro management and staff

Technical Consulting

- \* Review plans and specifications for function and constructability
- \* Prepare or review various levels of project cost(s)
- \* Assist staff with defining and obtaining the need for special technical assistance
- \* Assist staff in resolution of Building Code and environmental conflicts and/or problems

Construction Management

- \* Assist with the administration and management of planning, design and construction contracts
- \* Advise on construction management approach
- \* Develop or review quality assurance/quality control plans
- \* Provide construction oversight
- \* Review proposed changes
- \* Provide periodic review of completed projects
- \* Assist with facility acceptance

Other Services

- \* Conduct or participate in special studies
- \* Assist with A/E selection and performance evaluation
- \* Support negotiations
- \* Serve as a trouble shooter
- \* Serve as a "Mentor" or resource to staff



#### IV. QUALIFICATIONS/EXPERIENCE

The successful proposer must possess the following qualifications and experience:

- \* Appropriate technical ( ? ) and certification
- \* Several years of varied technical administrative and management experience in project development and delivery
- \* Knowledge of project planning, organization and delivery system
- \* Experience in design, design processor and review
- \* Skills and experience in contract and construction management
- \* Ability to respond and deliver services as requested
- \* Familiarity with public works procedures and facilities.

#### V. PROJECT ADMINISTRATION

The successful proposer will respond to and coordinate with the contact management/administration assigned by Metro.

#### IV. PROJECT TIME FRAME

Services will be provided thru the end of FY 90/91. Specific task deadlines and delivery requirements will be as specified in individual work orders.

#### VII. PROPOSAL INSTRUCTIONS

##### A. Submission of Proposals

Three (3) copies of the proposal shall be furnished to:

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Metropolitan Service District  
2000 S. W. First Avenue  
Portland, OR 97201-5398

##### B. Deadline

Proposals will not be considered if received after \_\_\_\_ PM, PST  
\_\_\_\_ 199\_\_. Postmarks are not acceptable.

- C. RFP as Basis for Proposals. This RFP represents the most definitive statement Metro will make concerning information upon which proposals are to be based. Any information which is not contained in this RFP or Amendments thereto will not be considered by Metro in evaluating the proposals.
- D. Subcontractors: Disadvantaged Business Program due to the indefinite and veined nature of prospective tasks and the personal service consulting approach the provisions of Metro's Disadvantaged Business Program will not apply to this contract. In the event that tasks authorized under this contract would include subcontract sub-tasks the issue of MBE participation will be addressed in the task request and authorization on a case by case basis.

#### VIII. PROPOSAL CONTENTS

The proposal should contain sufficient written material to describe the ability of the proposer to perform the work requested. Contents of the proposal should be as follows:

- A. Transmittal Letter: Indicate those individuals who will be assigned to the project, who will be project manager, and that the proposal will be valid for ninety (90) days. Metro intends to award this contract to a single firm to provide the services required. Proposals must identify a single person as project manager to work with Metro. The consultant must assure responsibility for supervising any subconsultant work and shall be responsible for the day-to-day direction and internal management of the consultant effort.
- B. Approach/Project Work Plan: Describe how the overall project will be managed and controlled. Include proposed procedures for identifying tasks, scoping, budgeting, performance, the work and reporting the status of tasks and overall contract.
- C. Staff Management: Identify the person responsible to Metro for the management of the project (contract). Name the individual proposed to serve as the senior consultant. Describe the background, qualification and special skills of this individual.
- D. Experience: List a number (5-10) projects, tasks or assignments that illustrate experience in the type of activities, facilities and anticipated tasks and roles outlined by this RFP. Provide the name and phone number of a contact person for each example listed.

- E. Cost/Budget: Present proposed method(s) of compensation, cost and cost control along with rates, reimbursement(s) and fees for applicable for the proposed contract period.
- F. Exceptions and Comments: To facilitate evaluation of proposals, Metro wishes that all responding firms adhere to the format outlined within this RFP. Firms wishing to take exception to, or comment on, any specified criteria within this RFP are encouraged to document their concerns in this part of their proposal. Exceptions or comments should be succinct, thorough and organized.

#### IX. GENERAL PROPOSAL/CONTRACT CONDITIONS

- A. Limitation and Award -- This RFP does not commit Metro to the award of a contract, not to pay any costs incurred in the preparation and submission of proposals in anticipation of a contract. Metro reserves the right to accept or reject any or all proposals received as the result of this request, to negotiate with all qualified sources, or to cancel all or part of this RFP.
- B. Contract Type -- Metro intends to award Personal Services Contract with the selected firm for this project. A copy of the standard form contract which the successful proposer will be required to execute is attached.
- C. Billing Procedures -- Proposers are informed that the billings by the selected firm are subject to the review and approval by Metro before reimbursement for services can occur. A monthly billing, accompanied by a progress report will be prepared.
- D. Validity Periodic and Authority -- The proposal shall be considered valid for a period of at least ninety (90) days and shall contain a statement to that effect. The proposal shall contain the name, title, address and telephone number of an individual or individuals with authority to bind the Proposer.

## **X. EVALUATION OF PROPOSALS**

### **A. Evaluation Procedures**

Proposals received that confirm to the proposal instructions will be evaluated. The evaluation will take place using the evaluation criteria identified in the following section.

### **B. Evaluation Criteria**

This section provides a description of the criteria which will be used in the evaluation of the proposals submitted to accomplish the work defined in the RFP. Proposals will be evaluated on their technical content consisting of the elements listed below. Cost elements will be used to negotiate and finalize the contract with the selected proposer.

## EVALUATION CRITERIA

- A. General -- Compliance with the RFP
- B. Project Approach/Work Plan
  - 1) Demonstration of Understanding of the Project Objectives
  - 2) Performance Methodology
- C. Qualifications
  - 1) Training & Certification
  - 2) General Background & resume
  - 3) Commitment to Project
- D. Experience
  - 1) Range of Experience
  - 2) Relevant projects, tasks and assignments
  - 3) Other applicable experience

**INSURANCE REQUIREMENTS:**

The contractor shall provide (from insurance companies acceptable to Metro) General Liability insurance coverage with a combined single limit of not less than \$500,000. Before commencing work under this contract the contractor shall furnish Metro with a certificate of insurance evidencing coverage as specified, naming Metro as an additional insured.

Agenda Item No. 5.3  
February 14, 1991

RESOLUTION NO. 91-1400A



## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 91-1400A, FOR THE PURPOSE OF APPROVING A REQUEST FOR PROPOSALS FOR A MODELING SYSTEM TO SIMULATE SOLID WASTE GENERATION, REDUCTION, TRANSPORT, AND DELIVERY AND ENTERING INTO A MULTI-YEAR CONTRACT WITH THE MOST QUALIFIED PROPOSER

Date: February 6, 1991

Presented by: Councilor McLain

Committee Recommendation: At the February 5, 1991 meeting, the Committee voted 3-0 to recommend Council adoption of Resolution No. 91-1400 as amended. Voting in favor were Councilors McFarland, McLain and Wyers. Councilors DeJardin and Gardner were excused.

Committee Issues/Discussion: Roosevelt Carter, Budget and Finance Manager, explained that Resolution No. 91-1400 combines into one contract three projects for which the Council previously appropriated funds.

Terry Petersen, Associate Solid Waste Planner, explained that staff currently bases its tonnage projections on historical trends. Staff is seeking approval of a request for proposals for a modeling system to simulate waste generation, reduction, transport and delivery. The system will assist solid waste management in developing short-term tonnage-related forecasts, and will assist solid waste planning in developing long-term forecasts. These forecasts will be used in rate setting, budget planning, and facility design and management. The modeling system will also be used to predict the impact of solid waste policies on waste flow.

Mr. Petersen explained that staff also is seeking waiver of Council approval of the contract resulting from the proposal process, because the additional time needed for Council approval would preclude using the modeling system in the current rate-setting process.

Rich Carson, Planning and Development Director, said the project is a cooperative effort between the two departments. He said staff needs better information than is currently available in order to plan and operate a multi-million dollar system.

Councilor McFarland asked why the Resolution did not come before the Council earlier if timing is a consideration. Mr. Carter said that three different projects had been budgeted, two of which were designated "B" contracts by the Council, and one designated "A". Councilor McFarland said that a primary responsibility of the Council is contract approval, and that approving the waiver would not meet that responsibility.

SOLID WASTE COMMITTEE REPORT  
Resolution No. 91-1400A  
Page Two

Councilor McFarland asked how the modeling system would account for decreases in waste due to recycling and reduction efforts. Mr. Petersen said Metro needs a system to look at these factors easily and quickly, to forecast whether or not decreases will occur.

Councilor McFarland asked if there is existing software which could be used. Mr. Petersen said that staff is not aware of any existing software, but that persons responding to the RFP could suggest existing programs which might be suitable.

Councilor McFarland noted that a significant amount of money is involved. She questioned whether and how the expenditure will help obtain better data, and feels uncomfortable with a system based on theoretical predictions.

Mr. Carson said that the solid waste field is rapidly evolving, and Metro needs ways to obtain better information to stay on the leading edge. Becky Crockett, Solid Waste Planning Supervisor, said that the system should save costs, because it will avoid having to develop a separate model for each project in which waste projections are needed.

Councilor McLain said the project makes sense, and should provide greatly needed information. She asked staff to address possible coordination problems. Mr. Carter said Terry Petersen will manage a project team with members from both departments, and will ensure there is no overlap.

With regard to the request for waiver of Council approval, Councilor McLain thought the conditions for waiving Council approval, which are set out in Exhibit B, provide appropriate limitations, and asked if additional conditions might be appropriate. Mr. Carson suggested that the Council could require that the project be included as a line item in the quarterly progress reports.

Councilor Wyers asked if the scope of work had changed since the original designation on the contract list. Ms. Crockett said it had not changed.

Mr. Carter noted that although the intent of the resolution is to ask for approval of a multi-year contract, language to this effect does not appear in the resolution, and should be inserted.

The committee voted 3-0 to amend the resolution to incorporate language authorizing a multi-year contract. The committee voted 2-1 to delete language waiving the requirement for Council approval of the contract (Councilors McFarland and Wyers voting in favor; Councilor McLain opposed).

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 91-1400A
ISSUANCE OF A REQUEST FOR PROPOSALS	)	
FOR A MODELING SYSTEM TO SIMULATE	)	Introduced by Rena Cusma,
SOLID WASTE GENERATION, REDUCTION,	)	Executive Officer
TRANSPORT, AND DELIVERY AND ENTERING	)	
INTO A MULTI-YEAR CONTRACT WITH THE	)	
MOST QUALIFIED PROPOSER[, AND WAIVING	)	
THE REQUIREMENT FOR COUNCIL APPROVAL	)	
OF THE CONTRACT AND AUTHORIZING THE	)	
EXECUTIVE OFFICER TO EXECUTE THE	)	
CONTRACT SUBJECT TO CONDITIONS]	)	

WHEREAS, Accurate forecasts of waste delivered to regional facilities [~~is~~] are essential for effective solid waste management and planning; and

WHEREAS, Predicting the response of waste generators and haulers to Metro's policies is necessary for management and long-term planning; and

WHEREAS, Predicting the impact of waste reduction and recycling on delivery tonnages is necessary for rate setting, budgeting, and facility management; and

WHEREAS, Metro's Regional Land Information System (RLIS) can be used to retrieve, analyze, and display data necessary for the above purposes; and

WHEREAS, The FY 1990-91 Metropolitan Service District budgets of the Solid Waste and Planning and Development Departments authorize[s] expenditures of a total of \$215,000 for work related to this project; and

WHEREAS, Pursuant to Metro Code Section 2.04.033(a)(1) Council approval is required because the agreement commits the District to expenditures for continuation of the Project in the next fiscal year; and

WHEREAS, Pursuant to Metro Code Section 2.04.032(d) Council approval is required because one of the contracts is identified as an "A" contract in the FY 1990-91 budget; and

~~[WHEREAS, Pursuant to Section 2.04.033(6) of the Metro Code, the Council may at the time it approves a Request for Proposals, Exhibit A, waive the requirement of Council approval of a contract prior to execution of the Contract by the Executive Officer,]~~

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

BE IT RESOLVED:

1. That the Council of the Metropolitan Service District approves the Request for Proposals for a Modeling System for Simulating Solid Waste Generation, Reduction, Transport and Delivery, and entering into a multi-year contract with the most qualified proposer.

2. That the Council approves consolidation of funds to allow the Solid Waste and Planning and Development Departments to jointly work on the Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery.

jointly work on the Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery.

3. That the Directors of the Solid Waste and Planning and Development Departments are requested to advertise for proposals and do all other things necessary to solicit proposals for a Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery.

~~[4. That the Council of the Metropolitan Service District, pursuant to Section 2.04.033(b) of the Metro Code, waives the requirement of Council approval of the contract resulting from the proposal process, subject to the conditions in Exhibit B attached hereto, and authorizes the Executive Officer to execute a contract for the Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery to the most qualified proposer in accordance with the requirements of the Metro Code, if the conditions are met.]~~

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

\_\_\_\_\_  
Tanya Collier, Presiding Officer

## EXHIBIT B

### CONDITIONS OF WAIVER OF COUNCIL APPROVAL

The Council of the Metropolitan Service District waives the requirement of Council approval of the contract for a Modeling System for Simulating Solid Waste Generation, Transport, and Delivery, subject to the following conditions:

- (1) The amount of the contract shall not exceed \$215,000.
- (2) The contract shall conform in all material respects to the scope of work and other terms of the Request for Proposals.

**REQUEST FOR PROPOSALS**

**MODELING SYSTEM FOR SIMULATING SOLID WASTE  
GENERATION, REDUCTION, TRANSPORT, AND DELIVERY**

**RFP #91R-4-SW**

**Metropolitan Service District  
2000 S.W. First Avenue  
Portland, OR 97201-5398  
(503) 221-1646**

**January 1991**

## **REQUEST FOR PROPOSALS**

### **Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery**

#### **INTRODUCTION**

The Metropolitan Service District (Metro) is seeking proposals from qualified firms to develop a modeling system for simulating solid waste generation, reduction, transport, and delivery in the Metro region. The objective is to provide a tool for experimenting with proposed management practices and policies without actually implementing them. Once developed, the simulations will be used by Metro for short-term operational decision making and long-term system planning projects.

The services requested by Metro as part of this project include model design, data collection and analysis, and software development. This Request for Proposals (RFP) does not include details of how tasks are to be accomplished. Instead, it identifies the basic components that must be considered regardless of specific methodology.

Responses to this RFP are expected to propose how each task would be accomplished and give as much detail as possible given the information in this RFP.

#### **BACKGROUND INFORMATION ABOUT METRO**

Proposals should consider the following characteristics of Metro and the local solid waste system:

##### **The Metropolitan Service District**

The Metropolitan Service District (Metro) was created by the Oregon Legislature in 1977 and approved by the voters of Clackamas, Multnomah and Washington counties in 1978 as a directly elected regional government. Metro is governed by a 12-member council, elected from subdistricts in the region, and an executive officer, elected region-wide. Metro serves the 1.2 million residents of the urban areas of the three-county region. Among other municipal services, Metro is responsible for the management of solid waste disposal and waste reduction facilities.

Metro has developed a Regional Solid Waste Management Plan (RSWMP) that establishes regional policies for waste reduction and management of all aspects of the region's facilities.

#### **REQUEST FOR PROPOSALS**

**Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery**



The Metro Code provides Metro with its regulatory authority and establishes operational procedures and responsibilities.

### Solid Waste Collection and Transport

Solid waste collection is the responsibility of cities and governments in the region. Collection and transport is done by private haulers. There are more than 100 commercial haulers in the region.

Except for the city of Portland, local governments award exclusive franchises to haulers for the collection of waste. Haulers in Portland do not have designated service areas, though this is likely to change in the near future. Metro does not have any regulatory responsibility related to the waste collection industry.

Subscription to a collection service is not mandatory in the region except for multi-family complexes in some cities. Both residential and non-residential generators are allowed to self-haul waste and recyclables to most facilities in the region. As a result, franchised haulers do not collect and transport all waste generated or recycled within their service area.

Haulers currently choose among the facilities that accept the type of waste they are transporting. There has been no directing of haulers to facilities by either Metro or local governments. Some haulers have agreements with private facilities to deliver the waste they collect.

The Metro Code includes flow control authority which allows Metro to direct waste to facilities. To date, this authority has not been implemented. It is expected that some flow control will be necessary as new facilities are built that handle specialized parts of the waste stream.

The mechanism that would be used for directing flow has not been established. Among other approaches, flow control could be based on geographic boundaries, truck type, or generator type.

### Disposal of Solid Waste and Recyclables

A total of 1.14 million tons of waste were delivered to regional disposal facilities during 1990. Based on recent waste characterization studies, composition of this waste was 17% construction and demolition debris, 31% residential waste, and 52% non-residential waste.

There is both private and public ownership of disposal facilities. Metro has agreements with private facilities to accept some of the waste generated within the region.

### **REQUEST FOR PROPOSALS**

**Modeling System for Simulating Solid Waste  
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Disposal fees at public facilities are established by Metro. Fees at these facilities are uniform (except for a lower yard debris rate) and are on a weight basis. Delivery tonnage records are maintained for each commercial hauler with a charge account.

Fees at private facilities are established by the owners. Most charge on a weight basis. Private facilities that accept solid waste are required to pay fees to Metro for the waste they receive from the region. Facilities that process pure loads of recyclables without residual waste are not regulated by Metro. Each solid waste disposal facility reports delivery tonnages to Metro on a monthly basis. These reports only include total tonnages and not type of waste or other information on hauler or generator.

The following table describes the major existing facilities in the Metro region. Tonnages are projections for 1991.

<u>Facility</u>	<u>Function</u>	<u>Ownership</u>	<u>Waste Type</u>	<u>Annual Tonnage</u>
Metro South	Transfer Station	Metro	General MSW	350,000
Metro Northwest	Transfer Station	Metro	General MSW	300,000
Forest Grove	Transfer Station	Private	General MSW	60,000
Hillsboro Reload	Transfer Station	Private	General MSW	15,000
Hillsboro Landfill	Landfill	Private	Non-putrescible	150,000
Lakeside	Landfill	Private	Non-putrescible	80,000
Riverbend	Landfill	Private	General MSW	60,000
St. Johns	Landfill	Metro	Construction debris	120,000
Mass Composting	MSW Compost	Metro	Residential	185,000
Grimm's Fuel	Compost Facility	Private	Yard Debris	17,000
MacFarlane's	Compost Facility	Private	Yard Debris	11,000
Oregon Processing and Recovery Center	Material Recovery Facility	Private	High-Grade	7,000
East County Recycling Center	Material Recovery Facility	Private	Non-putrescible	30,000

Note: MSW = Municipal Solid Waste

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At least one new transfer station will be built in the western portion of the region within the next two years. Other major system changes will include a recovery facility for construction and demolition debris, expansion of regional capacity for processing mixed waste that contains a high proportion of recyclable material, and expansion of yard debris processing facilities.

Metro has contracts with the operators of some facilities that establish minimum and maximum delivery tonnages on a daily, weekly, monthly, and annual basis. Contracts such as the one for the MSW Compost Facility also specify the type of acceptable waste.

### Local Recycling Programs

Local jurisdictions are responsible for implementing recycling programs such as curbside collection of recyclables. State law requires that monthly curbside collection of principal recyclables be made available in all communities with a population greater than 4,000.

While Metro is encouraging uniformity in recycling programs, there presently exists considerable variation among local jurisdictions. Promotion and education, frequency of collection, and types of recyclables collected vary within the region. Commercial haulers report to Metro on a quarterly basis the type and quantity of recyclables they have collected.

## PROJECT DESCRIPTION

The characteristics of solid waste management in the Metro region described above make it difficult to forecast how much and what type of waste will be available for disposal or recycling. It is also difficult to determine whether the actions recommended in the Regional Solid Waste Management Plan have been effective in reaching the goals in the plan.

Multiple facilities that accept the same type of waste and freedom of choice on the part of haulers create uncertainty that may not exist in many other regions. The primary purpose of this project is to produce a simulation system that is capable of dealing with this uncertainty.

Metro will primarily use this system for:

- (1) Forecasting waste and recyclable tonnages delivered to facilities by waste type, generator type, transport mode, and geographic origin. It is necessary that forecasts generated from the simulations predict waste flows to facilities with a high degree of accuracy for short-term (1 to 3 year) management decisions as well as predict waste generation rates and flow patterns for long-range (20 year) planning projects.

### REQUEST FOR PROPOSALS

Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery

- (2) Predicting behavioral changes in waste generators and haulers in response to factors such as disposal fees and location of facilities.
- (3) Estimating changes in waste flow as the result of new recycling and waste reduction activities.
- (4) Identifying flow patterns that achieve management objectives.

Metro recognizes that there are many different simulation approaches that could be used to accomplish the above objectives. The consultant will be expected to provide expert technical advice on the advantages and disadvantages of alternative approaches.

### Modeling Waste Generation

Regardless of approach, information on waste generation within local areas will be required to simulate waste flow. Some actual data is available. For example, haulers may have records of level of service for residential accounts by address. In most cases, however, the amount and type of waste produced by different generators in small area zones is unknown.

One component of this project will be to develop equations for predicting how much and what type of waste is generated in zones where actual data are not available. The relationships between waste generation and attributes of local zones will need to be quantified. The consultant will be responsible for data collection and analysis necessary to accomplish this.

### Modeling Waste Reduction, Transport, and Delivery

A second component will be to model the alternative "paths" that waste may take once generated. For some scenarios, there may be a single path for certain waste. For example, one scenario might be that Metro uses its flow control authority to direct all residential waste that is collected by commercial haulers within a given geographic zone to a single facility. Another example would be a hauling company that is known to deliver all waste to a particular facility. Users should be able to specify these known assignments.

The final destination of most waste in the Metro region, however, is determined by a series of unknown and uncontrolled choices made by generators and haulers. Because factors such as travel time do not have the same value to all haulers, not all waste from a particular area is delivered to the same facility. Metro staff visualizes the problem of modeling waste delivery as one of predicting the behavior of generators and haulers in making choices concerning disposal, transport, and delivery.

Following this section is a diagram showing examples of the basic choice options that will be modeled in this project. After known assignments are made, the simulation should use statistical models developed as part of this project to assign remaining waste to collection modes, vehicle type, and facilities.

### Simulation Software

The third task will be the development of a simulation computer program. The software or programming language to be used is not being specified by Metro. However, Metro is particularly interested in proposals that fully utilize the simulation potential of Metro's ARC/INFO Geographic Information System (GIS). At a minimum, the GIS will be used to retrieve socioeconomic and environmental data that feed the generation and allocation models and for display of results.

Metro believes that it may be possible to also conduct the simulations using ARC/INFO (or ARC compatible databases such as ORACLE). If so, the software development portion of this project will involve writing ARC macros for user interface with GIS, calculation of attributes using predictive equations, and outputting results.

Existing Metro computer resources that might be relevant to this project include Sun SPARC server/network running EMME/2 transportation software and SAS (Statistical Analysis System) software; Hewlett-Packard 9000 series network running ARC/INFO GIS software; ethernet connection between the Sun and HP networks; and SAS software running on IBM compatible PCs.

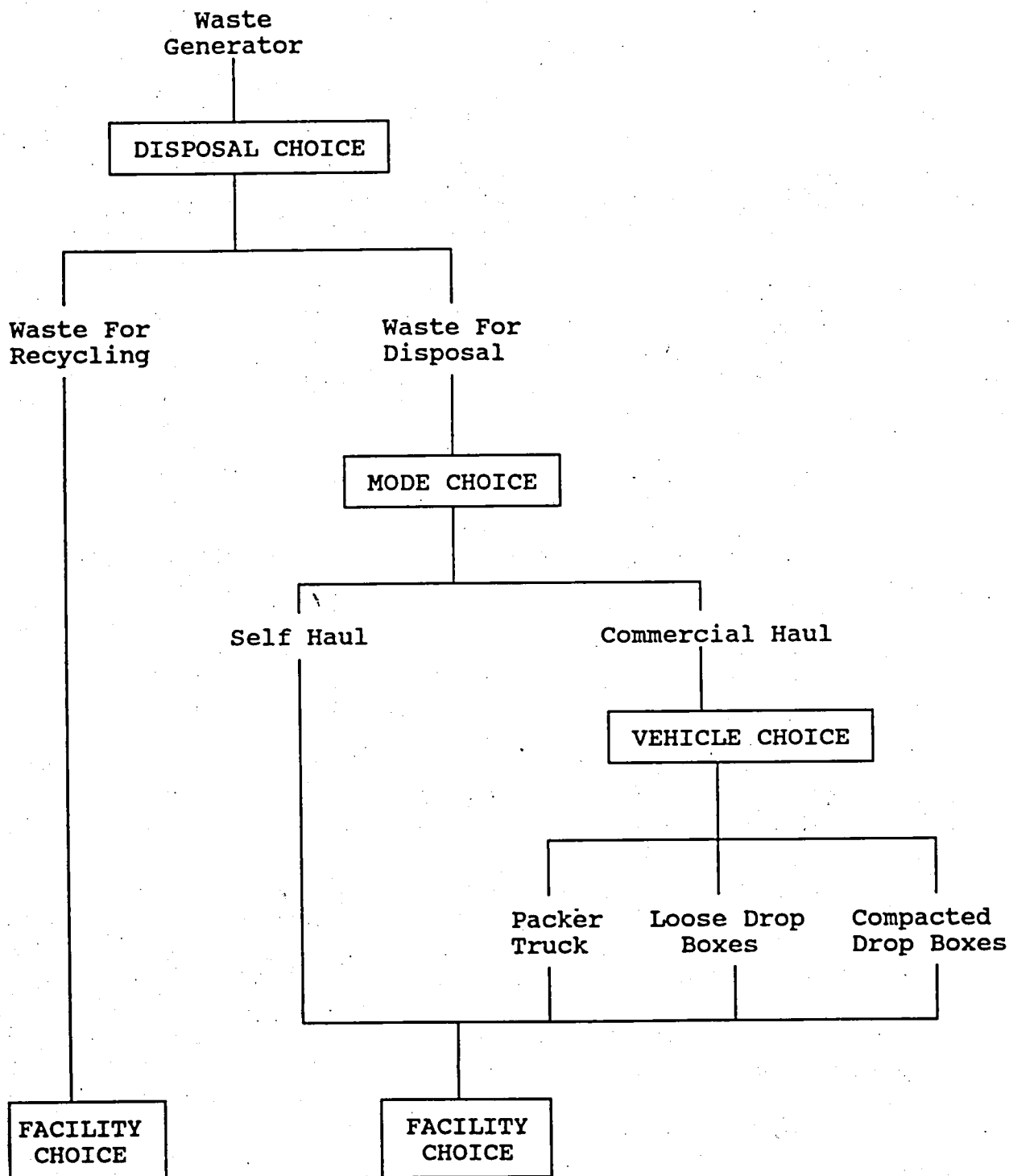
It must be possible for Metro staff to easily examine "what-if" questions. For example: What will be the change in delivery tonnage at the Metro Northwest Transfer Station if a new recovery facility is established in northeast Portland that accepts waste at \$15 less per ton? How much waste would be received at the MSW Compost Facility if only packer trucks with residential waste from Multnomah County were accepted? In general, users must be able to specify the characteristics of facilities, transport modes, and waste streams and examine how waste flow changes under different scenarios.

The system must be adaptable to the changes that are currently taking place in the region. For example, new facilities are being built that are increasingly more specialized in the type of waste they accept. The transport of waste is also changing from a system where haulers choose among disposal facilities to one where Metro may direct haulers in order to achieve regional policy objectives.

### REQUEST FOR PROPOSALS

Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery

## EXAMPLE OF CHOICE OPTIONS AVAILABLE TO GENERATORS AND HAULERS



## WHAT THIS PROJECT WILL NOT DO

Metro is not responsible for waste collection. Evaluating collection route alternatives is not an objective of this project. Instead, the focus is on modeling transport and delivery after collection is complete.

This RFP is also not for services to perform economic cost/benefit analyses of different program alternatives. Variables such as disposal fees, transport costs, and market prices of recyclables are only of interest if they help explain the behavior of generators and haulers. Other models that Metro is developing will be used to perform economic analyses.

The simulation model should provide statistical estimates of waste flow not optimal mathematical solutions to management questions. The objective is to compare alternatives scenarios rather than to generate the optimal one given a set of constraints. Therefore, Metro believes that optimization techniques such as linear programming will not be part of this project.

## PROPOSED SCOPE OF WORK

Metro believes that the following tasks will be required in order to accomplish the project objectives. Proposers should give a detailed description of how each task and sub-task would be conducted.

Proposers may comment on the proposed tasks and suggest additional ones that may be required. Any changes in the proposed tasks should be accompanied by an explanation of why different tasks would better accomplish the project objectives.

Responses should consider the proposal guidelines listed after each task. Details of proposed workplans should be included to the fullest extent possible. Responses will be used to evaluate understanding of the project and technical qualifications.

**Task 1        Develop statistical model(s) that can be used to estimate waste generation rates within local geographic areas of the Metro region.**

The model(s) must: (1) have a monthly time resolution for short-term forecasts and a yearly resolution for long-term forecasts, (2) allow predictions to be made for different types of generators, and (3) allow the total amount of waste to be disaggregated by material type.

## REQUEST FOR PROPOSALS

Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery

**Metro expects generator categories to include at least the following:**

- Single-family households
- Multi-family households
- Retail businesses
- Industrial
- Manufacturing
- Other non-residential generators

**At a minimum, waste categories will include the following:**

- Corrugated Paper
- Newspaper
- Office Paper
- Yard Debris
- Ferrous Metals
- Non-Ferrous Metals
- Glass
- Food Waste
- Wood
- Plastic
- Construction/Demolition Debris

### **1.1 Design the waste generation model.**

The consultant shall work with Metro staff to design the most appropriate conceptual model of waste generation.

#### **Proposal guidelines:**

Proposals should include a description of expected model structure using text and/or mathematical equations as appropriate. Describe the attributes of local areas that will be included in the model as explanatory variables (e.g. employee classification, sales volume, household income).

Proposals should describe the geography of the basic units of analysis (e.g. census tracts, transportation zones, or other units to be defined).

Describe how monthly variation, type of waste, and type of generator will be dealt with in the model. For example, describe whether a multivariate model with material types as dependant variables will be developed or separate equations will be estimated for each material and generator.

## **REQUEST FOR PROPOSALS**

**Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery**



**1.2 Plan and conduct data collection needed to estimate parameters of the waste generation model.**

The consultant shall be responsible for all aspects of data collection. This could include designing and fielding surveys, contacting businesses to request permission to sort waste, and performing field work related to waste sorting and characterization.

**Proposal guidelines:**

Proposers should assume that no local data currently exist that could be used to establish the relationship between waste generation rates and attributes of local geographic areas. Given this assumption, proposals should describe any data collection that would be necessary to accomplish the project objectives.

Proposers should pay particular attention to the data collection required for estimating non-residential waste generation. Metro believes that sufficient data may exist for estimating parameters of non-residential waste generation equations. Proposer should state whether they believe this is the case.

Proposals should give as much detail as possible about the type of data collection that is proposed, including a discussion of the commitments which would be necessary for long-term data base maintenance. Proposed data sources should be identified and classified as to whether they are primary or secondary sources. If repeated or ongoing surveys are necessary for model maintenance, proposals should comment on sample selection method, method of contact, sampling plan, sampling size, projected reliability, and quality control procedures.

It may be possible that the improvements in model accuracy that could be achieved with local data do not justify the cost of data collection. If the proposal is to use data from other regions, these data must be described in terms of source, accessibility, expected accuracy when applied to the Metro region.

**1.3 Conduct the statistical analysis needed to estimate model parameters and determine the best set of variables for predicting waste generation.**

The consultant shall be responsible for performing all statistical analyses necessary for developing the waste generation model.

### **Proposal guidelines:**

Proposals should describe the statistical procedures and software that would be used to estimate parameters of the waste generation model. Also describe tests statistical decisions that would be used to evaluate and refine the final equations to be used in the simulation model.

- 1.4 Provide Metro with: (1) all data in electronic format, (2) documentation of all statistical analyses including parameter estimates, and (3) documentation of research design, field work, quality control procedures, and methods for updating features of the waste generation model.**

- Task 2. Develop "choice" models to predict the behavior of generators and haulers who decide among alternative modes of transporting waste and facilities for delivery of waste.**

The consultant shall develop models that, at a minimum, describe the following aspects of generator and hauler behavior: (1) the generator's choice of whether or not to separate recyclable material from waste prior to collection, (2) the generator's choice of self-hauling waste or paying commercial haulers to transport waste to a disposal facility, (3) the commercial hauler's choice of what type of vehicle to use for transporting waste, and (4) the hauler's choice of facilities.

#### **2.1 Design the choice models.**

The consultant shall specify models that quantify the relationships between explanatory variables (e.g. travel time and disposal fee) and the choices listed above. Specification will include a description of variables and the functional form of the models. Metro reserves the right of review and approval of these model specifications prior to implementing other tasks of this project.

### **Proposal guidelines:**

Responses to this task should propose a model structure based on the information provided in this RFP. Use text and/or mathematical equations as appropriate. Define independent and dependent variables.

Proposals should describe how different types of generators will be included in the choice models. Similarly, indicate whether the same models will be used for all parts of the region.

Proposers should also identify and propose solutions to potential problems in modeling the behavior of haulers and generators in the Metro region. For example, the hilly terrain of the region creates steep grades on some main routes to facilities. Regardless of travel time, commercial haulers may avoid these routes and select alternative facilities in order to minimize wear on vehicles.

Another example is the spatial relationships among facilities. Proposals should describe how the effect of such factors will be modeled.

## **2.2 Plan and conduct data collection needed to estimate parameters of the choice models.**

The consultant shall be responsible for all aspects of data collection needed to develop the choice models. This will likely include designing and fielding surveys of haulers at disposal facilities to collect information on geographic origin.

### **Proposal guidelines:**

Metro has collected a limited amount of data that might be relevant to the choice models. For example, previous interviews of haulers at disposal facilities have indicated that not all haulers select the nearest facility. However, existing data are unlikely to be adequate for this project.

For the purposes of responding to this task, assume that Metro does not presently have data that can be used for estimating parameters of the choice models.

As with the waste generation model, proposals should give as much detail as possible about the type of data collection that is proposed, including a discussion of the commitments which would be necessary for long-term data base maintenance. Proposed data sources should be identified and classified as to whether they are primary or secondary sources. If repeated or ongoing surveys are necessary for model maintenance, proposals should comment on sample selection method, method of contact, sampling plan, sampling size, projected reliability, and quality control procedures.

**2.3 Conduct the statistical analysis needed to estimate model parameters.**

The consultant shall perform statistical analyses necessary for developing the choice models.

**Proposal guidelines:** Describe the statistical procedures and software that would be used to estimate parameters, including statistical tests that would be used to evaluate and refine the final equations to be used in the simulation model. Provide references to similar analyses that have been conducted in solid waste or other fields.

**2.4 Provide Metro with: (1) all data in electronic format, (2) documentation of all statistical analyses including parameter estimates, and (3) documentation of research design, field work, quality control procedures and methods for updating features of the choice models.**

**Task 3. Develop a software system to simulate waste flow in the Metro region using the models developed in Tasks 2 and 3. Provide Metro with programs and all necessary documentation to enable Metro staff to effectively use the system.**

The Consultant shall provide Metro with software that can be used by Metro staff to integrate the waste generation and choice models and perform the type of simulations described in this RFP.

The system must allow users to make simulation runs while systematically altering program parameters to reflect different management strategies. By comparing output from the different simulation runs, the user must be able to estimate the impact that different management strategies would have on solid waste generation, reduction, transport, and delivery.

The system must have the following characteristics:

- (1) Linkage must be possible between the simulation software and Metro's ARC/INFO Geographic Information System (GIS). At a minimum, (GIS) will be use for retrieving geographic data used in the simulations and displaying results. It is conceivable that ARC's macro language could also be used to accomplish the simulation.

- (2) User-specified assignments of waste to facilities can be made. Assignments may be based on geographic, generator, transport mode, or waste characteristics. These assignments may correspond to existing or proposed management practices. For example, the user may assign all packer trucks within a geographic area to the Mass Composting Facility.
- (3) Data files and the algebraic functions developed in Tasks 1 and 2 can be updated as Metro continues data collection in the future.
- (4) Specifications of facilities can be easily changed and the effect on waste flow estimated. Facility characteristics will include location, minimum and maximum capacity by waste type, acceptable hauler type, and tip fee.
- (5) Specification of recycling programs can be changed and the effect on waste flow estimated. Program characteristics that must be included are affected waste and generator type.
- (6) Actual (rather than modeled) waste generation, reduction, and delivery data can be used if available. For example, Metro might have information on exactly how much waste is generated in some areas.
- (7) Tabular and graphical reports containing model output can be generated.

**Proposal guidelines:**

Metro is not specifying the software or programming language to be used for the simulations. Proposers should describe the software they think will best accomplish the project objectives. Include a justification for choosing the software with a list of advantages and disadvantages.

Metro is not aware of any existing solid waste software applications that could accomplish the objectives of this project without major modifications. If the proposal is to use an existing application, the required modifications should be explained in detail.

Proposers should consider using flowcharts to describe how the simulation would be structured. Describe input and output datafiles, data sources, and processing steps. Describe the user interface.

As mentioned in the Project Description, Metro is particularly interested in proposals that fully utilize the potential of Metro's GIS. Proposers should describe how the simulation model will be linked with the GIS.

## **PROPOSAL INSTRUCTIONS**

Five (5) copies of the proposal (printed double-sided on recycled paper preferred) shall be submitted to Metro, addressed to:

Terry D. Petersen  
Solid Waste Department  
Metropolitan Service District  
2000 S.W. First Avenue  
Portland, OR 97201-5398

Proposals will not be considered if received after 4:00 P.M. PST, March 15, 1991.  
Postmarks are not acceptable.

This RFP represents the most definitive statement Metro will make concerning information upon which proposals are to be based. Any verbal information that is not contained in this RFP will not be considered by Metro in evaluating proposals.

All questions relating to the RFP or the project are to be directed to Terry Petersen. Any questions, that in the opinion of Metro, warrants a written reply or RFP amendment will be furnished to all parties receiving a copy of this RFP. Metro will not respond to questions after February 15, 1991.

## **POTENTIAL SUBCONTRACTORS**

The Contractor will contact the Metro Project Manager prior to negotiating any subcontracts. In the event that any subcontractors are to be used in the performance of this agreement, the Contractor will make a good faith effort, as defined in Metro's Disadvantaged Business Program, (Section 2.04.160, Subsection (b) of the Metro Code), to reach the goals of subcontracting 7% of the contract amount to Disadvantaged Business Enterprises (DBE's) and 5% of the contract amount to Women Owned Business Enterprises (WBE's).

It is recognized that the project tasks require different expertise and experience, and many firms will not possess the resources for completing all tasks. Therefore, Metro will accept joint proposals from a consulting team formed in response to the request or for a single phase only. Metro may seek formation of a consulting team if separate proposals for individual tasks receive the highest score.

## **REQUEST FOR PROPOSALS**

Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery

Metro does not wish any subcontractor selection be finalized prior to contract award. For any task or portion of a task to be undertaken by a subcontractor, the Contractor shall not sign up a subcontractor on an exclusive basis. The Contractor shall assume responsibility for the day-to-day direction and internal management of the subcontractor effort.

Metro reserves the right, at all times during the period of this agreement, to monitor compliance with the terms of the preceding Subcontractor paragraphs. Contractor shall provide Metro with all information necessary to determine compliance with Metro's Disadvantaged Business Program.

Information regarding Metro's Disadvantaged Business Program can be obtained from Amha Hazen at (503) 221-1646.

### PROPOSAL CONTENTS

Proposals should contain the following information and must be valid for ninety (90) days:

1. **Signed Letter of Transmittal:** Indicate who will be the project coordinator and that the proposal will be valid for ninety (90) days after the transmittal date. State the name, title address, and telephone number of an individual or individuals with authority to contractually bind the company during the period in which Metro is considering proposals.
2. **Project Workplan:** Describe how the project outlined in the Scope of Work will be accomplished. Present a detailed response to the proposal guidelines listed in the scope of work.
3. **Qualifications and Experience:** Identify specific personnel assigned to major project tasks, their roles in relation to the work required, percent of their time on the project, and special qualifications they may bring to the project including any pertinent academic training.

List similar projects undertaken by the Contractor and/or subcontractor(s) for each major component area (i.e. choice models, Geographic Information System software development).

4. **Independent Contractor Requirements:** Contractor must qualify as an independent contractor pursuant to criteria established in ORS 701.025 and 701.030. In order to be eligible for consideration, Contractor's proposal must demonstrate that Contractor is so qualified.

### REQUEST FOR PROPOSALS

Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery

5. **List of Sub-consultants and Sub-contractors:** Metro encourages the use of certified DBE's and WBE's. If any portion of the work is to be sub-contracted, include a statement regarding the percentage participation by DBE and WBE vendors, or if good faith efforts have been made as defined by the Metro code, Section 2.04.160. If applicable, complete the attached DBE/WBE compliance forms with your application. A copy of the Metro Ordinance adopting these procedures is also attached (Attachment B). If no portion of the work will be subcontracted, include a statement to this effect in your transmittal letter.
6. **Cost/Budget:** Present the proposed cost of the project. List hourly rates for personnel assigned to the project, total personnel expenditures, support services, and subconsultant fees (if any).

Metro will negotiate the final scope of work and cost with the highest ranked consultant. If a satisfactory contract can not be negotiated, the next highest ranked consultant will be selected for negotiations.

7. **Exceptions:** Proposers wishing to take exception to, or comment on any aspect of this RFP are encouraged to document their concerns in this section of the proposal. Exceptions should be succinct, thorough, and organized.

## **GENERAL PROPOSAL/CONTRACT CONDITIONS**

### **Limitations of Award:**

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

### **Contract Type:**

Metro intends to award a personal services contract with the selected Contractor of this project. A copy of the standard personal services contract that the Contractor will be required to execute is attached (see Attachment C).

### **Payment Schedule:**

Payments shall be made monthly after receipt of a Metro-approved detailed billing from the Contractor for all work performed in the previous month.

## **REQUEST FOR PROPOSALS**

Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery



### **Validity Period and Authority:**

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

### **Insurance Requirements:**

The Contractor shall provide (from insurance companies acceptable to Metro) General Liability insurance coverage with a combined single limit of not less than \$500,000. Before commencing work under this contract the Contractor shall furnish Metro with a certificate of insurance evidencing coverage as specified, naming Metro as an additional insured. In addition, Contractor shall maintain, in force, workers compensation insurance coverage as required by the State of Oregon.

## **EVALUATION OF PROPOSALS**

### **Evaluation Procedures:**

Proposals that conform to the proposal instructions will be evaluated by a selection committee. Finalists will be interviewed during the week of March 25, 1991. At that time, the proposer should be prepared to give a thirty (30) minute presentation outlining their proposal. The presentation will be followed by a question and answer period.

### **Evaluation Criteria:**

The criteria used in evaluating each submitted proposal shall be as follows:

<u>Criteria</u>	<u>Points</u>
The technical plan for accomplishing the project objectives that are described in this RFP.	40
Previous experience and ability to perform the required work.	30
Project staffing.	20
Cost to perform proposed work.	10

J:\TERRY\MODEL\MODEL.RFP

### **REQUEST FOR PROPOSALS**

Modeling System for Simulating Solid Waste  
Generation, Reduction, Transport, and Delivery

## EXHIBIT B

### CONDITIONS OF WAIVER OF COUNCIL APPROVAL

The Council of the Metropolitan Service District waives the requirement of Council approval of the contract for a Modeling System for Simulating Solid Waste Generation, Transport, and Delivery, subject to the following conditions:

- (1) The amount of the contract shall not exceed \$215,000.
- (2) The contract shall conform in all material respects to the scope of work and other terms of the Request for Proposals.

## STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 91-1400 FOR THE PURPOSE OF APPROVING A REQUEST FOR PROPOSALS FOR A MODELING SYSTEM TO SIMULATE SOLID WASTE GENERATION, REDUCTION, TRANSPORT, AND DELIVERY AND ENTERING INTO A MULTI-YEAR CONTRACT WITH THE MOST QUALIFIED PROPOSER, AND WAIVING THE REQUIREMENT FOR COUNCIL APPROVAL OF THE CONTRACT AND AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE THE CONTRACT SUBJECT TO CONDITIONS

February 5, 1991

Presented by: Roosevelt Carter  
Terry Petersen

Predicting how much and what type of waste is generated, recycled, and delivered to facilities is critical for many solid waste management and planning activities. For example, tip fees are based in part on the tonnage expected to be delivered to disposal facilities. Planning for new facilities, such as in Washington County, requires waste flow forecasts. Evaluating the waste reduction benefits of tip fee incentives requires knowledge of how haulers change behavior in response to tip fees. These and many other activities require analysis of waste generation, transport, and delivery.

The Request for Proposals (RFP) is for services to develop a system for simulating waste flow with more accuracy and efficiency. The project will have three key components: (1) quantifying the relationship between waste generation and explanatory variables such as household income and number of employees, (2) quantifying how factors such as travel time and tip fee influence the hauler's choice of disposal facilities, and (3) development of a computer software application compatible with Metro's Regional Land Information System (RLIS) for retrieving, analyzing, and displaying data.

RLIS is an ideal tool for simulating waste flow. The demographic data used to predict waste generation can easily be retrieved for local geographic areas. Simulation of waste flow in "what if" scenarios can be done using the programming language of RLIS. Results can be presented in high-quality graphical and tabular output.

A total of \$215,000 is budgeted for expenditure in FY 1990-91 for contracts related to this project as shown below.

<u>Department</u>	<u>Item</u>	<u>Amount</u>	<u>Council Designation</u>
P&D	RLIS programming	\$ 60,000	B
Solid Waste	waste generation rates	\$110,000	B
Solid Waste	delivery patterns	\$ 45,000	A

Coordination of these contracts in a single RFP will avoid duplication and maximize benefits to both management and planning.

If approved Resolution No. 91-1400 will grant Council approval of the RFP, allow a multi-year contract, and waive Council approval of the contract award.

EXECUTIVE OFFICER'S RECOMMENDATION: The Executive Officer recommends adoption of Resolution No. 91-1400.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 91-1400
ISSUANCE OF A REQUEST FOR PROPOSALS	)	
FOR A MODELING SYSTEM TO SIMULATE	)	Introduced by Rena Cusma,
SOLID WASTE GENERATION, REDUCTION,	)	Executive Officer
TRANSPORT, AND DELIVERY AND ENTERING	)	
INTO A MULTI-YEAR CONTRACT WITH THE	)	
MOST QUALIFIED PROPOSER, AND WAIVING	)	
THE REQUIREMENT FOR COUNCIL APPROVAL	)	
OF THE CONTRACT AND AUTHORIZING THE	)	
EXECUTIVE OFFICER TO EXECUTE THE	)	
CONTRACT SUBJECT TO CONDITIONS	)	

WHEREAS, accurate forecasts of waste delivered to regional facilities is essential for effective solid waste management and planning; and

WHEREAS, predicting the response of waste generators and haulers to Metro's policies is necessary for management and long-term planning; and

WHEREAS, predicting the impact of waste reduction and recycling on delivery tonnages is necessary for rate setting, budgeting, and facility management; and

WHEREAS, Metro's Regional Land Information System (RLIS) can be used to retrieve, analyze, and display data necessary for the above purposes; and

WHEREAS, The FY 1990-91 Metropolitan Service District budgets of the Solid Waste and Planning and Development Departments authorizes expenditures of a total of \$215,000 for work related to this project; and

WHEREAS, Coordination of these expenditures as a single project will avoid duplication and maximize utility for both management and planning purposes; and

WHEREAS, Pursuant to Metro Code Section 2.04.033(a)(1) Council approval is required because the agreement commits the District to expenditures for continuation of the Project in the next fiscal year; and

WHEREAS, Pursuant to Metro Code Section 2.04.032(d) Council approval is required because one of the contracts is identified as an "A" contract in the FY 1990-91 budget; and

WHEREAS, Pursuant to Section 2.04.033(6) of the Metro Code, the Council may at the time it approves a Request for Proposals, Exhibit A, waive the requirement of Council approval of a contract prior to execution of the Contract by the Executive Officer;

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

BE IT RESOLVED:

1. That the Council of the Metropolitan Service District approves the Request for Proposals for a Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery.

2. That the Council approves consolidation of funds to allow the Solid Waste and Planning and Development Departments to jointly work on the Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery.

3. That the Directors of the Solid Waste and Planning and Development Departments are requested to advertise for proposals and do all other things necessary to solicit proposals for a Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery.

4. That the Council of the Metropolitan Service District, pursuant to Section 2.04.033(b) of the Metro Code, waives the requirement of Council approval of the contract resulting from the proposal process, subject to the conditions in Exhibit B attached hereto, and authorizes the Executive Officer to execute a contract for the Modeling System for Simulating Solid Waste Generation, Reduction, Transport, and Delivery to the most qualified proposer in accordance with the requirements of the Metro Code, if the conditions are met.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

Tanya Collier, Presiding Officer

Agenda Item No. 5.4  
February 14, 1991

RESOLUTION NO. 91-1402

## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 91-1402, FOR THE PURPOSE OF EXPRESSING THE COUNCIL'S INTENTION TO AMEND TITLE 5 OF THE METRO CODE TO CHANGE THE DESIGNATION OF THE SOLID WASTE TRANSFER AND RECYCLING STATION LOCATED AT 6161 N.W. 61ST AVENUE, PORTLAND, OREGON, FROM "METRO EAST STATION" TO "METRO CENTRAL STATION"

Date: February 6, 1991

Presented by: Councilor McFarland

Committee Recommendation: At the February 5, 1991 meeting, the Committee voted 3-0 to recommend Council adoption of Resolution No. 91-1402. Voting in favor were Councilors McFarland, McLain, and Wyers. Councilors DeJardin and Gardner were excused.

Committee Issues/Discussion: Councilor Sandi Hansen explained that the Resolution expresses the Council's intent to change the name of Metro East to Metro Central. Since Metro Code Section 5.02.015(c) must be amended in order to officially change the name, and since this change could be incorporated in the Code at the time the Council adopts revisions to the solid waste disposal rate ordinance, a resolution expressing the Council's intent is an expeditious way to select a permanent name for the transfer station.

Although Metro staff has referred to the station as "Metro Northwest" in recent months, Councilor Hansen said she believes this is not an appropriate permanent name, because transfer stations should not be known by the neighborhoods in which they physically are located. She believes stations should be named for the area of the region which they serve. Since this transfer station serves the region's central urban core area, the name "Metro Central" is more appropriate.

In response to a question from Councilor McFarland, Councilor Hansen explained that Northwest Portland is perceived as a specific area of the region, and the name is associated with a specific neighborhood. She said she has received positive feedback about the name "Metro Central".

Councilor McLain said she thought selection of a permanent name at this time would assist in the development of signs to help the public and haulers locate the facility.



BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXPRESSING )  
THE INTENTION OF THE COUNCIL )  
TO AMEND TITLE 5 OF THE METRO )  
CODE TO CHANGE THE NAME OF )  
THE METRO SOLID WASTE AND )  
RECYCLING STATION LOCATED AT )  
6161 N.W. 61ST AVENUE FROM )  
"METRO EAST STATION" TO "METRO )  
CENTRAL STATION" )

RESOLUTION NO. 91-1402

Introduced by Councilor  
Sandi Hansen

WHEREAS, Metro Code Section 5.02.015 (c) designates the Metro solid waste transfer and recycling station located at 6161 N.W. 61st Avenue, Portland, Oregon, 97201, as "Metro East Station"; and

WHEREAS, names of Metro transfer stations should relate to the part of the region which they serve; and

WHEREAS, the transfer station located at 6161 N.W. 61st Avenue, Portland, Oregon, serves the region's central urban core area; and

WHEREAS, the name "Metro Central Station" best reflects the area of the region served by the transfer station; and

WHEREAS, a change in the name used by Metro and the public to refer to the transfer station should take place at the earliest opportunity, since the facility is now open; and

WHEREAS, it is anticipated that Title 5 of the Metro Code will be amended shortly to incorporate revisions to the solid waste disposal rate; and

WHEREAS, an amendment to Title 5 of the Metro Code is required to formally change the name of the transfer station from "Metro East Station" to "Metro Central Station"; and

WHEREAS, it is efficient for the Council to consolidate anticipated amendments to Title 5 of the Metro Code; now, therefore,

BE IT RESOLVED,

That at the time an ordinance is presented to the Metro Council to revise solid waste disposal rates, the Council intends to further revise Title 5 to change the name of the transfer station located at 6161 N.W. 61st Avenue, Portland, Oregon, from "Metro East Station " to "Metro Central Station."

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_ , 1991.

Tanya Collier, Presiding Officer



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

**TO:** Council Solid Waste Committee

**FROM:** Councilor Sandi Hansen *SH*

**DATE:** January 30, 1991

**RE:** Resolution No. 91-1402: For the Purpose of Expressing the Intention of the Council to Amend Title 5 of the Metro Code to change the Name of the Metro Solid Waste and Recycling Station Located at 6161 N.W. 61st Avenue From "Metro East Station" to "Metro Central Station"

I am requesting your favorable consideration of Resolution No. 91-1402, which expresses the Council's intent to change the name of Metro East to Metro Central.

## Status of permanent name for "Metro East"

It is my understanding that the new transfer station originally was named Metro East, because it would be handling waste from the eastern part of the region. Metro East is the name used on procurement and contractual documents, and is the name assigned to the facility under Metro Code Section 5.02.015(c) (Attachment 1).

On October 23, 1990, the Executive Officer concurred with a recommendation from Public Affairs Director Vickie Rocker to name the facility Metro Northwest. Counsel staff noted that an ordinance change would be required, and provided a copy of a draft resolution prepared by former Councilor Gary Hansen (Attachment 2)

Since then, Solid Waste Department and Public Affairs Department staff have referred to the station as "Metro Northwest". Additionally, it appears that the name "Metro Northwest" has been used in some printed informational and operational material. However, it is my understanding that there have not been major expenditures for permanent signs which use the name "Metro Northwest".

## Reasons for naming the facility "Metro Central"

The difficulty with naming the facility "Metro Northwest" is that the facility would be identified with the neighborhood in which it

RESOLUTION NO. 91-1402  
Memorandum from Councilor Hansen  
January 30, 1991  
Page Two

is located. Given the public image of solid waste disposal facilities, I believe regional transfer stations should be named for the part of the region which they serve, not the neighborhood in which they are physically located.

The transfer station located in Oregon City is named "Metro South". It seems likely that a major new facility located in the western part of the region will be named "Metro West". "Metro Central" is an appropriate name for the transfer station located in Northwest Portland, because it refers to the part of the region the facility serves.

Although staff has used the name "Metro Northwest" for three months, the facility has been open for less than a month, and the official facility name under the Metro Code is still "Metro East". It is not too late to select an appropriate permanent name.

#### Timing considerations

The permanent name for the transfer station should be selected as soon as possible, since the facility now is in operation. Although the Metro Code must be amended in order to officially change the name from "Metro East Station", the Council can expeditiously indicate its intention to select the name "Metro Central" by adopting Resolution No. 91-1402. This name could be inserted into Title 5 in late February when an ordinance is presented to Council to revise solid waste disposal rates.

c: Council Solid Waste Committee members  
Rena Cusma, Executive Officer  
Bob Martin, Solid Waste Director  
Vickie Rocker, Public Affairs Director

## CHAPTER 5.02

## DISPOSAL CHARGES AND USER FEES

SECTIONS

5.02.010	Purpose
5.02.015	Definitions
5.02.020	Disposal Charges at St. Johns Landfill
5.02.025	Disposal Charges at Metro South Station
5.02.030	Waiver of Disposal Charges at St. Johns Landfill
5.02.035	Litter Control at St. Johns Landfill and the Metro South Station
5.02.040	Excess Weight Charge at St. Johns Landfill
5.02.045	User Fees
5.02.050	Regional Transfer Charge
5.02.055	Out-of-State Surcharge
5.02.060	Payment of Disposal Charges and Surcharges; Credit Policy
5.02.065	Special Waste Surcharge and Special Waste Permit Application Fees
5.02.070	Source Separated Yard Debris Disposal Charge
5.02.075	Certification Non-Compliance Fee
5.02.080	Post-Collection Recycling Incentive

5.02.010 Purpose: The purpose of this chapter is to establish base solid waste disposal rates and charges for the St. Johns Landfill, Metro South Station, Metro East Station, and the Metro/Riedel Compost Facility, solid waste user fees, a regional transfer charge, an out-of-state surcharge and enhancement fees, and to establish a credit policy at Metro disposal facilities.

(Ordinance No. 82-146, Sec. 1; amended by Ordinance No. 88-257, Sec. 1, Ordinance No. 89-269, Sec. 2, Ordinance No. 90-337, Sec. 1)

5.02.015 Definitions: As used in this chapter, unless the context requires otherwise:

(a) "commercial" means those persons who dispose of waste and who:

(1) pay for disposal of wastes on the basis of weight at St. Johns Landfill, Metro South Station, Metro East Station, and Metro/Riedel Compost Facility, or

(2) pay for disposal of wastes through a charge account at St. Johns, Metro South Station, Metro East Station, and Metro/Riedel Compost Facility, or

(3) dispose of wastes as an activity of their business, or

(4) any disposer whose load does not qualify as Residential Self-Haul as defined in Metro Code Section 5.02.015(i).

(b) "Metro South Station" is that solid waste transfer station owned and operated by Metro and located at 16101 S. E. 82nd Drive, Oregon City, Oregon, 97045.

(c) "Metro East Station" is that Metro solid waste transfer and recycling station located at 6161 N.W. 61st Avenue, Portland, Oregon, 97201.

(d) "Metro/Riedel Compost Facility" is that solid waste mass compost facility located at 5437 N.E. Columbia Boulevard, Portland, Oregon, 97232

(e) "Mixed Paper" means uncontaminated, recyclable paper exclusive of newspaper and cardboard.

(f) "Person" means any individual, partnership, association, corporation, trust, firm, estate, joint venture or any other private entity or any public agency.

(g) "private" means those persons who dispose of waste and who:

(1) Do not pay for disposal of wastes on the basis of weight at the St. Johns Landfill or the Metro South Station, and

(2) Do not pay for disposal of wastes through a charge account at the St. Johns Landfill or the Metro South Station, and

(3) Do not dispose of wastes as an activity of their business.

(h) "St. Johns Landfill" is that landfill owned by the City of Portland, Oregon, operated by Metro and located at 9363 N. Columbia Boulevard, Portland, Oregon 97203.

(i) "Self-Haul" means loads of mixed waste transported inside a passenger car, or in a pickup truck of up to a

Karla Forsythe  
Council Analyst

10/24/90

Viucie -

An ordinance  
change is required,  
since the facility is  
defined as "Metro East  
Station" in the Code.  
(see Ch. 5.02.015 (c)).

Also - see attached  
proposal from Gary Hansen.

If I can be of  
help - please let

me know.

**METRO**

2000 SW First Avenue  
Portland, Oregon 98201-5398  
Phone: (503) 221-1646  
Fax: (503) 241-7415

Recycled paper

Karla



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

*Don Carlson*

October 23, 1990

To: Rena Cusma, Executive Officer  
From: Vickie Rocker, Public Affairs Director  
Subject: New Transfer Station Name

It's time to "officially" name the new transfer station as we need to begin producing signage, maps and other collateral.

I think everyone is in agreement now that to continue to call it Metro East is unacceptable.

To be consistent with the name Metro South, which conveys Metro ownership and general location, it seems most logical to name the new transfer station Metro Northwest. The facility is located in northwest Portland and the "northwest" area is a name easily identified by the residents of the metro area.

With your approval, Bob Martin and I will begin working with the name Metro Northwest Station.

*Approved  
10/23/90  
Rena Cusma*



FOR THE PURPOSE OF NAMING  
THE TRANSFER STATION IN  
NORTHWEST PORTLAND

Introduced by  
Gary Hansen at the  
request of Sandi Hansen

WHEREAS : Names of Metro solid waste facilities should relate to their location.

WHEREAS : Names of Metro facilities should aid the public in identification of their location and service zone.

WHEREAS : The naming of Metro's transfer station in Northwest Portland " Metro East " is confusing to the public.

BE IT RESOLVED : The Metro transfer station built in Northwest Portland to serve the city's urban core area shall be named " Metro Central ".

Agenda Item No. 5.5  
February 14, 1991

RESOLUTION NO. 91-1374



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

DATE: February 7, 1991  
TO: Interested Parties  
FROM: Paulette Allen, Clerk of the Council *PA*  
RE: RESOLUTION NO. 91-1374

The Council Transportation & Planning Committee will consider the above referenced resolution February 12. The Committee report will be distributed at the Council meeting February 14, 1991.

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 91-1394 FOR THE PURPOSE OF AUTHORIZING A SOLE SOURCE CONTRACT UNDER METRO CODE 2.04.060

Date: January 16, 1991

Presented by: Andrew C. Cotugno

#### FACTUAL BACKGROUND AND ANALYSIS

Ordinance 90-374 adopted by the Metro Council on December 13, 1990 amended the Transportation Department budget to allow for replacement of the Masscomp computer and upgrade of software and licenses. Capacity of the new computer is significantly larger than the Masscomp. Likewise, the current software license (EMME/2) needs to be upgraded to meet the increased capacity. The finer level of detail required by Transportation studies has increased from 500 traffic zones to 1,000. EMME/2 has been used by the Transportation modeling section for eight years. Replacement of the entire system would be cost-prohibitive. There is no alternative software on the market that meets the needs, compares to, or is compatible with the EMME/2 modeling package.

The EMME/2 software is available only through Inro, developer of the software.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 91-1394, approving the sole source agreement with Inro to upgrade the EMME/2 license.

MEMO

TO: Karen Thackston  
FROM: Keith Lawton *Keith*  
DATE: December 18, 1990

SUBJECT: Emme/2 License Upgrade for SUN 470 Operation ... Purchase

Our current license is for a size of 600 (size 3) on a class D computer and has a value of \$ 19,600.

Our new computer (SUN Sparcserver 4/470) is a class F computer and we are going to purchase a 1000 zone-capable size (size 5). The price for this is \$37,800. This is a price increase of \$18,200, there is also the need to purchase for the emtool software for Tek emulation on Sun View and X11 windows.

Please set up a purchase order for:

EMME/2 Software upgrade:	\$ 18,200
emtool software:	\$ 500
TOTAL:	\$ 18,700

The budget amendment for this was approved by Council Thurs. 13th Dec.

There is no other supplier of this software and this is an upgrade price where pricing is computer and program size/speed dependent, this is not a new purchase.

Attached find the information from INRO on the pricing structure (Oct 16, 1990).

cc: Andy Cotugno  
Dick Walker

RECEIVED OCT 22 1990

LES CONSEILLERS



CONSULTANTS INC.

October 16, 1990

Mr. T. Keith Lawton  
Technical Manager  
Metropolitan Service District  
Metro Portland  
2000 SW First Avenue  
Portland, OR 97201-5398  
U.S.A.

Dear Keith,

We are glad that you selected SUN for your next computing platform.

For your information the SUN SPARC server 470 is in class F. Your current installation is Class D. The upgrade cost will be computed accordingly.

Also, please remember to budget US \$500 for emtool the color Tek emulator that we developed for Sun View and X11 Windows.

All the best,

A handwritten signature in dark ink, appearing to read "Michael Florian", with a stylized flourish at the end.

MF/ma

Michael Florian

## I. Computer classes

- Class A : Intel 80286 PC's equipped with 80287;  
Intel 80386 PC's equipped with 80387. (real mode)
- Class B : IBM PC/XT or AT (and compatibles) equipped with the DSI-780<sup>+</sup>/2 (4) Mb RAM coprocessor;  
Microvax II Workstation, VAX station 2000;  
Intel 80386 based PC's equipped with 80387, 2 (4) Mb RAM. (protected mode)
- Class C : Microvax II (multiple user VMS licence);  
VAX station 31xx, 32xx;  
VAX 11/750;  
HP 9000-500;  
SUN/3 Workstation (MC 68020).
- Class D : VAX 11/780, 785; VAX 82xx; VAX 83xx; Microvax 35xx; Microvax 36xx; Microvax 38xx;  
InterPro 125;  
SUN/4 SPARC station (SLC, IPC, 1, 1<sup>+</sup>, 2).
- Class E : VAX 63xx; VAX 64xx; HP-9000-825; SUN/4 SPARC server 3xx; InterPro 300.
- Class F : VAX 85xx, 86xx, HP-9000-835; SUN/4 SPARC server 470.
- Class G : IBM 308x, 309x (under TSO).

## II. EMME/2 Software - Standard dimensions

Size	Zones	Nodes	Links	Turning	Transit Lines	Tr. line Segments	Demarc.
1	200	1,250	4,000	4,000	200	5,000	1,000
2	400	2,500	8,000	8,000	400	10,000	2,000
3	600	3,750	12,000	12,000	600	15,000	3,000
4	800	5,000	16,000	16,000	800	20,000	4,000
⑤	1,000	6,250	20,000	20,000	1,000	25,000	5,000
6	1,200	7,500	24,000	24,000	1,200	30,000	6,000
7	1,400	8,750	28,000	28,000	1,400	35,000	7,000
8	1,600	10,000	32,000	32,000	1,600	40,000	8,000

III. EMME/2 Licence Prices - U.S.A. and Territories, Australia and New Zealand (\$ US)

Class Size	A	B	C	D	E	F	G
1	8,000	10,000	12,000	14,000	17,000	21,000	25,000
2	N/A	12,000	14,400	16,800	20,400	25,200	30,000
3	N/A	14,000	16,800	19,600	23,800	29,400	35,000
4	N/A	16,000	19,200*	22,400	27,200	33,600	40,000
5	N/A	18,000	21,600*	25,200	30,600	37,800	45,000
6	N/A	20,000	24,000*	28,000	34,000	42,000	50,000
7	N/A	22,000	26,400*	30,800	37,400	46,200	55,000
8	N/A	24,000	28,800*	33,600	40,800	50,400	60,000

Licence for Academic institutions for teaching and research : 1/3 of standard licence fee.

\* Except for HP 9000-500



#### IV. EMME/2 Software Support Agreements - Prices

The cost of the Software Support Agreement is 12% of the Licence Price and is payable semi-annually. Software and Manual updates are shipped by mail or courier service. INRO reserves the right to bill separately for on-site visits that may be required to update certain installations to the current release of the Software.

All installations that subscribe to the EMME/2 Software Support Agreement receive regularly "EMME/2 News" which is published quarterly.

#### V. Multiple Licence Discounts

An organization that buys multiple EMME/2 licences is entitled to discounts after purchasing the first licence at full cost.

- All licences of the same size and class are discounted by 50% for the purchase of the second licence, and by 75% for the purchase of the third and subsequent licences.
- All other licences of different size and class are discounted by 25% for the second licence and 30% for the third and subsequent licences. This discount is applicable to the least expensive licence purchased.



# METRO

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Purchase Order

To INRO

5160 Decarie Blvd. #610

Montreal, Quebec, Canada H3XZH9

Date of order

January 3, 1991

Purchase order number

7033

**This number must appear on all bills of lading, packing slips, invoices and correspondence.**

☐ DBE/WBE verification performed

☐ DBE certified    ☐ WBE certified

Ship to ☐ Metro Washington Park Zoo  
4001 SW Canyon Rd., Portland, OR 97221

☒ Metro Center  
2000 SW First Ave., Portland, OR 97201-5398

☐ Metro South Station  
16101 SE 82nd Ave., Oregon City, OR 97045

☐ St. Johns Landfill  
9363 N. Columbia Blvd., Portland, OR 97203

☐ Metro Oregon Convention Center  
777 Martin Luther King, Jr. Blvd., Portland, OR 97232☐ ATTENTION/DEPT.☐ Confirming    ☐ Non-confirming    ☐ Delivery required

**IMPORTANT NOTICE:**

By acceptance of this purchase order, vendor acknowledges that he/she has read and agrees to the conditions printed on the reverse side of this document.

**Please submit invoices in duplicate to the Metro Accounting Division  
2000 SW First Ave., Portland, OR 97201-5398.**

**Do not back order without our approval.**

Enclose an itemized packing list showing purchase order number with each shipment.

If shipped prepaid and freight added to invoice you must mail us the receipted freight bill to support freight charges. We must have this before we can pay your invoices.

[illegible]



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503 221-1646

# Memorandum

*Council*

*2/14/91*

*# 4-3*

DATE: February 7, 1991

TO: Metro Council  
Executive Officer  
Interested Parties

FROM: Paulette Allen, Clerk of the Council *PA*

RE: ORDINANCE NO. 91-384, AN ORDINANCE ADOPTING A FINAL ORDER AND  
AMENDING THE METRO URBAN GROWTH BOUNDARY FOR CONTESTED CASE  
NO. 90-3: WASHINGTON COUNTY

The above referenced ordinance and staff's report were printed in the agenda packet for the Council meeting February 14 with a memo explaining those and supporting documents Exhibit A, Vicinity Map, and Exhibit B, Report and Recommendation of the Hearings Officer, would be distributed under separate cover due to the volume of the documents.

Those documents are attached. Please bring this packet with you to the Council meeting February 14 for consideration of the ordinance.

## STAFF REPORT

### CONSIDERATION OF AN ORDINANCE ADOPTING A FINAL ORDER AND AMENDING THE METRO URBAN GROWTH BOUNDARY FOR CONTESTED CASE 90-3: WASHINGTON COUNTY

Date: FEBRUARY 14, 1991

Presented By: Larry Shaw  
Ethan Seltzer

#### FACTUAL BACKGROUND AND ANALYSIS

Contested Case No. 90-3 is a petition from Washington County for a locational adjustment of the Urban Growth Boundary (UGB) in Washington County. The property proposed for inclusion within the UGB includes a total of about 6.7 acres, now a portion of two tax lots located south of the present right-of-way of Tualatin-Sherwood Road in the vicinity of Cipole Road. The present UGB is the centerline of the present right-of-way for Tualatin-Sherwood Road. The amendment is being proposed in order to allow the realignment and reconstruction of Tualatin-Sherwood Road, consistent with the RTP, and for purposes of improving safety and capacity. The City of Tualatin supports the petition.

Metro Hearings Officer Larry Epstein held a hearing on this matter on January 3, 1991, beginning at 1:30 pm in the Tualatin City Council chambers. Testimony was presented by Washington County staff and by a consultant to the County. No opposition was expressed either in writing or during the hearing. The Hearings Officer's Report and Recommendation, attached as Exhibit B, concludes that the proposal meets all applicable standards and should be approved. No exceptions were submitted by parties to the case.

Locational adjustments are meant to be small scale, technical adjustments to the Urban Growth Boundary (UGB). They are a device used to adjust the boundary when a mistake was made in the original drawing of the boundary line, when the addition of a small acreage will uniquely facilitate the development of lands adjacent to the proposed addition and already in the UGB, or the addition involves an addition of two acres or less intended to make the UGB coterminous with property lines. In any case, the need for the property in the UGB is not a factor in judging the suitability of the proposed addition.

In brief, a successful demonstration of compliance with the standards must show that the adjustment will:

--result in a net improvement in the efficiency of the delivery of public facilities and services in adjoining areas within the UGB, and that the land in question itself can be served in an orderly and economic manner;

--lead to maximum efficiency of land uses;

--positively relate to any regional transit corridors and positively address any limitations imposed by the presence of hazard or resource lands;

--retain agricultural land when the petition involves lands for which no exceptions to goals 3 and 4 have been granted; and

--be compatible with nearby agricultural uses, or show why adherence to all the other conditions clearly outweigh any incompatibility.

In addition, a locational adjustment adding land to the UGB must be for less than 50 acres and must include within its boundaries all similarly situated contiguous lands, in order to avoid the piecemeal expansion of the UGB through a series of contiguous locational adjustments.

This case raises two notable issues:

1) Appropriateness - As a general comment, this petition exemplifies the way in which the locational adjustment process should work. The petition stems from a road project that has been extensively reviewed by the petitioner, both in terms of petitioner's comprehensive plan as well as in coordination with the plans of Sherwood and Tualatin. Alternatives to meeting the service needs of the County other than through a UGB amendment were evaluated. Only the land needed to accomplish the service objective is included in the petition. This kind of analysis and the linkage to comprehensive land use plans is an appropriate use of the locational adjustment process.

2) Proposal involves rural lands not excepted from Statewide Planning Goals 3 and 4 - The locational adjustment process was intentionally designed to be very protective of agricultural and forest resource lands. Care was taken to ensure that the process not become a "backdoor" exceptions process for rural resource lands adjacent to the urban growth boundary, or lead to the exacerbation or creation of conflicts with existing agricultural practices.

In this instance, the petitioner demonstrated and the Hearings Officer concluded that although the proposed addition contains high-quality, Class II soils, "(r)etention of the subject property as agricultural would preclude the efficient and economical provision of an arterial road for, and therefore urbanization of, land within the UGB..." (emphasis added). The Hearings Officer also concluded that the proposed realignment of the road and amendment of the Urban Growth

page 3

Boundary would be compatible with the agricultural uses adjoining the site.

Since no exceptions to the Hearings Officer's report were received, the Council can decide whether it wants or needs to hear from parties following presentation of the case. In its deliberations, the Council may consider motions to remand the findings to the Hearings Officer or to staff for revisions. If no such motions are approved, the Council may allow Ordinance No. 91-384 to proceed to a second reading with the findings and recommendation as proposed in the Hearings Officer's report.

ES/es  
2/1/91



WASHINGTON  
COUNTY,  
OREGON

January 30, 1991

Ethan Seltzer  
Metro  
2000 S.W. First Avenue  
Portland, OR 97201

Dear Ethan,

The Washington County staff have received the hearings officer's report and recommendation for case number 90-03, and generally concur with his findings. We do not intend to take an exception to his report. We would appreciate it if you would schedule this matter for the Metro Council at the earliest opportunity.

Sincerely,

Mark Brown  
Principal Planner

MB/se

c: Jill Hinckley

HINCKLEY

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ADOPTING A FINAL ORDER )                      ORDINANCE NO. 91-384  
AND AMENDING THE METRO URBAN                      )  
GROWTH BOUNDARY FOR CONTESTED CASE                      )  
NO. 90-3:WASHINGTON COUNTY                      )

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY  
ORDAINS:

Section 1. The Council of the Metropolitan Service District hereby accepts and adopts as the Final Order in Contested Case No. 90-3 the Hearings Officer's Report and Recommendations in Exhibit B of this Ordinance, which is incorporated by this reference.

Section 2. The District Urban Growth Boundary, as adopted by Ordinance No. 79-77, is hereby amended as shown in Exhibit A of this Ordinance, which is incorporated by this reference.

Section 3. Parties to Contested Case No. 90-3 may appeal this Ordinance under Metro Code Section 205.05.050 and ORS Ch. 197.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

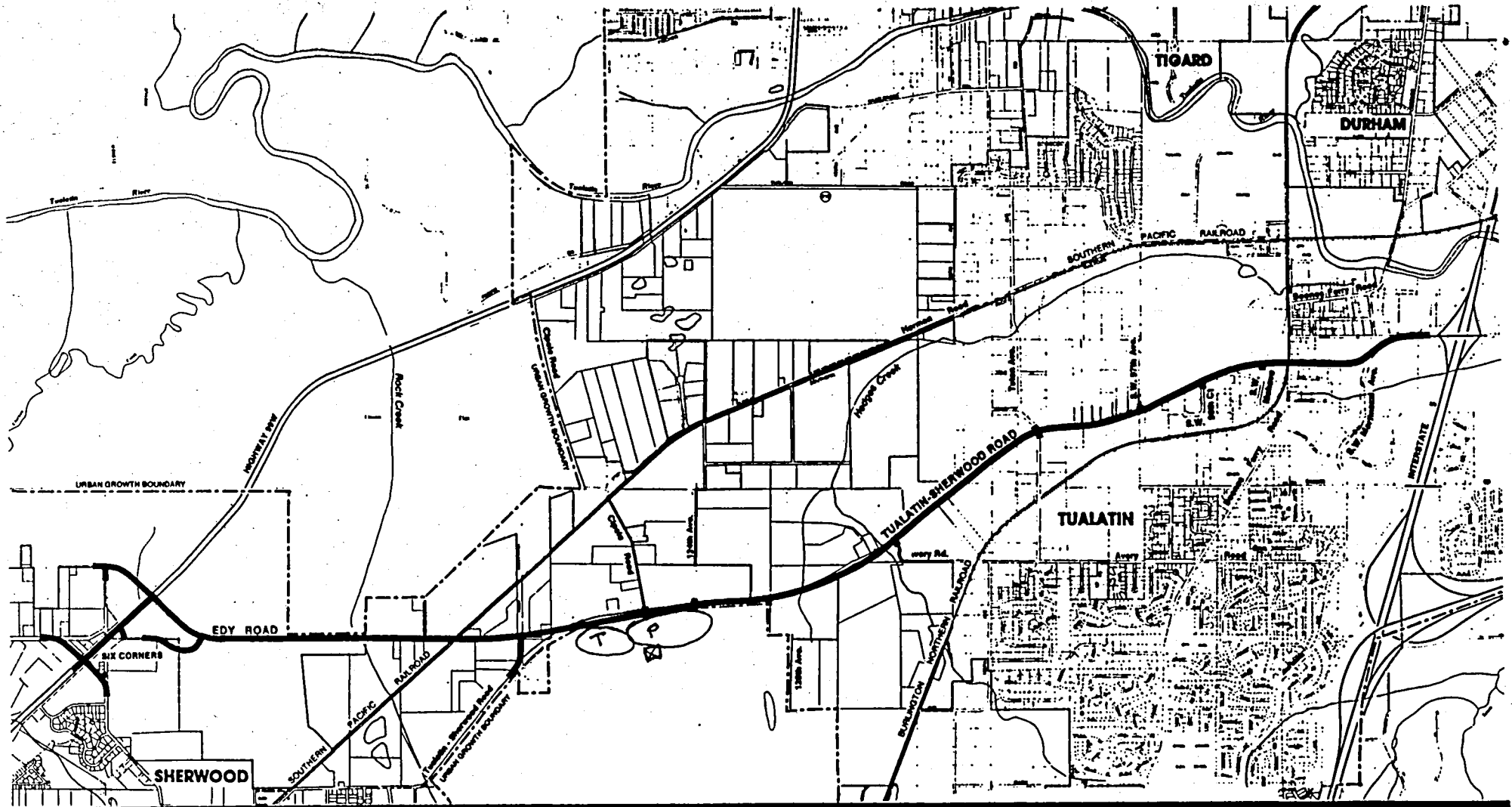
Tanya Collier, Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of the Council

ES/es  
2/1/91





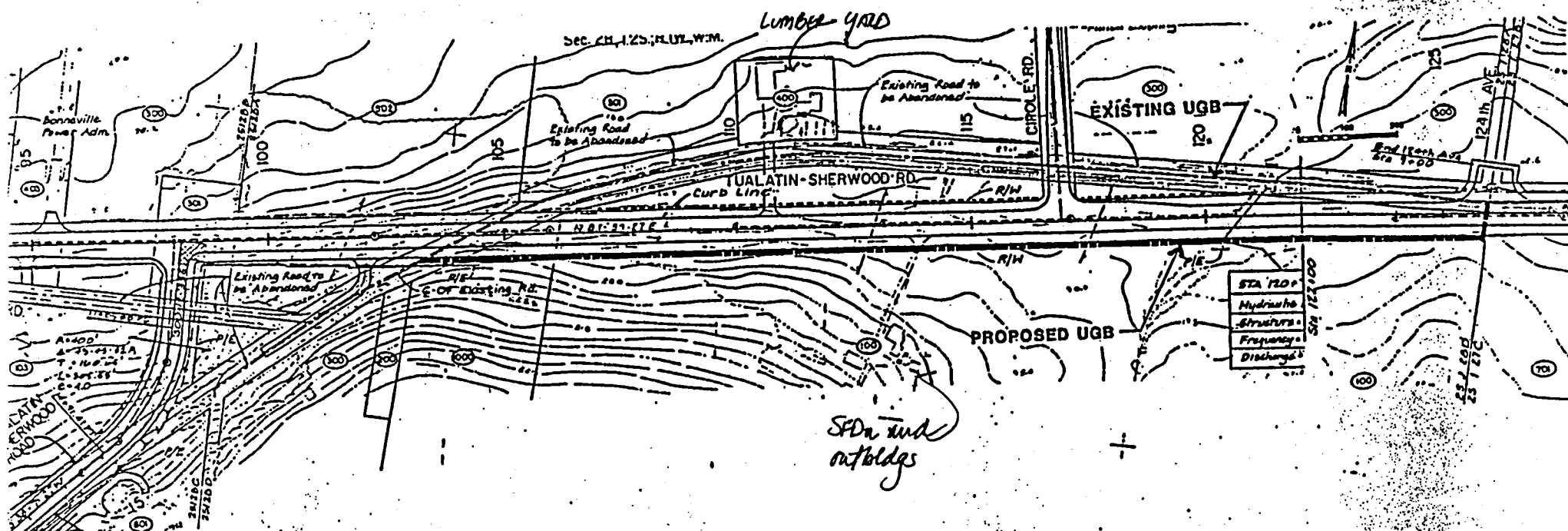
## THE BUILD ALTERNATIVE

TUALATIN-SHERWOOD/  
EDY ROAD PROJECT

CH2M HILL

2-4

EXHIBIT A



**Figure 2**

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

In the matter of the petition of Washington County to amend the Urban Growth Boundary at Tualatin-Sherwood Road in Washington County	) ) ) )	<u>Contested Case No. 90-03</u>  REPORT AND RECOMMENDATION OF THE HEARINGS OFFICER
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I. PROCEDURE AND RECORD

A. History and Proceedings.

1. On or about June 29, 1990, John Rosenberger for Washington County (petitioner) filed a petition for a locational adjustment to add about 6.7 acres to the UGB. See Exhibits 6.

2. On December 6, the hearings officer mailed notice (Exhibit 3) of a hearing to consider the petition by certified mail to the owners of property within 250 feet of the Subject Property, the petitioner, CPO-5, and the Cities of Sherwood and Tualatin. The certificates of mailing are included as Exhibit 1. A notice of the hearing also was published in *The Oregonian* at least 10 days before the hearing. A notice of the hearing also was mailed to DLCD on November 6. See Exhibit 5

3. On January 3, 1991, the hearings officer held a public hearing at the Tualatin City Hall to consider the petition. Only the petitioner testified in person or writing. The hearings officer closed the public record at the conclusion of the hearing.

B. Written record.

The following documents are in the public record of this petition:

<i>Exhibit No.</i>	<i>Subject matter</i>
1	Certificate of mailing of public notices
2	List of property owners and other parties to whom notice was sent
3	Notice of public hearing
4	Memo dated December 2 from Ethan Seltzer to hearings officer
5	Notice to DLCD
6	Petition for locational adjustment

- 7 Letter of authorization from property owner
- 8 Comment from Sherwood School District
- 9 Comment from Washington County drainage agency
- 10 Comment from Washington County transportation agency
- 11 Comment from City of Tualatin re: water
- 12 Comment from City of Tualatin re: sewer
- 13 Comment from City of Sherwood re: water
- 14 Comment from City of Sherwood re: sewer
- 15 Comment from Tualatin Valley Fire & Rescue
- 16 Comment from City of Tualatin dated June 19, 1990
- 17 Comment from City of Tualatin dated December 18, 1990
- 18 Comment from Washington County Board of Commissioners
- 19 Draft Environmental Impact Statement for Tualatin-Sherwood/Edy Road
- 20 Assessment & Taxation Map 2S-1-28D
- 21 Letter from Seltzer to Jill Hinkley dated July 2, 1990

C. Responses from service providers and affected jurisdictions.

The Tualatin Fire Protection District, Cities of Tualatin and Sherwood, Washington County Board of Commissioners and its transportation and drainage agencies, and the Sherwood School District recommended approval of the petition.

II. BASIC FINDINGS ABOUT THE SUBJECT PROPERTY & SURROUNDING AREA

A. Location.

The land to be added, (the Subject Property), is situated south of the centerline of Tualatin-Sherwood Road from the east edge of Section 28, T2S, R1W, WM in Washington County to a point about 2100 feet west of that edge. It extends from roughly SW 124th Avenue to a point about 300 feet east of Edy Road. Sherwood is north of Tualatin-Sherwood Road west of Cipole Road. Tualatin is north of Tualatin-Sherwood Road east of Cipole Road.

B. Legal description.

The Subject Property is a portion of Tax Lots 100 and 1000, Section 28, T2S, R1W, WM in Washington County and the south half of Tualatin-Sherwood Road adjoining those tax lots.

C. Size, shape, and physical characteristics.

1. The Subject Property is an irregularly-shaped parcel about 2100 feet wide (east-west). At the east end, it narrows to about 60 feet. At the west end, it narrows to a point. In the middle, it extends about 225 feet (north-south) south of the centerline of Tualatin-Sherwood Road. It contains about 6.7 acres including the right of way.

2. The Subject Property consists generally of SCS Agricultural Class II soils, although the soils have a relatively low rating for agriculture based on the EIS (Exhibit 19, p. 4-58). The majority of the Subject Property is pasture and tilled farm land sloped less than 8%. The west end of the Subject Property contains about 1/10-acre of mature conifer trees on land sloped up to 16%.

D. Plan designation & zoning.

The Subject Property and adjoining land to the south and west are designated Exclusive Forest and Conservation on the Washington County Comprehensive Plan map and are zoned EFC (Exclusive Forest and Conservation District). Property to the east is designated and zoned Exclusive Farm Use and EFU, respectively. Property to the north across Tualatin-Sherwood Road is designated Industrial on the Sherwood and Tualatin Comprehensive Plans and zoned MG (General Manufacturing) and GI (General Industrial), respectively. Cipole Road divides the Sherwood and Tualatin designations and zones.

E. Existing and proposed uses.

1. The Subject Property is not developed with structures. It is predominantly pasture. The west 1/10-acre contains mature conifer trees in a grove that extends west and south. The north part of the Subject Property is the south half of Tualatin-Sherwood Road, a two-lane arterial street between partial gravel shoulders that carries traffic east and west between Sherwood (99W) and Tualatin (I-5).

2. The petitioner proposes to develop the south 3 acres of the Subject Property for a realignment of Tualatin-Sherwood Road as part of a redevelopment of a 4 1/2-mile section of the road from Tualatin to the 6-Corners area in Sherwood. The remainder of the road project is inside the Urban Growth Boundary (UGB). Only the Subject Property is outside the UGB. The road on the Subject Property would be widened to three lanes and would be straightened from 124th Avenue to east of Edy Road. See Exhibit 19 for a complete description of the road project.

3. About 3 acres of land that now is outside the UGB would remain north of the realigned Tualatin-Sherwood Road, including the vacated half-width right of way for the road. The petitioner does not propose specific uses, annexation and rezoning for that area. The hearings officer assumes that area would be annexed to receive sewer and water service and redesignated and rezoned for urban use.

#### F. Surrounding uses.

1. The land south and east of the Subject Property is used for agriculture. There also is a single family home south of the Subject Property on the remainder of TL 1000. The land across Tualatin-Sherwood Road to the north is used for a lumber yard, a single family home, and pasture. Land to the west is used for a single family home and timber.

2. Land south of the Subject Property is part of an area known as the Tonquin Scablands Geologic Area which consists of typically featureless basalt uplands with deep, frequently dry channels. These features were formed 10,000 to 20,000 years ago when torrential glacial meltwaters flooded the area, scouring and eroding hilltops, forming channels, and depositing a large quantity of sand and gravel.

#### G. Pubic services and facilities.

1. *Sewer.* The Subject Property is not served by a public sewer at this time because it is not developed with uses that require such service. However, Sherwood has an 8-inch diameter sewer line about 500 feet west of the Subject Property at Edy Road, and Tualatin has a sewer line within 1/2-mile of the Property to the east. Based on comments from Sherwood and Tualatin, both jurisdictions can provide sewer service to the portion of the Subject Property north of realigned Tualatin-Sherwood Road.

2. *Water.* There is a 12-inch diameter water line in the Tualatin-Sherwood Road right of way. This line will be vertically relocated as part of the road project, but will continue to be situated in the realigned road right of way. Based on comments from Sherwood and Tualatin, this line can provide water service to the Subject Property.

3. *Storm drainage.* Storm drainage for the Subject Property is provided by roadside ditches and culverts. As part of the road project, the petitioner will relocate the roadside ditches and culverts and enlarge them to accommodate a 50-year design storm.

4. *Transportation.* The Subject Property includes Tualatin-Sherwood Road, part of the main traffic route between Interstate-5 in Tualatin and Highway 99W in Sherwood.

a. That road has and will have problems:

(1) Peak hour traffic volume on Tualatin-Sherwood Road at the Subject property will grow 53% from 10,800 vehicles to 16,500 vehicles by 1998.

(2) The Level of Service (LOS), a measure of traffic movement through intersections, will drop to a level "F" on Tualatin-Sherwood Road where it crosses the Subject Property (e.g., at Cipole Road). LOS "F" is unacceptable, based on Washington County and Metro standards.

(3) There are no pedestrian, bicycle or emergency pull-off features on this section of the road, creating hazardous conditions for pedestrian, bicycle and vehicular traffic.

(4) The intersection of Tualatin-Sherwood Road and Edy Road west of the Subject Property is atypical: through traffic has to stop; traffic continuing to Sherwood has a continuous right turn; traffic entering Tualatin-Sherwood Road from Sherwood must cross through traffic. Traffic must make unusual movements at that intersection, creating a potential traffic hazard. This potential is compounded by its location in the shade of tall conifer trees to the south; winter weather conditions make the intersection quick to freeze and slow to thaw.

b. If the Subject Property is included in the UGB and the road project is completed, then Tualatin-Sherwood Road will be straightened and widened, improved shoulders will be provided for bicycles and pedestrians, and the intersection with Edy Road will be redesigned to avoid unusual traffic movements.

c. Reasonable alternatives to the proposed realignment of Tualatin-Sherwood Road on the Subject property do not exist, because of the relationship of the road sections to the east and west, existing infrastructure, and existing land uses.

(1) The petitioner has improved the road section east of the site with a 3- to 5-lane section, curbs, storm sewers and sidewalks. The east end of the road approach cannot be relocated.

(2) To the west of the Subject Property, the petitioner wants to remedy the Edy Road/Tualatin-Sherwood Road intersection so that through traffic continues without an unusual turning movement and secondary traffic stops at an intersection of streets that join at a 90° angle. The petitioner's alternatives are constrained by two existing sets of structures. One constraint is an at-grade railroad crossing west of the Edy Road intersection. The petitioner cannot move the rail line and should cross the railroad at as near a 90° angle as possible to provide the most sight distance. Another constraint is a set of power lines and associated towers west of the Edy Road intersection. The petitioner must maintain a certain minimum clearance between the power lines (at the midpoint between towers where they sag most) and the road to prevent arcing or other problems. Moving power line towers to increase vertical separation would cost \$1/2 million, assuming two towers have to be moved, and would take years to accomplish. This limits the practicable intersection location to a small horizontal envelope. Beneath the Subject Property is a major interstate petroleum line. This precludes excavating to increase the distance between the grade of the road and the power lines.

(3) The speed limit of the road is 50 to 55 miles per hour. Given that speed limit, drivers' expectation that the road will continue to allow that speed, and constraints noted above, there is not enough room to provide a safe transition into and out of an S-curve connecting Tualatin-Sherwood Road to the east and a realigned Edy Road intersection to the west if limited to land already in the UGB. A safe transition requires a super elevated roadway (i.e., a roadway with lanes sloped to use centrifugal force to help hold vehicles on the road) of a certain length given the speed of traffic on the road. It is



possible to reduce speed limits and reduce the length of the transition, but that would be contrary to drivers' expectations and may lead to speeding or other unsafe practices. A more northerly location would have a sharper angle with the railroad line, would conflict with power line clearance minimums, and would adversely affect the lumber yard and home to the north.

5. *Fire protection.* The Subject Property is in the Tualatin Fire Protection District and can be served by district facilities, based on Exhibit 15.

6. *Schools.* The Subject Property is in the Sherwood School District. Granting the petition would not affect school services, because the site is not used for a residential purpose. No change in school district boundaries are planned or reasonably expected as a result of granting the petition.

### III. APPLICABLE APPROVAL STANDARDS

#### A. Background.

1. The UGB is intended to accommodate urban growth through the year 2000. But changes can be made in either of two ways. One method involves Major Amendments, which generally results in a change of more than 50 acres in the UGB. To obtain approval of a Major Amendment, a petitioner generally must show the change complies with all Statewide Planning Goals and fills a regional need for urban land, among other standards.

2. The other way to change the UGB is called a locational adjustment. Metro Ordinance No. 81-105, codified in Metro Code Chapter 3.01, provides that a locational adjustment may be warranted where a patent mistake was made when the UGB was drawn, where the addition uniquely facilitates development of land already in the UGB, where the addition of two acres or less would make the UGB coterminous with property lines, or where other conditions warrant the addition based on standards in that ordinance. The need for more land in the urban area is not relevant to a request for a locational adjustment.

a. A locational adjustment cannot add more than 50 acres of land to the UGB. To prevent contiguous, incremental amendments from exceeding the 50 acre maximum, a locational adjustment cannot add more than 50 acres including all similarly situated land.

b. It is assumed that a change of 50 acres or less in the region would not have a perceptible effect on the efficiency of major public facilities, considering the population base and area for which major public facilities are designed. However all land in the UGB is intended to be developed for urban uses. If 50 acres is added to one part of the UGB, it is assumed it would supplant development of a comparable size area or combination of areas elsewhere in the UGB. This could affect the efficiency of public services and increase energy consumption and air pollution associated with travel in the region. That is, there would be costs and potential service inefficiencies because public facilities would be available to serve land in the UGB that would not be developed because other land is added to the UGB and developed instead, and there would be costs to serve the land that is added.

c. To ensure the effect of adding land to the UGB is warranted despite the potential service inefficiencies elsewhere in the region, Ordinance 81-105 requires Metro to consider whether the addition of a given area to the UGB would increase the efficiency of public services and facilitate development inside the existing UGB. If so, then the benefit from adding the land can outweigh the cost that may accrue from not developing a comparable area or areas inside the UGB.

d. The larger the size of the area to be added, then the greater the cost that may accrue from not developing a comparable area or areas inside the UGB. The cost of leaving a 10 acre or smaller parcel inside the UGB vacant is so small that it is not significant if, as a result of adding a comparable size area to the UGB, any benefit accrues to land in the UGB abutting the land to be added.

e. Statewide Planning Goal 3 (Agriculture) is intended to protect agricultural land. The UGB is one way to fulfill that goal by clearly delineating urban and nonurban areas. The locational adjustment standards reflect this priority by allowing agricultural land to be included in the UGB only under very limited circumstances.

**B. Locational Adjustment standards.** The relevant standards for addition of land to the UGB, contained in Metro Code Section 3.01.040(a), are as follows.

(a) As required by subsections (b) through (d) of this section, Locational Adjustments shall be consistent with the following factors:

(1) *Orderly and economic provisions of public facilities and services.* A Locational Adjustment shall result in a net improvement in the efficiency of public facilities and services, including but not

limited to, water, sewerage, storm drainage, transportation, fire protection and school in the adjoining areas within the UGB; and any area to be added must be capable of being served in an orderly and economical fashion.

(2) *Maximum efficiency of land uses.* Considerations shall include existing development densities on the area included within the amendment, and whether the amendment would facilitate needed development on adjacent existing urban land.

(3) *Environmental, energy, environmental and social consequences.* Any impact on regional transit corridor development must be positive and any limitations imposed by the presence of hazard or resource lands must be addressed.

(4) *Retention of agricultural land.* When a petition includes land with Class I-IV soils that is not irrevocably committed to non-farm use, the petition shall not be approved unless it is factually demonstrated that:

- Retention of the agricultural land would preclude urbanization of an adjacent area already inside the UGB, or
- Retention of the agricultural land would prevent the efficient and economical provision of urban services to an adjacent area inside the UGB.

(5) *Compatibility of proposed urban uses with nearby agricultural activities.* When a proposed adjustment would allow an urban use in proximity to existing agricultural activities, the justification in terms of factors (1) through (4) of this subsection must clearly outweigh the adverse impact of any incompatibility...

(d) Petitions to add land to the UGB may be approved under the following conditions:

(2) ... the proposed UGB must be superior to the UGB as presently located based on consideration of the factors on subsection (a). The minor addition must include all similarly situated contiguous land which could also be appropriately included within the UGB as an addition based on the factors in subsection (a).

#### IV. FINDINGS AND CONCLUSIONS APPLYING APPROVAL STANDARDS TO THE CASE

##### A. Provision and efficiency of public facilities and services (§ 3.01.040(a)(1)).

1. *Water.* The Subject Property can be served by public water, based on finding II G2. Inclusion of the Subject Property in the UGB has no effect on the efficient delivery of sewer services inside the UGB, because of its small size.

2. *Sewer.* The Subject Property can be served by a public sewer system, based on finding IIG1. Inclusion of the Subject Property in the UGB has no effect on the efficient delivery of sewer services inside the UGB, because of its small size.

3. *Storm drainage.* Storm water from the Subject Property will be directed to improved drainage features included in the realigned right of way. This provides a timely and efficient way to manage storm water. Including the Subject Property in the UGB enables improvement of the storm drainage system along Tualatin-Sherwood Road including land already in the UGB. That increases the efficiency of storm drainage in the vicinity.

4. *Transportation.* The Subject Property does and will contain a portion of Tualatin-Sherwood Road. Including the Subject Property in the UGB increases the efficiency of the road by facilitating improvements that increase its safety and capacity and thereby providing for increased traffic speed and volume to land already in the UGB.

5. *Fire protection.* The Subject Property can be served with fire protection services, based on finding IIG5. Including the Subject Property in the UGB results in more efficient fire protection services to land already in the UGB, because it improves the speed and safety with which emergency vehicles can travel on Tualatin-Sherwood Road.

6. *Schools.* Granting the petition will not affect school services, because the Subject Site is not used for residences. Including the Subject Property in the UGB results in more efficient school bus service to land already in the UGB, because it improves the safety with which buses can travel on Tualatin-Sherwood Road.

**B. Land use efficiency (§ 3.01.040(a)(2)).**

Granting the petition would be consistent with promoting the maximum efficiency of land uses by facilitating road improvements that increase the safety and maintain the speed of access to property already in the UGB between Tualatin and Sherwood without requiring otherwise unwarranted relocation of high power electric transmission lines, a railroad crossing, or an underground petroleum pipeline. Unless the Subject property is included in the UGB and the road is realigned, traffic will exceed the capacity of the road

leading to inefficient travel. That will reduce the attractiveness of the adjoining urban land for development for purposes for which it is zoned.

C. Environmental, energy, economic and social consequences (§ 3.01.040(a)(3)).

1. The Subject Property is not in or near a Regional Transportation Corridor identified in Metro's Regional Transportation Plan. Therefore it does not have any impact on public mass transit demand. It does, however, increase the efficiency and safety of potential future transit connecting urban destinations in the region.

2. The Subject Property does not include any natural hazards or historic resources. Therefore, its inclusion in the UGB and proposed development is not affected by those resources or hazards. An historic single family dwelling identified in Exhibit 19 (p. 4-62) does not qualify for listing on the National Registry and will be buffered from development on the Subject Property by a substantial distance.

3. The Subject Property does contain SCS Agricultural Class II soils and land in use for farm and forest purposes. These soils will be lost from agricultural and forest use if the Subject Property is included in the UGB. However, the area lost is relatively small. Also the road to be built along the south edge of the Subject Property will help separate urban to the north from nonurban land to the south. This minimizes the potential for adverse effects from urban development on resource land to the south. Including the Subject Property in the UGB does not appreciably increase access to resource land, because Tualatin-Sherwood Road already exists on the north edge of the Subject Property.

4. The road to be built along the south edge of the Subject Property will help separate urban to the north from the Scabland Geologic Area to the south.

5. Including the Subject Property in the UGB facilitates a road improvement that helps reduce energy consumption for motor vehicle travel and reduces air contaminants from vehicles by reducing engine idling due to a poor LOS and by providing pedestrian and bicycle facilities that reduce reliance on motor vehicles.

D. Agricultural land (§ 3.01.040(a)(4) and (5)).

1. The Subject Property contains Class II soils and is not irrevocably committed to non-farm use. Retention of the Subject Property as agricultural would preclude the efficient and economical provision of an arterial road for, and therefore urbanization of, land within the UGB, based on the discussion of alternatives in finding IIG4c.

2. There are agricultural uses east and south of the site. Urban use of the Subject Property is compatible with those agricultural uses, because the realigned road will separate urban uses on the Subject Property from resource uses to the south and east and will not increase access to resource lands. The increased efficiency with which the realigned road will provide transportation services, and resulting positive energy and air quality effects, clearly outweigh the adverse impacts due to loss of roughly 5 acres of resource land and to the potential increased traffic volume on Tualatin-Sherwood Road.

E. Superiority of proposed UGB & similarly situated land (§ 3.01.040(d)).

1. Granting the petition would result in a superior UGB, because it would facilitate improvement of the regional transportation network, benefitting land already in the UGB with improved urban emergency service delivery, energy efficiency, and air quality.

2. The petition includes all similarly situated land. The Subject Property is bounded on the south by the south edge of the proposed right of way. The right of way distinguishes the Subject Property from adjoining land to the south.

**V. CONCLUSIONS AND DECISION.**

A. Public services and facilities, including water, sewer, storm drainage, transportation, schools, and police and fire protection, can be provided to the Subject Property in an orderly and economical fashion.

B. Addition of the Subject Property would result in an improvement in the efficiency of public transportation services, because it enables the safe and efficient realignment of Tualatin-Sherwood Road.

C. The subject property is classified as resource land, but qualifies for inclusion in the UGB, because of its small size, lack of adverse effects on resource land in the vicinity, and compatibility with resource uses in the vicinity, and because of the merits of realigning Tualatin-Sherwood Road.

D. The petition includes all similarly situated contiguous land outside the UGB.

E. The proposed UGB is superior to the existing UGB, based on consideration of the factors in § 3.01.040(a).

F. For the foregoing reasons, the Hearings Officer recommends that the Metro Council approve the petition in Contested Case 90-03 and adopt a Resolution of Intent to amend the UGB to include the Subject Property.

Dated this 18th day of January, 1991.

  
Larry Epstein, Hearings Officer

CONTESTED CASE NO. 90-3

CASE RECORD - EXHIBITS



FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

PS Form 3877, Sept. 1986

NAME AND ADDRESS OF SENDER		LARRY EPSTEIN, P.C. Attorney At Law 722 SW Second Avenue Suite 400 PORTLAND, OREGON 97204 (503) 223-4855		Indicate type of mail <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Certified <input type="checkbox"/> Express Mail		Check appropriate block for Registered Mail: <input type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance		Affix stamp here if issued as certificate of mailing or for additional copies of this bill. POSTMARK AND DATE OF RECEIPT					
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks
1	397437 2241	KELLY SAMPSON CPOS 22360 SW 108th TUALATIN 97062	25	85									
2	" 225	MARK BROWN BLUT 155 N 1ST ST HILLSBORO 97124											
3	" 226	JIM RAPP 90 NW PARK ST SHERWOOD 97140											
4	" 227	STEVE RHODES PO BOX 369 TUALATIN 97062											
5	" 228	WM & MARY YOUNG 20605 SW CIPOLLE RD SHERWOOD 97140											
6	" 229	MARK / JULIE GIBLSTON 13450 SW TUALATIN RD SHERWOOD 97140											
7	" 230	RG RONARD ENDICOTT 12200 SW MYSLONY RD SHERWOOD 97140											
8	" 231	RAY ORR 12900 SW TUALATIN RD SHERWOOD 97140											
9	" 232	WASH. CO 155 N 1ST ST HILLSBORO 97124											
10	" 233	ALLO DEV. CO PO BOX 1037 KISSANNE 97070											
11	" 234	MAC EQUIPMENT % WIM YOUNG PO BOX 278 TUALATIN 97062											
12	" 235	YOUNG HERITAGE % NORAK RT 1 BOX 9 BE WOODLAND, WA 98674											
13	" 236	WM & MARY YOUNG % MARSHAL CO PO BOX 278 TUALATIN 97062											
14	" 237	ALFRED CHAVEZ 460 COCHRAN DR SHERWOOD 97140											
15	" 238	HARRIS LINDA THOMPSON 12350 TUALATIN RD TUALATIN 97062											
Total Number of Pieces Listed by Sender 15		Total Number of Pieces Received at Post Office Fifteen	POSTMASTER, PER (Name of receiving employee) PORTLAND, OR SEP 6 1990 USPS		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD, \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.								

Case # 90-3 Exhibit # 1  
 Offered by METRO  
 Date received 12/6/90 By LE  
 METRO HEARINGS OFFICER

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1988

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

NAME AND ADDRESS OF SENDER

**LARRY EPSTEIN, P.C.**

Attorney At Law  
722 SW Second Avenue Suite 400  
PORTLAND, OREGON 97204  
(503) 223-4855

Indicate type of mail

- ☒ Registered  
☐ Insured  
☐ COD  
☐ Certified ☐ Express Mail

Check appropriate block for Registered Mail:

- ☐ With Postal Insurance  
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Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks
1	397437239	EARL FLORIS ITEL 12155 TUALATIN RD SHERWOOD 97062	25	85									
2	" 240	MICHAEL ITEL 20900 SW 120th AVE TUALATIN 97062											
3	" 241	WYD. THAENKOCH 11340 SW TUALATIN RD SHERWOOD 97140											
4	" 242	EARL ITEL 12155 TUALATIN RD TUALATIN 97062											
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15													

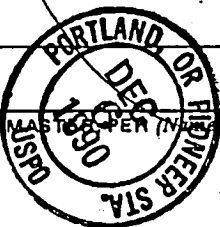
Total Number of Pieces Listed by Sender

4

Total Number of Pieces Received at Post Office

Four

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The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1988 197-

**METROPOLITAN SERVICE DISTRICT**  
2000 S.W. First Avenue

Portland, OR 97201  
(503) 221-1646

FAX Number  
(503) 241-7417

Case # 90-3 Exhibit # 2  
Offered by MEMO  
Date received 12/3/90 By LE  
METRO HEARINGS OFFICER

**PLEASE DELIVER THE FOLLOWING MATERIAL AS SOON AS POSSIBLE:**

DATE: 12/3/90

TO: LARRY RASTEN / FAX# 225-7365

COMPANY: \_\_\_\_\_

FROM: ETAM SEITZER

EXT. 537

SUBJECT: CASE 90-3 NOTIFICATION

# OF PAGES (including this page): 2

**PLEASE NOTIFY IMMEDIATELY IF NOT RECEIVED PROPERLY**

COMMENTS:



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201 5398  
503.271.1646

# Memorandum

December 3, 1990

To: Larry Epstein

From: Ethan Seltzer

Re: Notification List for Contested Case No. 90-3: Washington County

Please add the following people to the notification list for Case No. 90-3:

Kelly Sampson  
CPO-5  
22360 SW 108th  
Tualatin, OR 97062

Mark Brown, Senior Planner  
Washington County DLUT  
155 North First Avenue  
Hillsboro, OR 97124

Jim Rapp, City Manager  
City of Sherwood  
90 NW Park Street  
Sherwood, OR 97140

Steve Rhodes, City Manager  
City of Tualatin  
P.O. Box 369  
Tualatin, OR 97062

Thanks!

**NOTICE OF PUBLIC HEARING**

**METROPOLITAN SERVICE DISTRICT**

Thursday, January 3, 1991, at 1:30 pm in the Tualatin City Council Chambers, 18880 SW Martinazzi Avenue, Tualatin, Oregon, the Metropolitan Service District (Metro) will hold a public hearing on petition Number 90-3 to include approximately 6.7 acres within the Portland Metropolitan Area Urban Growth Boundary (UGB) (SEE ATTACHED MAP).

The petitioner, Washington County, has requested a locational adjustment of the UGB, a specific land use action included in the Metro Code. The property is comprised of portions of two tax lots located south of the existing alignment of Tualatin-Sherwood Road at its intersection with Cipole Road. The purpose for the proposed amendment of the UGB is to accommodate the improvements planned for the Tualatin-Sherwood-Edy Road Project. The legal description is 6.7 acres total drawn from the northern portions of Tax Lots 100 and 1000, T2S, R1W, Section 28D. The present zoning is EFC, as described in the Washington County comprehensive land use plan.

**BACKGROUND**

Under ORS 268.390 Metro is responsible for management of the Urban Growth Boundary for the Portland metropolitan area consistent with the Statewide Planning Goals adopted by LCDC. LCDC Goal 14 (Urbanization) lists seven factors that must be considered when an urban growth boundary is amended, and also requires compliance with the standards and procedures for taking a goal exception, as listed in Goal 2 (Land Use Planning).

Metro has adopted standards and procedures for smaller adjustments to its Urban Growth Boundary that LCDC has acknowledged for compliance with the requirements of Goal 14 and Goal 2. These standards and procedures are contained in Chapter 3.01 of the Metro Code and apply to this case. The purpose of these minor "locational adjustments" of the UGB are to recognize instances where a small addition of land to the urban area, through the relocation of the UGB, can technically make the location of the UGB better serve the needs of land already designated for urban uses. In this case, petitioner Washington County asserts that such an amendment of the urban growth boundary is warranted because of the contribution that the subject property can make to resolving existing and future urban service needs in the vicinity.

Copies of the applicable code sections and the standards for locational adjustments are available from Metro staff.

**HEARING**

The hearing will be conducted before attorney, Larry Epstein, who has been designated as Hearings Officer by the Metro Council.

Notice for Hearing on Metro UGB Case 90-3 - page 2

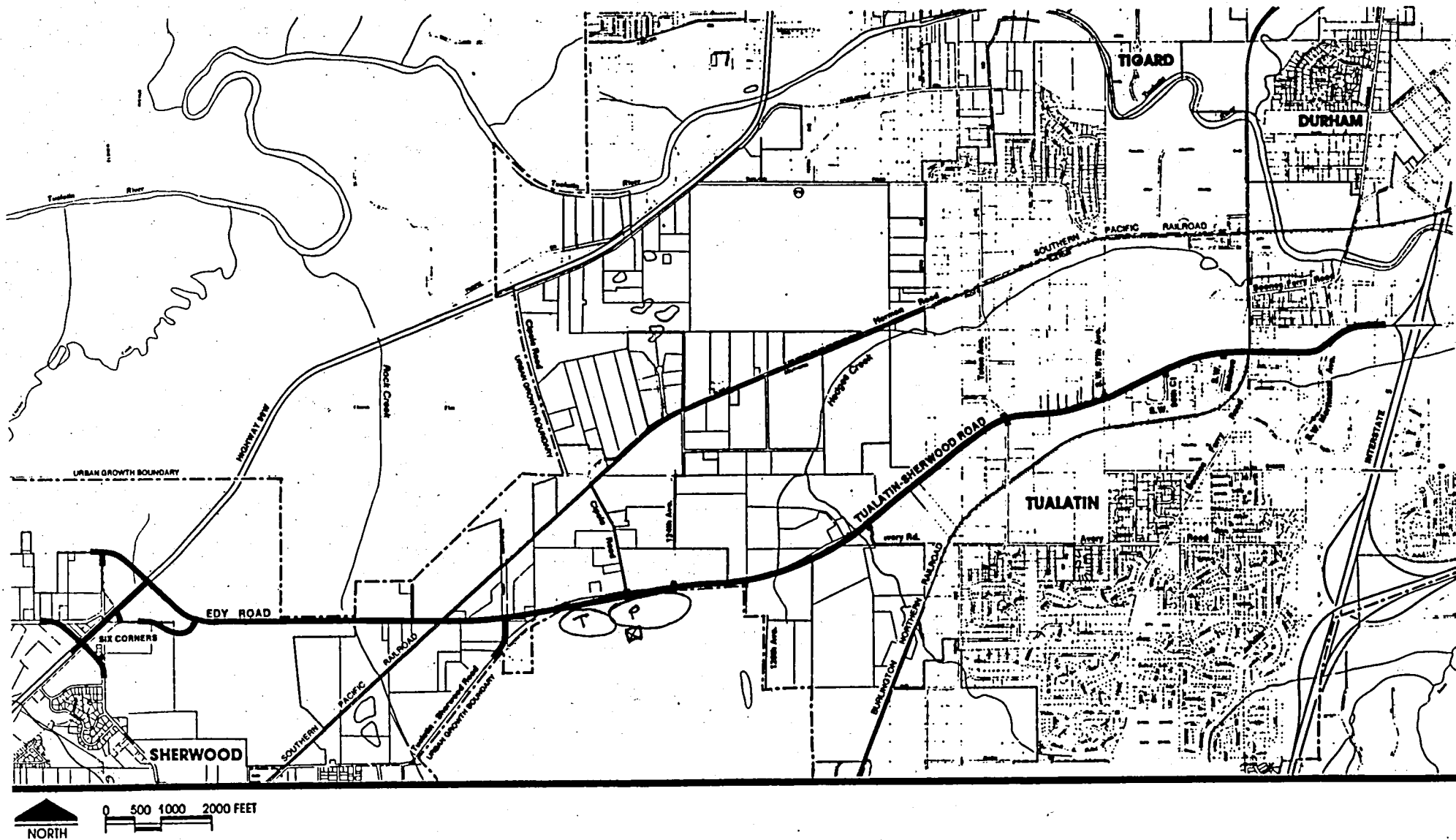
Procedures for the hearing are those set forth in Metro Code Chapters 2.05 and 3.01. Following the close of the hearing record, the Hearings Officer will prepare a written report and recommendation to the Metro Council recommending that the application be approved or denied. Thereafter, the Council will hold a public meeting and either approve or deny the application or remand the matter to the Hearings Officer for further proceedings. Parties at the hearing may, but need not, be represented by an attorney.

In order to have standing in this case, both before the Metro Council and later, should an appeal result, you must either testify at the hearing or submit written comments to the Hearings Officer prior to the close of the hearing record. Therefore, not participating at this stage of the process could effect your ability to participate at a later date.

The hearing will commence promptly at 1:30 pm and continue until completed. Interested persons may submit additional testimony orally or in writing. Please address written testimony to Larry Epstein, Attorney at Law, 722 SW Second Avenue, Suite 400, Portland, OR 97204. Depending upon the number of persons wishing to testify, the Hearings Officer may impose time limits on testimony. The Hearings Officer may continue the hearing without further notice.

FOR MORE INFORMATION...

For further information about this case, about the standards for approving the request, or about any aspect of the proceeding, please contact Ethan Seltzer, Land Use Coordinator, at the Metropolitan Service District, 2000 S.W. First Avenue, Portland, Oregon 97201-5398, telephone 220-1537. Copies of a summary of hearing procedures and of the standards of approval will be mailed upon request, and will be available at the hearing. Other relevant materials may be copied and mailed at cost, or may be reviewed at the Metro Office.



## THE BUILD ALTERNATIVE

TUALATIN-SHERWOOD/  
EDY ROAD PROJECT

CH2M HILL

2-4

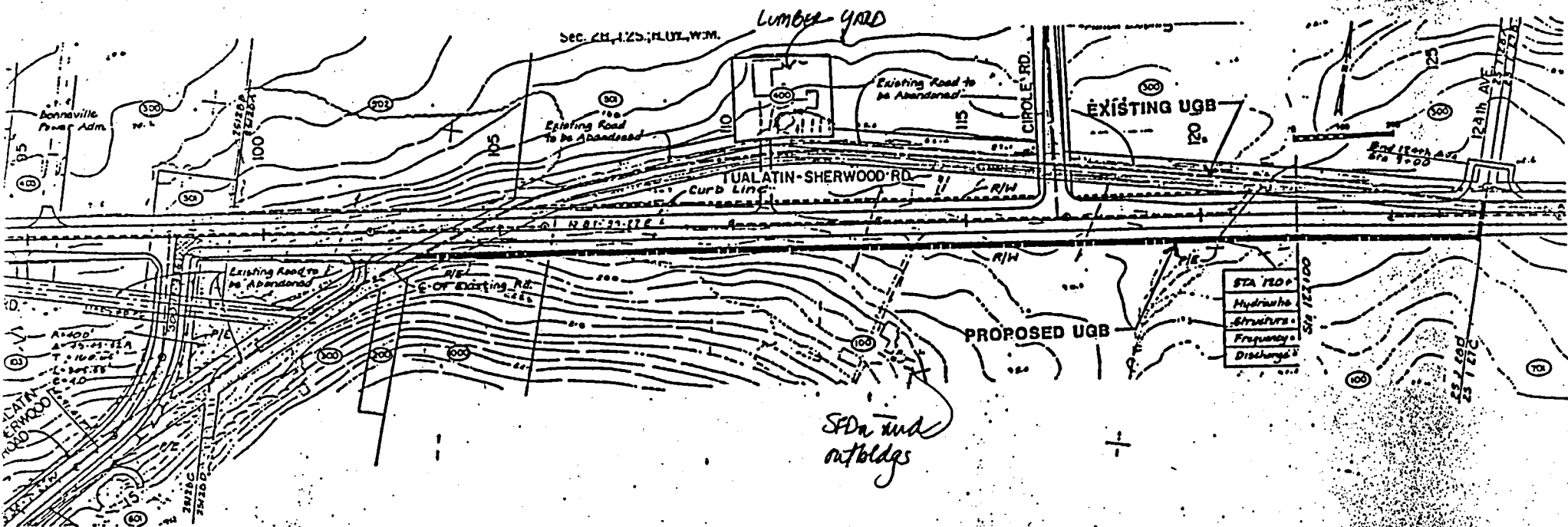


Figure 2





**METRO**


2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

Case # 90-3 Exhibit # 4  
Offered by METRO  
Date received 12/3/90 By UE  
METRO HEARINGS OFFICER

December 2, 1990

To: Larry Epstein, Hearings Officer

From: Ethan Seltzer, Land Use Coordinator 

Re: STAFF REPORT ON CONTESTED CASE NO. 90-3, PETITION FROM WASHINGTON COUNTY FOR A LOCATIONAL ADJUSTMENT OF THE URBAN GROWTH BOUNDARY

Petitioner requests the addition of approximately 6.7 acres located south of the existing alignment of Tualatin-Sherwood Road at its intersection with Cipole Road. To be approved, the petitioner must demonstrate compliance with the standards in Metro Code Section 3.01.040.

Locational adjustments are meant to be small scale, technical adjustments to the Urban Growth Boundary (UGB). They are a device used to adjust the boundary when a mistake was made in the original drawing of the boundary line; when the addition of a small acreage will uniquely facilitate the development of lands adjacent to the proposed addition and already in the UGB, or the addition involves an addition of two acres or less intended to make the UGB coterminous with property lines. In any case, the need for the property in the UGB is not a factor in judging the suitability of the proposed addition.

In brief, a successful demonstration of compliance with the standards must show that the adjustment will:

--result in a net improvement in the efficiency of the delivery of public facilities and services in adjoining areas within the UGB, and that the land in question itself can be served in an orderly and economic manner;

--lead to maximum efficiency of land uses;

--positively relate to any regional transit corridors and positively address any limitations imposed by the presence of hazard or resource lands;

--retain agricultural land when the petition involves lands for which no exceptions to goals 3 and 4 have been granted; and

--be compatible with nearby agricultural uses, or show why adherence to all the other conditions clearly outweigh any incompatibility.

page 2

In addition, a locational adjustment adding land to the UGB must be for less than 50 acres and must include within its boundaries all similarly situated contiguous lands, in order to avoid the piecemeal expansion of the UGB through a series of contiguous locational adjustments.

I have reviewed the materials submitted by the petitioner and would like to direct your attention to the following issues for further examination during the hearing on this matter, scheduled for January 3, 1991:

1) Appropriateness - As a general comment, this petition exemplifies that way in which the locational adjustment process should work. The petition stems from a road project that has been extensively reviewed by the petitioner, both in terms of petitioner's comprehensive plan as well as in coordination with the plans of Sherwood and Tualatin. Alternatives to meeting the service needs of the County other than through a UGB amendment were evaluated. Only the land needed to accomplish the service objective is included in the petition. This kind of analysis and the linkage to comprehensive land use plans is an appropriate use of the locational adjustment process.

2) Proposal involves rural lands not excepted from Statewide Planning Goals 3 and 4 - The locational adjustment process was intentionally designed to be very protective of agricultural and forest resource lands. Care was taken to ensure that the process not become a "backdoor" exceptions process for rural resource lands adjacent to the urban growth boundary, or lead to the exacerbation or creation of conflicts with existing agricultural practices. At hearing, petitioner should be requested to:

- a) explain the role that the petition and the approximately 2000 feet of realigned road plays in the overall Tualatin-Sherwood-Edy Road Project;
- b) explain the consequences to the entire Tualatin-Sherwood-Edy Road project of not making the amendment;
- c) comment on the shortcomings of the alternative alignments not selected for meeting the overall project objectives; and
- d) describe the reasons why such a realignment requires an amendment of the urban growth boundary.

Please feel free to contact me should you have any questions. I have furnished a copy of this staff report to the petitioner.

# NOTICE OF PROPOSED

Must be sent to DLCD 45 days prior to  
See OAR 660-18-020

Case # 90-3 Exhibit # 5  
Offered by MCDMD  
Date received 12/3/90 By LG  
METRO HEARINGS OFFICER

Jurisdiction: Metro

Date Mailed: 11/6/90

Local File Number 90-3

Date Set for Final Hearing on Adoption: January 3, 1991

Month January Day 3 Year 1991

Time and Place for Hearing: 1:30 PM Tualatin City Council Chambers

18880 SW Martinazzi Ave., Tualatin

Type of Proposed Action (Check all that apply)

☒ Comprehensive

☐ Land Use

☐ New Land Use

☒ Plan Amendment

☐ Regulation Amendment

☐ Regulation

Please Complete (A) for Text Amendments and (B) for Map Amendments

A. Summary and Purpose of Proposed Action (Write a brief description of the proposed action. Avoid highly technical terms and stating "see attached"):

Action on petition for locational adjustment of Metro's Urban Growth Boundary to add 6.7 acres to facilitate the realignment of Tualatin-Sherwood-Edy Road in the vicinity of its intersection with Cipole Road.

B. For Map Amendments Fill Out the Following (For each area to be changed, provide a separate sheet if necessary. Do not use tax lot number alone.):

Current Plan Designation: Rural Proposed Plan Designation: Urban

Current Zone: EEC Proposed Zone: N/A

Location: T2S, R1W, Section 28D, TL 100 and 1000.

Acreage Involved: 6.7

Does this Change Include an Exception? ☐ Yes ☒ No

For Residential Changes Please Specify the Change in Allowed Density in Units Per Net Acre:

Current Density:

Proposed Density:

**List Statewide Goals Which May Apply to the Proposal:**

Metro takes the position that Goals 1, 2, 3, and 4 do not apply directly to locational adjustment proposals, but only through the standards and procedures adopted in Chapter 3.01 of the Metro Code, which has been

List any State or Federal Agencies, Local Government or Local Service Districts Which may be Interested in or Impacted by the Proposal:

Washington County, City of Sherwood, City of Tualatin, ODOT

**Direct Questions and Comments To: Ethan Seltzer, Land Use Coordinator**

Metro, 2000 SW First Avenue

Portland, OR 97201

(Phone) 220-1537

**Please Attach Three (3) Copies of the Proposal to this Form and Mail To :**

Department of Land Conservation and Development

1175 Court Street, N.E

Salem, Oregon 97310-0590

**NOTE:** If more copies of this form are needed, please contact the DLCD office at 373-0050, or this form may be duplicated on green paper. Please be advised that statutes require the "text" of a proposal to be provided. A general description of the intended action is not sufficient. Proposed plan and land use regulation amendments must be sent to DLCD at least 45 days prior to the final hearing (See OAR 660-18-020).

**\* \* \* FOR DLCD OFFICE USE \* \* \***

DLCD File Number \_\_\_\_\_ # Days Notice \_\_\_\_\_

<pa>proposedform

Petition for Locational Adjustment  
Metro's Urban Growth Boundary (UGB) (check)☒ addition ☐ removal

## Note:

To add land in one location and remove land in another,  
please complete one form for the addition and another for  
the removal.

## 1. a. Petitioner's name and address:

Brent Curtis, Planning Manager

WASHINGTON COUNTY, Dept of Land Use &amp; Transportation

155 NORTH FIRST AVENUE

HILLSBORO, OREGON 97124

Phone number: 640-3519

## b. Contact person, if other than petitioner (consultant or attorney) or if petitioner is a local government:

JILL HINCKLEY

419 SE 15TH

PORTLAND, OREGON 97214

Phone number: 234-2113

## 2. What is petitioner's interest in the property:

☒ Property Owner☐ Contract Buyer☐ Option to buy☐ Other legal interest (Specify: \_\_\_\_\_)☒ Local government3. County in which property is located: WASHINGTON

## 4. If the locational adjustment requested were approved, would you seek annexation to (or de-annexation from) a city? \_\_\_\_\_

☐ Yes, the City of \_\_\_\_\_☒ No

## 5. Description of properties included in the petition (list each lot individually and attach a copy of the appropriate tax assessor's map(s)):

a. Legal Description  
(Township, Range,  
Section, Lot):T2S R1W Section 28D  
Tax Lots 100 & 1000

b. Acres: 6.7

c. Owner's Name Same  
& Address  
(Mark "Same"  
if same as  
petitioner):

d. Improvements on property Tualatin Sherwood Road runs from centerline over  
about 1 acre.  
(e.g., none,  
one single  
family dwelling,  
barn, gas station,  
etc.):

Attach additional sheets as needed.

6. a. What sewerage facilities currently serve the property?

☒ None, all land is vacant  
☐ Package sewage treatment plant  
☐ Sewer Line to public system  
☐ Septic Tank

b. If septic tanks, have any septic tanks in the area failed?

☐ Yes, (Explain: \_\_\_\_\_)  
\_\_\_\_\_  
☐ No

7. How close is the nearest sewer trunk? 500'

8. a. Are additional sewer trunks for the area planned?

☐ Yes ☒ No

b. If yes, how close to the property would planned  
sewer lines run? \_\_\_\_\_

9. How is water provided to the property?

☐ Private Well

☐ inch water line provided by \_\_\_\_\_  
(city or water district)

☒ No water provided

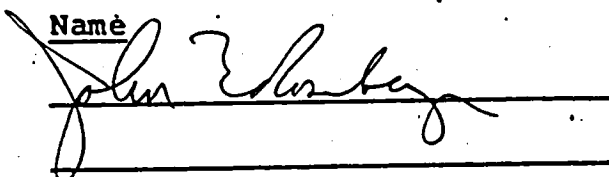
18. On a separate sheet of paper, please discuss how approval of your petition would comply with each of the applicable standards from the Metro Code (attached green sheets). Only petitions found consistent with these standards may be approved. Metro staff will use the information received from

this petition, the local government, and other sources as needed, to prepare a list of questions for the Hearings Officer on whether these standards have been met. You and other parties may then submit any additional testimony in support of or opposition to the petition at the hearing. The Hearings Officer will then weigh the testimony received and submit the findings and recommendations to the Metro Council for action.

18. Petitioners Signatures

I/WE THE UNDERSIGNED HEREBY PETITION THE METROPOLITAN SERVICE DISTRICT TO ADD TO/REMOVE FROM THE URBAN GROWTH BOUNDARY THE PROPERTY DESCRIBED HEREIN.

SIGNED,

<u>Name</u>	<u>Tax Lot</u>	<u>Date</u>
	T2S, R1W, Sect. 28D T.L. 100 & 1000	6-29-90

JH/gl  
2383B/223  
05/07/87



## Attachment 1

### Findings of Compliance with Locational Adjustment Standards

#### Introduction

The Tualatin-Sherwood/Edy Road Project is a part of the County's Major Streets Transportation Improvement Program (MSTIP) designed to improve the 4.5 mile route between I-5 in Tualatin and Highway 99W in Sherwood. Along a 2000-foot segment of the Tualatin-Sherwood Road, at the Cipole Road intersection, proposed road widening and realignment would place the new right-of-way outside the existing UGB.

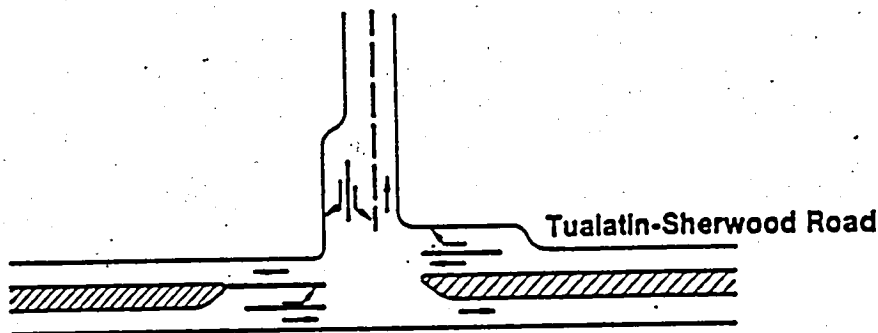
Tualatin-Sherwood/Edy Road provides the major connection between Interstate 5 in Tualatin and Highway 99W in Sherwood. In order for this road to meet the capacity and safety demands of existing and proposed development, a series of design and capacity improvements are proposed to bring the roads to minor arterial design standards, and road capacity to at least level of service D. The project's purpose and need were summarized as follows in its draft Environmental Impact Statement released in May 1988:

The proposed project would widen Tualatin-Sherwood Road to five lanes from Boones Ferry Road to Teton Avenue, including two through-lanes in each direction and a raised median. The remainder of the road would be widened to three lanes, with one through-lane in each direction and a center median/left-turn lane. The existing Tualatin-Sherwood/Edy Road intersection and the Six Corners intersection would be reconfigured to better accommodate existing and projected traffic patterns and volumes. West of Boones Ferry Road to Highway 99W in Sherwood, Tualatin-Sherwood Road tapers to a two-lane rural highway with narrow shoulders, no pedestrian or bicycle facilities, and no refuge for left-turning vehicles. The current configuration of the Tualatin-Sherwood/Edy Road intersection requires traffic movements inconsistent with driver expectations. The western terminus of the project at Six Corners is a complex six-legged intersection that has substantial congestion during peak hours.

Two-way average daily traffic (ADT) is projected to increase by 43 percent on the east end of the project near Tualatin and will increase by 75 percent on the west end near Six Corners by the year 1998. One turning movement from Edy Road onto Highway 99W is currently operating at capacity. With no improvements to the existing roadway, the intersections of Tualatin-Sherwood Road with Avery and Cipole Roads and the Six Corners intersection are expected to exceed capacity.

Although accident rates are currently close to the statewide average, all types of accidents (sideswipes, head-on, pedestrian, bicycle) are expected to increase under existing conditions. Pedestrian and bicycle travel is currently inconvenient and hazardous along the roadway because of the variable width and condition of the unpaved shoulders, irregular pavement edges, narrow roadway travel lanes, numerous horizontal and vertical curves, and high volume of truck traffic. Tualatin-Sherwood/Edy Road was removed from the Regional Bicycle Plan at Washington County's request because of the current unsafe condition of the road for cyclists. With continued urban development in the corridor, consistent with comprehensive plans for Washington County, Tualatin, and Sherwood, demand for pedestrian and bicycle facilities will increase.

Washington County is petitioning Metro for a locational adjustment of the UGB to add 6.7 acres of land directly south of the Tualatin-Sherwood road at the intersection with Cipole Road (see Figures 1 and 2). The addition is requested in order to accommodate needed road widening and realignment as part of the project along Tualatin-Sherwood/Edy Road. Improvements to this segment of the project include the addition of turning lanes at Cipole Road and straightening of the alignment in order to improve traffic flow and safety (see Figure 3).

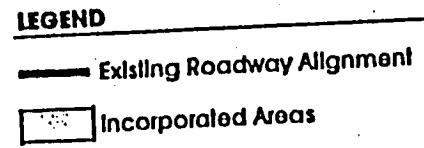
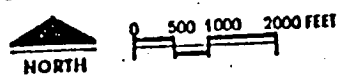
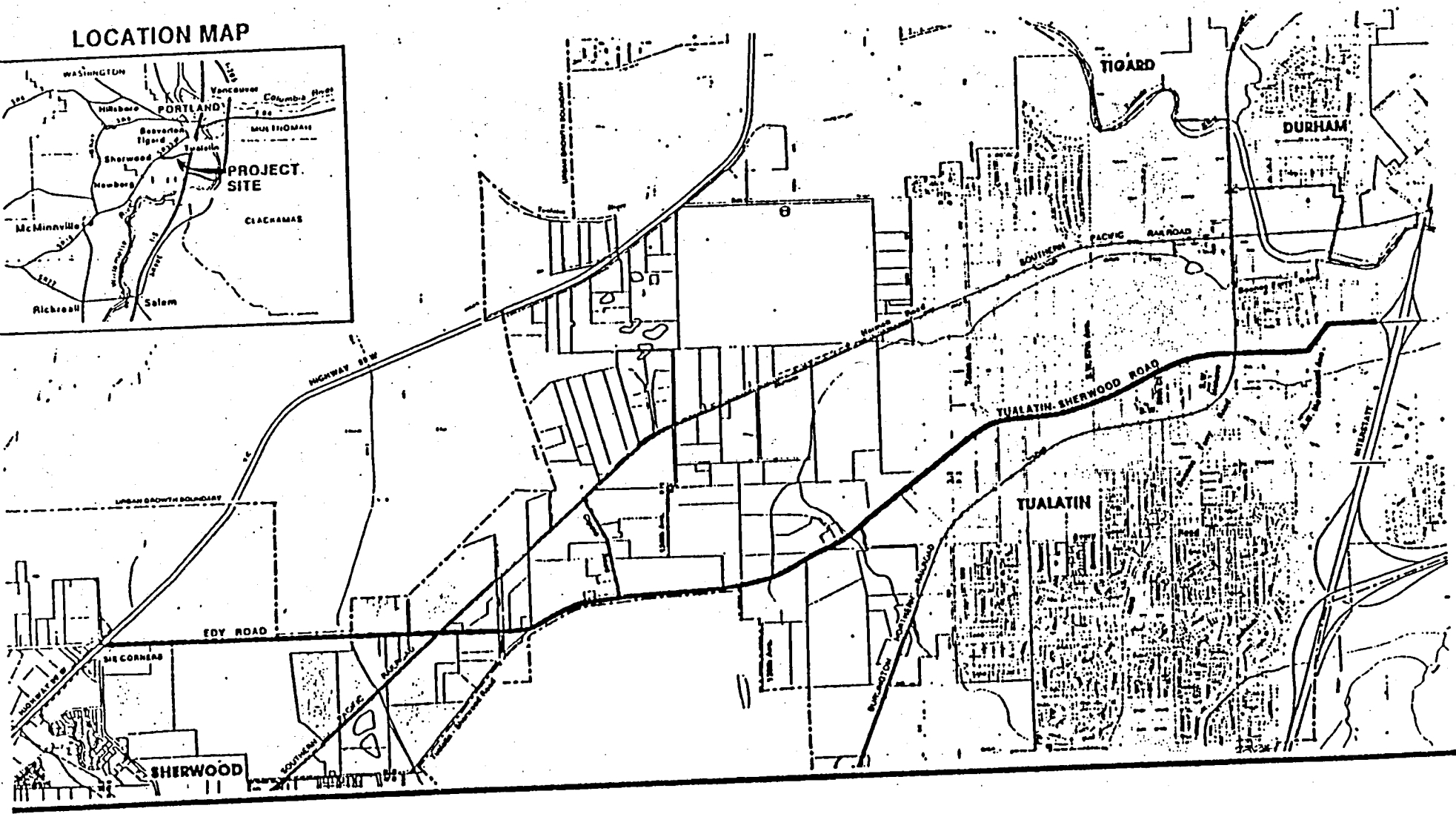
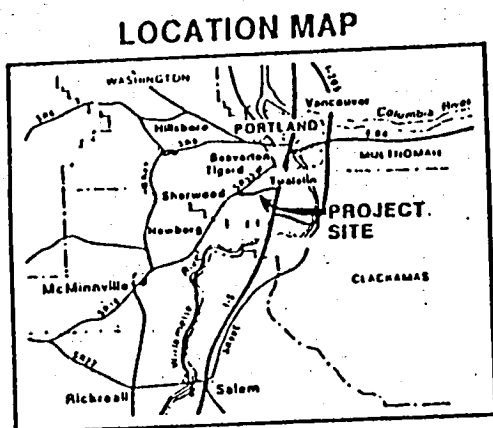


### APPROACH LANE CONFIGURATIONS

TUALATIN-SHERWOOD/  
EDY ROAD PROJECT

CH2M HILL

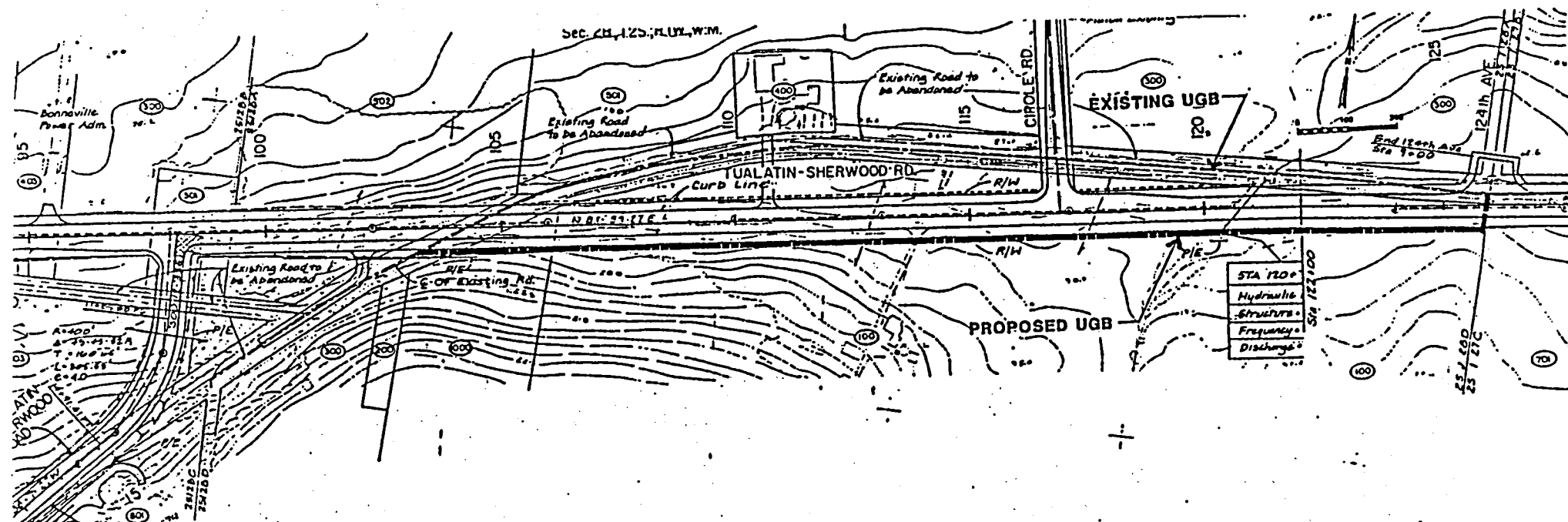
FIG. 3



## VICINITY MAP

TUALATIN-SHERWOOD/ EDY ROAD PROJECT	CH2M HILL
--	-----------

Figure 1



Without these improvements, level of service at this intersection would drop to level F by 1998. Safety would be significantly impaired if the alignment were not corrected, as the existing radius would require vehicles to slow through that stretch in a potentially hazardous manner, and sight distance for vehicles turning from or onto Cipole Road would be limited. The proposed reconfiguration of the intersection with Edy Road would necessitate an S-curve design that would further exacerbate these problems.

Constraints to the alignment along the remainder of the project, which include petroleum pipe lines, electric power lines, existing developments and adjunct natural resources, leave too short a distance along this stretch to provide the appropriate superelevation and run-off distances necessary to maintain safety consistent with driver expectations for the new facility.

The property itself is part of two tax lots totalling 100 acres currently designated for Exclusive Forest and Conservation Use (EFC) in the County's Comprehensive Plan. It is currently in agricultural use. A dense stand of mixed conifer-broadleaf trees begins at the northwest corner of the 100 acre site.

The adjacent parcel to the east is designated for Exclusive Farm Use (EFU). Properties to the north and west, inside the UGB, and located within the cities of Sherwood and Tualatin, have been designated for industrial use.

The proposed road realignment would create the addition of approximately three acres of developable land north of the new right of way and south of the existing UGB. Given the small size of this addition and its likely industrial zoning, the impact on services for the area will be minimal. Cipole Road currently forms the dividing line between Sherwood and Tualatin and it is anticipated that the developable land remaining after construction would itself be so divided. Either city is capable of providing urban services.

#### Review Criteria

Metro has adopted procedures governing locational adjustments of the UGB including removal, trades and additions of land. The procedures contain standards under which adjustments may be allowed. The following discussion reviews the proposed locational adjustments against the Metro criteria. Each Metro standard (capitalized) is quoted, followed by the applicable findings of fact.

I. GENERAL STANDARDS

(a) AS REQUIRED BY SUBSECTIONS (b) THROUGH (d) OF THIS SECTION, LOCATIONAL ADJUSTMENTS SHALL BE CONSISTENT WITH THE FOLLOWING FACTORS:

- (1) ORDERLY AND ECONOMIC PROVISION OF PUBLIC FACILITIES AND SERVICES. A LOCATIONAL ADJUSTMENT SHALL RESULT IN A NET IMPROVEMENT IN THE EFFICIENCY OF PUBLIC FACILITIES AND SERVICES, INCLUDING BUT NOT LIMITED TO, WATER, SEWERAGE, STORM DRAINAGE, TRANSPORTATION, FIRE PROTECTION AND SCHOOLS IN THE ADJOINING AREAS WITHIN THE UGB; AND ANY AREA TO BE ADDED MUST BE CAPABLE OF BEING SERVED IN AN ORDERLY AND ECONOMICAL FASHION.

Water and Sewer: A 12" water line runs along the Tualatin-Sherwood Road and an 8" sewer line is located 500' west, within the city of Sherwood at Edy Road. These lines will be vertically relocated as part of the project, but will otherwise be unchanged. Sewer lines have also been extended to within a half-mile of the UGB amendment area to the east in Tualatin.

Neither Sherwood nor Tualatin anticipate any water or sewer capacity problems and, in any case, the addition of two and one-half acres of developable industrial land will have only the most minimal affect on these services.

Storm Drainage: Petition approval will have only a very minimal impact on storm drainage, since the only increase in impervious surface will result from increased road width and whatever structure might be placed on the remaining land to the north in conjunction with its development for urban use.

As part of the overall project, existing culverts will be replaced with new culverts designed to accommodate a 50-year flow, based on projected land use, at or below an allowable headwater.

Because these culverts would be included in the project even if improvements were not made to the segment in question, approval of a UGB amendment to authorize those improvements cannot be said to improve the provision of storm drainage facilities in the adjacent urban area. But the new facilities insure that the petition area itself can adequately be served by storm drainage facilities, and that inclusion of the area within the UGB will have no negative impact on storm drainage in the adjoining urban area.

Transportation: The Tualatin-Sherwood Road is part of the main route connecting I-5 in Tualatin with Highway 99W in Sherwood, and offers the only direct access to either city for the adjoining urban area to the north. Traffic volumes are projected to increase 58% by 1998. Peak hour traffic flow at this point will grow from 10,800 to 16,500 vehicles by 1998. The level of service will drop to F, unacceptable by both County and Metro standards, unless improvements are undertaken to increase capacity. Correcting the horizontal and vertical alignments along this segment will also improve traffic safety.

Because of the small amount of land to be added, the site itself could be adequately served with transportation facilities even if the project were not completed as proposed. However, petition approval to allow the road to be widened and straightened at this point will significantly improve transportation service for the adjoining urban area.

Fire Protection: Property is within the Tualatin Fire and Rescue District, which will continue to provide emergency services. The entire project in general and the improvements proposed for the subject segment in particular will measurably decrease average travel time for emergency vehicles using Tualatin-Sherwood/Edy Road, especially during morning and evening peak hours. The provision of full-width travel and bicycle lanes, together with the separation of these travel lanes by a wide painted or raised median, will provide a means for emergency vehicles to bypass stalled or slow-moving vehicles. The increased capacity provided at all major intersections will reduce average vehicle delays and stops, thereby resulting in an overall improvement in the delivery of emergency services.

Schools: The property lies within Sherwood School District 88J. Because industrial development is expected on the portion of the site north of the new right-of-way, the adjustment would provide a slight increase in the district's assessed value without requiring any additional school services.

Summary: The site can be provided with needed urban services. Additional sewer and water capacity requirements are minimal and can be readily provided by the cities of Sherwood and Tualatin. Storm drainage facilities will be reconstructed in conjunction with the overall project. Transportation access for the developable portion of the site will be adequate once the planned improvements are completed.

The Tualatin Valley Fire and Rescue District can provide adequate protection. The road improvements authorized by petition approval will enhance the quality of fire protection and other emergency services for the subject property and for the adjacent urban area. Because the acreage not needed for the new right-of-way will likely be developed for industrial use, no school facilities will be utilized.

The small portion of the site that would require urban services would not require any capacity increases, but could be served by existing and planned facilities. Thus a very small increase in the efficiency of sewer, water, storm drainage and fire protection service would result.

The adjustment is needed in order to provide safe and efficient transportation service to the adjoining urban area, by allowing for turning lanes at the Cipole Road intersection, increasing sight distance at this intersection and for vehicles entering the road from adjacent properties. Without the proposed improvements, traffic would reach level of service F by 1998, below acceptable County standards. Because of the road curvature at this point, realignment to the south is the only practical way to accommodate needed improvements.

Inclusion of the site within the UGB will have no impact on the provision of water, sewerage, storm drainage and school service to the adjoining urban area, but will significantly improve the efficiency of transportation service and fire protection. Petition approval would thus result in a significant net improvement in the efficiency and effectiveness with which public services would be provided to the adjoining urban area.

- (2) MAXIMUM EFFICIENCY OF LAND USES. CONSIDERATIONS SHALL INCLUDE EXISTING DEVELOPMENT DENSITIES IN THE AREA INCLUDED WITHIN THE AMENDMENT, AND WHETHER THE AMENDMENT WOULD FACILITATE NEEDED DEVELOPMENT ON ADJACENT EXISTING URBAN LAND.

There is no existing development on the site. The adjoining urban area has been designated for industrial development in the Comprehensive Plans of Sherwood and Tualatin (see Figure 4). Without the proposed improvements, congestion at the Cipole Road intersection could seriously impede the area's ability to achieve its maximum potential for industrial development. The degree of congestion that would be present (level of service F) could be expected to



discourage new development relying on truck transport or frequent vehicle trips. Petition approval would facilitate planned development by providing transportation capacity commensurate with planned growth.

Although the effect of an inadequate transportation system is less easy to document or predict than that of, say, the infeasibility of providing sanitary sewers, the planned road improvements will support maximum efficiency by alleviating the congestion which would otherwise be likely to interfere with development to the full extent allowed by the cities' comprehensive plans.

- (3) ENVIRONMENTAL, ENERGY, ECONOMIC AND SOCIAL CONSEQUENCES. ANY IMPACT ON REGIONAL TRANSIT CORRIDOR DEVELOPMENT MUST BE POSITIVE AND ANY LIMITATIONS IMPOSED BY THE PRESENCE OF HAZARD OR RESOURCE LANDS MUST BE ADDRESSED.

There is no transit service along the Tualatin-Sherwood road, nor is the site within one-quarter mile of a Regional Transit Corridor, as identified in Metro's Regional Transportation Plan.

No hazards have been identified on the site. Although there are no historic resources on the site, the Orr residence to the south was built in the 1900's and identified in a survey of cultural resources conducted for the Tualatin-Sherwood/Edy Road Draft Environmental Impact Statement (Vol. 1, p. 4-62). The report concluded that this structure did not meet minimum criteria for listing on the National Registry. The County's Historic and Cultural Resource Overlay has not been applied to this property. In any case, realignment of the road in front of this house will have no impact on it.

The site contains Class II soil and has been designated EFC in the County's plan. That portion of the five acres situated between the existing and proposed right-of-ways would be isolated from the remaining resource land to the south, and the possible future agricultural or forest use of this land would be impaired.

The land to the south is part of an area known as the Tonquin Scablands Geologic Area which consists of typically featureless basalt uplands with deep, frequently dry channels. These features were formed 10,000 to 20,000 years ago when torrential glacial meltwaters flooded the scablands area and surrounding

region. The swift-moving flood waters scoured and eroded the hilltops, formed many deep channels, and deposited large quantities of sand and gravel.

The subject site itself does not contain any features of geologic interest and the realigned road would provide a buffer of sorts between the Scablands and urban development to the north. Because the project improves an existing route, and would be constructed even if the proposed improvements on the site could not be accomplished, improvements on the site are not expected to increase traffic along the route. In any case, the impacts of any increased traffic on protection of the lands to the south for farm or park use would be minimal.

There is a stand of trees on the southwest corner of the subject property. The few trees on the site itself (approx. .10 Ac?) would be removed as part of the road realignment.

The improvement in traffic flow that would be achieved as a result of the requested adjustment represents a significant savings in terms of energy consumption and air quality. By improving the level of service from level F to level B, the project would reduce average stop delay idling time at least 75%, from 60 seconds per vehicle to 5 - 15 seconds. For the project as a whole, the savings in terms of air quality and energy consumption are summarized in Tables A and B below.

TABLE A  
ESTIMATED DAILY EMISSIONS  
(kilograms per day)

<u>Pollutant</u>	<u>Existing</u>	<u>With Project</u>		<u>Without Project</u>	
		<u>1998</u>	<u>2008</u>	<u>1998</u>	<u>2008</u>
Carbon monoxide	1,342.1	1,262.1	1,274.9	1,412.2	1,419.4
Nonmethane hydrocarbons	186.7	126.7	111.6	131.9	118.2
Nitrogen oxides	272.0	237.7	190.7	240.9	195.9

TABLE B  
Estimated 1998 Energy consumption  
(gallons)

	<u>With Project</u>	<u>Without Project</u>	<u>Difference/ Benefit</u>
Fuel consumption	860,000	1,115,000	_____
Fuel consumption equivalent of electrical energy for street lights and traffic signals	<u>28,000</u>	<u>9,000</u>	
TOTAL:	888,000	1,124,000	36,000

In addition, by adding a bike lane, the project may further reduce energy consumption and air pollution by encouraging more bicycle and pedestrian travel.

Summary: The proposed adjustment would not impact any Regional Transit Corridor, nor are any natural hazards to development present. Although it would have no significant impact on adjacent resource land, the five acres included in the adjustment itself would be lost to resource use. However, the benefits to air quality and energy consumption produced by the project outweigh this loss and produce a net benefit in terms of energy and environmental consequences.

(4) RETENTION OF AGRICULTURAL LAND:

(A) WHEN A PETITION INCLUDES LAND WITH CLASS I-IV SOILS DESIGNATED IN THE APPLICABLE COMPREHENSIVE PLAN FOR FARM OR FOREST USE CONSISTENT WITH THE REQUIREMENTS OF LCDC GOALS NO. 3 OR 4, THE PETITION SHALL NOT BE APPROVED UNLESS IT IS FACTUALLY DEMONSTRATED THAT:

(i) RETENTION OF THE AGRICULTURAL LAND WOULD PRECLUDE URBANIZATION OF AN ADJACENT AREA ALREADY INSIDE THE UGB, OR

(ii) RETENTION OF THE AGRICULTURAL LAND WOULD PREVENT THE EFFICIENT AND ECONOMICAL PROVISION OF URBAN SERVICES TO AN ADJACENT AREA INSIDE THE UGB, OR

- (iii) THE PROPERTY IS A LEGAL PARCEL OR PARCELS 10 ACRES OR SMALLER IN AGGREGATE ZONED FOR EXCLUSIVE FARM USE UNDER PROVISIONS OF ORS CHAPTER 215 AND OCCUPIED BY ONE OR MORE PERMANENT STRUCTURES,..... (The balance of this standard has been omitted as the provisions do not apply here.)

The addition complies with to standard (ii) above. Because the road curves to the south, there is no way to correct the horizontal alignment without taking some of the resource land which runs south of the existing right-of-way. Nor could the left turn lane safely be included without correcting the horizontal alignment. Without these improvements, the level of service on the Tualatin-Sherwood Road, the main road serving all adjacent urban land, would drop to level F, an inadequate level of transportation service.

A reversing curve such as would be created if the facility were designed to retain the existing alignment along this stretch, requires a banking or superelevation, that gently increases and then runs off for distances twice as long as the curve itself. The design of the Edy Road intersection to the west, tightly constrained vertically by an SPRR gas pipeline and Bonneville and PGE power lines, and horizontally by sloping topography and the stand of trees to the south, precludes provision of the super elevation needed to maintain safety through this curve.

Retaining the site in agricultural use would thus prevent the efficient and economical provision of urban transportation service to all adjacent lands within the UGB.

- (5) COMPATIBILITY OF PROPOSED URBAN USES WITH NEARBY AGRICULTURAL ACTIVITIES. WHEN A PROPOSED ADJUSTMENT WOULD ALLOW AN URBAN USE IN PROXIMITY TO EXISTING AGRICULTURAL ACTIVITIES, THE JUSTIFICATION IN TERMS OF FACTORS (1) THROUGH (4) OF THIS SUBSECTION MUST CLEARLY OUTWEIGH THE ADVERSE IMPACT OF ANY INCOMPATIBILITY.

There will be industrial uses north of the Tualatin-Sherwood Road adjacent to existing agricultural uses whether or not this adjustment is approved. The only impact of the adjustment is to change the location of the road and the proposed industrial use to the north. There should be no adverse impact from this change. Even if there were some adverse impact, it would be strongly outweighed by the benefits to traffic flow and safety, and the attendant improvement in emergency services and reduction in projected air pollution and energy consumption.

## II. ADDITION STANDARDS

(d) PETITIONS TO ADD LAND TO THE UGB MAY BE APPROVED UNDER THE FOLLOWING CONDITIONS:

- (1) AN ADDITION OF LAND TO MAKE THE UGB COTERMINOUS WITH THE NEAREST PROPERTY LINES MAY BE APPROVED WITHOUT CONSIDERATION OF THE OTHER CONDITIONS IN THIS SUBSECTION IF THE ADJUSTMENT WILL ADD A TOTAL OF TWO ACRES OR LESS, THE ADJUSTMENT WOULD NOT BE CLEARLY INCONSISTENT WITH ANY OF THE FACTORS IN SUBSECTION (a) AND THE ADJUSTMENT INCLUDES ALL CONTIGUOUS LOTS DIVIDED BY THE EXISTING UGB.

Not applicable.

- (2) FOR ALL OTHER ADDITIONS, THE PROPOSED UGB MUST BE SUPERIOR TO THE UGB AS PRESENTLY LOCATED BASED ON A CONSIDERATION OF THE FACTORS IN SUBSECTION (a). THE MINOR ADDITION MUST INCLUDE ALL SIMILARLY SITUATED CONTIGUOUS LAND WHICH COULD ALSO BE APPROPRIATELY INCLUDED WITHIN THE UGB AS AN ADDITION BASED ON THE FACTORS IN SUBSECTION (a).

The proposed UGB is superior to the existing UGB because it allows for road improvements which will substantially improve transportation service, in terms of both safety and efficiency, for both the immediate and larger urban area. Improving traffic flow in this road segment will also benefit emergency services, air quality, and energy conservation.

The addition includes only about three acres of developable land outside the new right-of-way. It is expected that this land, like adjoining urban land, will be designated for urban use. Because its development can be easily accommodated by existing and planned public facilities and services such as sewer, water, storm drainage, and fire protection, its inclusion will achieve a slight increase in the efficiency of these facilities and services as well. It will add to the tax base for school support without requiring any school services.

The proposed UGB will have no more adverse impact on adjacent agricultural areas than the current UGB--which is, indeed, likely to be almost none. Although the site is protected resource land, the southerly curve of the road requires the inclusion of this land in order to accomplish the proposed improvement.

Overall, the benefits of the proposed UGB, as compared with the existing UGB, strongly outnumber and outweigh its disadvantages.

All of the benefits identified in discussing compliance with subsection (a) above apply only to this proposed adjustment. This adjustment is intended to allow for a specific, clearly delineated road realignment. Adjacent properties, not needed for the realignment, are not similarly situated, and therefore they cannot be included in the UGB on the same basis.

- (3) ADDITIONS SHALL NOT ADD MORE THAN 50 ACRES OF LAND TO THE UGB AND GENERALLY SHOULD NOT ADD MORE THAN 10 ACRES OF VACANT LAND TO THE UGB. EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SUBSECTION, THE LARGER THE PROPOSED ADDITION, THE GREATER THE DIFFERENCES SHALL BE BETWEEN THE SUITABILITY OF THE PROPOSED UGB AND SUITABILITY OF THE EXISTING UGB, BASED UPON CONSIDERATION OF THE FACTORS IN SUBSECTION (a) OF THIS SECTION.

The proposed addition would add only 6.7 acres to the UGB, roughly an acre of which is currently paved right-of-way to be replaced by a similar amount of paved right-of-way in the new alignment. The small size of this adjustment, under the ten-acre standard, establishes a relatively light burden of proof, which is more than met by the significant improvements this adjustment will accomplish, as discussed above.

#### Summary and Conclusions

This adjustment is requested in order to accommodate a needed widening and straightening of Tualatin-Sherwood Road near the intersection with Cipole Road. These improvements are an integral part of the Tualatin-Sherwood/Edy Road Project included in the MSTIP, and are needed to avoid peak hour traffic flows at level of service F, unacceptable under both County and Metro standards. They will enhance traffic safety and promote increases in bicycle and pedestrian traffic. These benefits also achieve reductions in air pollution and energy consumption over levels otherwise projected.

Although the adjustment includes identified resource land, there is no practical alternative that would avoid doing so. The amount of resource land included is relatively small, and the impact on the adjacent farmlands will be minimal.

Overall, the benefits of the proposed adjustment clearly outweighs its costs and it should be approved.



WASHINGTON  
COUNTY,  
OREGON

Case # 90-3 Exhibit # 7  
Offered by WASH CO  
Date received 2/3/90 By CE  
METRO HEARINGS OFFICER

October 24, 1990

To: Ethan Seltzer, Metro

From: Mark Brown, Principal Planner 

Subject: APPLICATION FOR UGB LOCATIONAL ADJUSTMENT FOR TUALATIN-SHERWOOD/EDY ROAD PROJECT

By the time you receive this memo, the County will have acquired that portion of tax lot 1000 from Mary Young that we needed for the above road project. We had previously signed the UGB Locational Adjustment application for this parcel.

Our negotiations are continuing on tax lot 100 with the property owner Ray Orr (attachment). In the meantime, we have secured his signature on an application form. This should complete the required signatures for the properties involved.

Jill Hinckley will be contacting you to schedule a hearing.

Attachment

c: Brent Curtis  
Jill Hinckley

MB:lt (mark-10a)

this petition, the local government, and other sources as needed, to prepare a list of questions for the Hearings Officer on whether these standards have been met. You and other parties may then submit any additional testimony in support of or opposition to the petition at the hearing. The Hearings Officer will then weigh the testimony received and submit the findings and recommendations to the Metro Council for action.

18. Petitioners Signatures

I/WE THE UNDERSIGNED HEREBY PETITION THE METROPOLITAN SERVICE DISTRICT TO ADD TO/REMOVE FROM THE URBAN GROWTH BOUNDARY THE PROPERTY DESCRIBED HEREIN.

SIGNED,

<u>Name</u>	<u>Tax Lot</u>	<u>Date</u>
<u>Ray C. Carr</u>	<u>T2S, R1W, Sect. 28D</u>	<u>8-3-90</u>
<u> </u>	<u>T.L. 100</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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JH/gl  
2383B/223  
05/07/87



Request for Comment from Se:

(Part I to be completed by petitioner and submitted to each service provider listed on "Summary of Requests for Comments from Service Providers." Part II to be completed by the service provider and returned to Land Use Coordinator, Metropolitan Service District, 2000 S.W. 1st Avenue, Portland, Oregon 97201-5398)

Part I

To: Sherwood School District  
Name of Service Provider

From: Washington County Planning Department  
Name of Petitioner

Attached is a copy of a petition for a locational adjustment to Metro's Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but NO LATER THAN July 13, 1990.

In general, land placed inside the UGB will develop to a residential density of at least four units a net acre or for urban commercial or industrial use, as determined by local zoning. Land outside the UGB cannot be served by sewer, and generally, cannot be developed at more than one unit to the net acre. In reviewing this petition, please consider: (1) whether its approval would make it easier (less expensive) or harder (more expensive) to serve other, adjacent areas for which service is planned or expected; and (2) how easy or difficult it would be to extend your service to the area included in the petition if the petition were approved.

Thank you for your help. Please call the Land Use Coordinator, at Metro, 221-1646, if you have any questions.

Part II

I have reviewed the attached petition for a locational adjustment to Metro's UGB and I:

☒ Support Approval

☐ Oppose Approval

☐ Have No Comment

☐ Support with Conditions

Comments and explanation (explain any conditions)

(Attach additional pages if needed.)

Signed

DR. B. J. J.

Date

7/20/90

Title

Supt. of School

Request for Comment from Service Provider

(Part I to be completed by petitioner and submitted to each service provider listed on "Summary of Requests for Comments from Service Providers." Part II to be completed by the service provider and returned to Land Use Coordinator, Metropolitan Service District, 2000 S.W. 1st Avenue, Portland, Oregon 97201-5398)

Part I

To: Washington County: Storm Drainage  
Name of Service Provider

From: Washington County Planning Division  
Name of Petitioner

Attached is a copy of a petition for a locational adjustment to Metro's Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but NO LATER THAN July 13, 1990.

In general, land placed inside the UGB will develop to a residential density of at least four units a net acre or for urban commercial or industrial use, as determined by local zoning. Land outside the UGB cannot be served by sewer, and generally, cannot be developed at more than one unit to the net acre. In reviewing this petition, please consider: (1) whether its approval would make it easier (less expensive) or harder (more expensive) to serve other, adjacent areas for which service is planned or expected; and (2) how easy or difficult it would be to extend your service to the area included in the petition if the petition were approved.

Thank you for your help. Please call the Land Use Coordinator, at Metro, 221-1646, if you have any questions.

Part II

I have reviewed the attached petition for a locational adjustment to Metro's UGB and I:

☒ Support Approval

☐ Oppose Approval

☐ Have No Comment

☐ Support with Conditions

Comments and explanation (explain any conditions)

(Attach additional pages if needed.)

Signed

John Edmister

Date

7-6-90

Title

Deputy Director, DLUT

Request for Comment from Service

(Part I to be completed by petitioner and submitted to each service provider listed on "Summary of Requests for Comments from Service Providers." Part II to be completed by the service provider and returned to Land Use Coordinator, Metropolitan Service District, 2000 S.W. 1st Avenue, Portland, Oregon 97201-5398)

Part I

To: Washington County: Transportation  
Name of Service Provider

From: Washington County Planning Division  
Name of Petitioner

Attached is a copy of a petition for a locational adjustment to Metro's Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but **NO LATER THAN** July 13, 1990.

In general, land placed inside the UGB will develop to a residential density of at least four units a net acre or for urban commercial or industrial use, as determined by local zoning. Land outside the UGB cannot be served by sewer, and generally, cannot be developed at more than one unit to the net acre. In reviewing this petition, please consider: (1) whether its approval would make it easier (less expensive) or harder (more expensive) to serve other, adjacent areas for which service is planned or expected; and (2) how easy or difficult it would be to extend your service to the area included in the petition if the petition were approved.

Thank you for your help. Please call the Land Use Coordinator, at Metro, 221-1646, if you have any questions.

Part II

I have reviewed the attached petition for a locational adjustment to Metro's UGB, and I:

☒ Support Approval

☐ Oppose Approval

☐ Have No Comment

☐ Support with Conditions

Comments and explanation (explain any conditions)

(Attach additional pages if needed.)

Signed [Signature]

Date 7-6-90

Title Deputy Director, DLUT

JUN 10 1990

Request for Comments from Service Provider

(Part I to be completed by petitioner and submitted to each service provider listed on "Summary of Requests for Comments from Service Providers." Part II to be completed by the service provider and returned to Land Use Coordinator, Metropolitan Service District, 2000 S.W. 1st Avenue, Portland, Oregon 97201-5398)

Part I

To: City of Tualatin: Water Service

Name of Service Provider

From: Washington County Planning Division

Name of Petitioner

Attached is a copy of a petition for a locational adjustment to Metro's Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but NO LATER THAN July 13, 1990.

In general, land placed inside the UGB will develop to a residential density of at least four units a net acre or for urban commercial or industrial use, as determined by local zoning. Land outside the UGB cannot be served by sewer, and generally, cannot be developed at more than one unit to the net acre. In reviewing this petition, please consider: (1) whether its approval would make it easier (less expensive) or harder (more expensive) to serve other, adjacent areas for which service is planned or expected; and (2) how easy or difficult it would be to extend your service to the area included in the petition if the petition were approved.

Thank you for your help. Please call the Land Use Coordinator, at Metro, 221-1646, if you have any questions.

Part II

I have reviewed the attached petition for a locational adjustment to Metro's UGB and I:

☒ Support Approval

☐ Oppose Approval

☐ Have No Comment

☐ Support with Conditions

Comments and explanation (explain any conditions)

(Attach additional pages if needed.)

Signed

James Jacks

Date

7/6/90

Title

Planning Director, City of Tualatin

JUN 1 0 1990

Request 1 \_\_\_\_\_ Provider

(Part I to be completed by petitioner and submitted to each service provider listed on "Summary of Requests for Comments from Service Providers." Part II to be completed by the service provider and returned to Land Use Coordinator, Metropolitan Service District, 2000 S.W. 1st Avenue, Portland, Oregon 97201-5398)

Part I

To: City of Tualatin: Sewer Service

Name of Service Provider

From: Washington County Planning Division

Name of Petitioner

Attached is a copy of a petition for a locational adjustment to Metro's Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but **NO LATER THAN** July 13, 1990.

In general, land placed inside the UGB will develop to a residential density of at least four units a net acre or for urban commercial or industrial use, as determined by local zoning. Land outside the UGB cannot be served by sewer, and generally, cannot be developed at more than one unit to the net acre. In reviewing this petition, please consider: (1) whether its approval would make it easier (less expensive) or harder (more expensive) to serve other, adjacent areas for which service is planned or expected; and (2) how easy or difficult it would be to extend your service to the area included in the petition if the petition were approved.

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Part II

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X Support Approval

\_\_\_\_\_ Oppose Approval

\_\_\_\_\_ Have No Comment

\_\_\_\_\_ Support with Conditions

Comments and explanation (explain any conditions)

(Attach additional pages if needed.)

Signed

James Jacks

Date

7/6/90

Title

Planning Director, City of Tualatin

Request for Comment from Serv.---

(Part I to be completed by petitioner and submitted to each service provider listed on "Summary of Requests for Comments from Service Providers." Part II to be completed by the service provider and returned to Land Use Coordinator, Metropolitan Service District, 2000 S.W. 1st Avenue, Portland, Oregon 97201-5398)

Part I

To: City of Sherwood: Water Service  
Name of Service Provider

From: Washington County Planning Division  
Name of Petitioner

Attached is a copy of a petition for a locational adjustment to Metro's Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but NO LATER THAN July 13, 1990.

In general, land placed inside the UGB will develop to a residential density of at least four units a net acre or for urban commercial or industrial use, as determined by local zoning. Land outside the UGB cannot be served by sewer, and generally, cannot be developed at more than one unit to the net acre. In reviewing this petition, please consider: (1) whether its approval would make it easier (less expensive) or harder (more expensive) to serve other, adjacent areas for which service is planned or expected; and (2) how easy or difficult it would be to extend your service to the area included in the petition if the petition were approved.

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Part II

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☒ Support Approval

☐ Oppose Approval

☐ Have No Comment

☐ Support with Conditions

Comments and explanation (explain any conditions)

(Attach additional pages if needed.)

Signed James H. Kopp

Date 1/2/90

Title City Manager

Request for Comment from Servi

(Part I to be completed by petitioner and submitted to each service provider listed on "Summary of Requests for Comments from Service Providers." Part II to be completed by the service provider and returned to Land Use Coordinator, Metropolitan Service District, 2000 S.W. 1st Avenue, Portland, Oregon 97201-5398)

Part I

To: City of Sherwood: Sewer Service  
Name of Service Provider

From: Washington County, Planning Division  
Name of Petitioner

Attached is a copy of a petition for a locational adjustment to Metro's Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but **NO LATER THAN** July 13, 1990.

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☐ Oppose Approval

☐ Have No Comment

☐ Support with Conditions

Comments and explanation (explain any conditions)

(Attach additional pages if needed.)

Signed

*James H. [Signature]*  
City Manager

Date

7/2/90

Title

Case # 70-3 Exhibit # 15  
Offered by WAH Co.  
Date received 12/3/80 By LC  
METRO HEARINGS OFFICER

RECEIVED  
JUL 11 1990



## **TUALATIN VALLEY FIRE & RESCUE**

20665 S.W. Blanton St. • Aloha, OR 97007 • 503/649-8577 • FAX 642-4814

WASHINGTON COUNTY  
DEPARTMENT OF LAND USE AND  
TRANSPORTATION

July 10, 1990

Mark Brown  
Senior Planner  
Dept. of Land Use  
and Transportation  
155 N. First Avenue  
Hillsboro, Oregon 97124

Dear Mark,

Enclosed is your "Request for Comment from Service Provider" filled out. Thank you for soliciting Tualatin Valley Fire and Rescue input on this matter.

For your information, Tom Thompson has retired from Tualatin Valley Fire and Rescue effective June 30, 1990. Please send all future correspondence to my attention.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kai Carlson".

Kai Carlson



Request for Comment from Service Provider

(Part I to be completed by petitioner and submitted to each service provider listed on "Summary of Requests for Comments from Service Providers." Part II to be completed by the service provider and returned to Land Use Coordinator, Metropolitan Service District, 2000 S.W. 1st Avenue, Portland, Oregon 97201-5398)

Part I

To: Tualatin Valley Fire and Rescue  
Name of Service Provider

From: Washington County Planning Division  
Name of Petitioner

Attached is a copy of a petition for a locational adjustment to Metro's Urban Growth Boundary (UGB). Please review this petition and submit your comments on it to Metro as soon as possible, but NO LATER THAN July 13, 1990.

In general, land placed inside the UGB will develop to a residential density of at least four units a net acre or for urban commercial or industrial use, as determined by local zoning. Land outside the UGB cannot be served by sewer, and generally, cannot be developed at more than one unit to the net acre. In reviewing this petition, please consider: (1) whether its approval would make it easier (less expensive) or harder (more expensive) to serve other, adjacent areas for which service is planned or expected; and (2) how easy or difficult it would be to extend your service to the area included in the petition if the petition were approved.

Thank you for your help. Please call the Land Use Coordinator, at Metro, 221-1646, if you have any questions.

Part II

I have reviewed the attached petition for a locational adjustment to Metro's UGB and I:

☒ Support Approval

☐ Oppose Approval

☐ Have No Comment

☐ Support with Conditions

Comments and explanation (explain any conditions)

(Attach additional pages if needed.)

Signed

John W. Hook

Date

7/19/90

Title

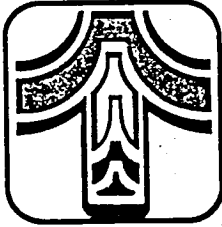
Fire Chief



Case # 90-3 Exhibit # 16  
Offered by NASH Co - TUALATIN  
Date received 12/3/90 By \_\_\_\_\_  
METRO HEARINGS OFFICER

RECEIVED

JUN 20 1990



## CITY OF TUALATIN

18880 SW MARTINAZZI AVE. PO BOX 369  
TUALATIN, OREGON 97062-0369  
(503) 692-2000

WASHINGTON COUNTY  
DEPARTMENT OF LAND USE AND  
TRANSPORTATION

June 19, 1990

Mr. Mark Brown, Senior Planner  
Department of Land Use and Transportation  
155 North First Avenue  
Hillsboro, OR 97124

Dear Mark:

RE: TUALATIN-SHERWOOD/EDY ROAD PROJECT - PROPOSED UGB AMENDMENT

Thank you for your June 8 memo forwarding a copy of the June 7 staff report from Brent Curtis to the Washington County Planning Commission. We understand that the Planning Commission has recommended that the Board of Commissioners forward the UGB adjustment application to Metro, and we further understand that the Board has done so.

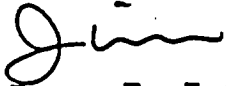
The City of Tualatin supports the efforts of Washington County for this minor modification to the UGB to provide for construction of the Tualatin-Sherwood/Edy Road project. The area that would affect the City of Tualatin Comprehensive Plan is from SW 124th to SW Cipole Road. The current Urban Growth Boundary follows the existing alignment of Tualatin-Sherwood Road and the proposed UGB would follow the south right-of-way line of the new Tualatin-Sherwood Road. The area added to the Tualatin UGB would be about 0.77 acres or 33,750 square feet.

In addition to our support of the project, we have one additional comment to make regarding planning responsibility for the new area. I want to confirm our telephone conversation on June 13 wherein I asked who would be responsible for planning in the area outside the city limits but inside the new UGB. Your response was, the City of Tualatin. The County had no interest in administering a planning program for that small area. The City concurs with that position and once the UGB has been expanded would initiate an amendment to the map of our Comprehensive Plan to show the added area and to designate it as General Manufacturing to match the surrounding area that is in the Tualatin UGB.

Mr. Mark Brown  
June 19, 1990  
Page 2

Again, thank you for sending the information to the City. Should you have any questions, please call me at 692-2000.

Cordially

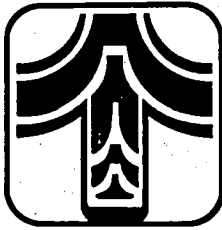


James F. Jacks, AICP  
Planning Director

jb

c: City Manager  
City Engineer  
Operations Director  
Economic Development Director  
Associate Planner (DR)  
Associate Planner (DG)  
Assistant Planner (LL)

file: WCC-90-02



## CITY OF TUALATIN

PO BOX 369  
TUALATIN, OREGON 97062-0369  
(503) 692-2000

December 18, 1990

Mr. Larry Epstein, Attorney at Law  
722 SW 2nd Avenue, Suite 400  
Portland, OR 97204

Dear Mr. Epstein:

RE: URBAN GROWTH BOUNDARY AMENDMENT, PETITION NO. 90-03--  
TUALATIN-SHERWOOD ROAD (2S1 28D, 100, 1000)

The City of Tualatin has been fully involved in the Tualatin-Sherwood Road/Edy Road construction project over the last several years. It will improve regional traffic circulation and significantly improve traffic flow within Tualatin. We were involved with Washington County prior to the application's submittal and assisted the County's consultant in its preparation.

The City supports the County's application. Tualatin-Sherwood (T-S) Road is designated as an arterial in the Tualatin Community Plan (11.090). T-S Road is the primary link between Interstate 5 and Highway 99W in the south metro area. T-S Road is the only truck route between I-5 and 99W in the south metro area since the City of Tigard removed its truck route designation from Durham Road in 1987.

It is important that the Tualatin-Sherwood Road/Edy Road improvement be constructed to traffic engineering standards for horizontal and vertical alignment to ensure the facility is as safe as possible. The UGB should be adjusted to accommodate a road that will be safe, rather than the road being adjusted to the current UGB.

Should you have any questions, please call me at 692-2000.

Cordially,

James F. Jacks, AICP  
Planning Director

jb

c: City Manager  
City Engineer  
Operations Director  
Economic Development Coordinator  
Ethan Seltzer, Land Use Coordinator, Metro, 2000 SW 1st, 97201  
Brent Curtis, Washington County Land Use and Transportation  
file: METRO: UGB Amendment T-S Road

LOCATED AT: 18880 SW Martinazzi Avenue

# AGENDA

## WASHINGTON COUNTY BOARD OF COMM

Case # 90-3 Exhibit # 10  
Offered by WASH CO.  
Date received 12/3/91 By LE  
METRO HEARINGS OFFICER

Agenda Category \_\_\_\_\_ Action Item \_\_\_\_\_  
Agenda Title \_\_\_\_\_ ~~UGB LOCATIONAL ADJUSTMENT FOR TUALATIN~~  
SHERWOOD/EDY ROAD PROJECT  
To be presented by \_\_\_\_\_ Bruce A. Warner, Director, DLUT

### SUMMARY (Attach Supporting Documents if Necessary)

In order to advance the MSTIP Tualatin-Sherwood/Edy Road Project, it has been determined that a minor locational adjustment to the UGB is necessary. This will allow the road realignment to be within the UGB. In order to accomplish this, staff will submit a petition to Metro on July 1, 1990 for the UGB locational adjustment. The Planning Commission will review this application and make recommendation at their June 13th meeting.

Attachment: Memo

### DEPARTMENT'S REQUESTED ACTION:

Authorize staff to submit petition for a UGB Locational Adjustment, and recommend approval of the application to Metro.

BAW/MB:lt/3  
(MM\DOC\BCC-5)

### COUNTY ADMINISTRATOR'S RECOMMENDATION:

APPROVED WASHINGTON COUNTY  
BOARD OF COMMISSIONERS

MINUTE ORDER # 90-231

DATE 6-19-90

BY Pam Richey  
CLERK OF THE BOARD

Agenda Item No. 5.0  
Jun 19, 1990  
Date: \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

a  
ion

adjustment,

\_\_\_\_\_

WASHINGTON



COUNTY

## **MEETING NOTICE FOR THE PLANNING COMMISSION FOR WASHINGTON COUNTY**

---

WEDNESDAY  
JUNE 13, 1990

WORK SESSION ---- 1:00 P.M.  
PUBLIC MEETING ---- 1:30 P.M.

---

THE PLANNING COMMISSION AND STAFF WILL MEET  
IN THE AUDITORIUM OF THE WASHINGTON COUNTY  
PUBLIC SERVICES BUILDING...  
155 NORTH FIRST AVENUE, HILLSBORO, OREGON

**SEE ATTACHED AGENDA**

  
Brent Curtis, Planning Manager





WASHINGTON  
COUNTY,  
OREGON

PUBLIC MEETING BEFORE THE PLANNING COMMISSION  
AUDITORIUM PUBLIC SERVICES BUILDING  
WEDNESDAY JUNE 13, 1990 1:00 PM

ALL PUBLIC MEETINGS ARE RECORDED

A G E N D A

CHAIRMAN : MARTIN  
VICE CHAIRMAN: CHRISTY  
COMMISSIONERS: BAKER, EASTON, FYRE, KING, RANDALL

- I. CALL TO ORDER - 1:00 P.M. - ROOM 140
- II. ROLL CALL
- III. DIRECTOR'S REPORT
- IV. WORK SESSION
- V. APPROVAL OF MINUTES - 1:30 P.M. - AUDITORIUM
- VI. ORAL COMMUNICATIONS

(Citizens are allowed up to 2 minutes per person to address the Planning Commission concerning any planning related topic that is not on the agenda)

- VII. RECOMMENDATION ON URBAN GROWTH BOUNDARY LOCATIONAL ADJUSTMENT FOR TUALATIN-SHERWOOD EDY ROAD PROJECT

- VIII. PUBLIC HEARINGS: QUASI-JUDICIAL PLAN AMENDMENT APPLICATIONS

- A. Explanation of Hearing Process
- B. Swearing in of Staff
- C. Public Hearing Items

- (1)           Item Number:    90-149-PA (continued from May 23, 1990)  
              Applicant:     Land Development Consultants  
              Request:       Plan amendment from AF-10  
                              (Agriculture and Forestry District)  
                              to AF-5 (Agriculture and Forestry  
                              District).  
              Community Plan: Rural/Natural Resource  
              Location:       North side of terminus of Vandehey  
                              Road.

APPLICABLE GOALS, POLICIES AND REGULATIONS:

- A.    LCDC Statewide Planning Goals 1,2,5,6,7,11,&12.
- B.    Oregon Administrative Rules Section 660-04-018.
- C.    Rural/Natural Resource Plan Policies  
        1,2,6,7,8,10,18,19,& 22.
- D.    Washington County Transportation Plan Policy 9.
- E.    Washington County Community Development Code  
        Article II, Procedures; and Article III, Land Use  
        Districts.

- (2)           Item Number:    90-207-PA  
              Applicant:     James W. and Jean C. Bayless  
              Request:       Plan amendment from R-5  
                              (Residential District - 5 units per  
                              acre) to R-9 (Residential District  
                              - 9 units per acre).  
              Community Plan: Raleigh Hills-Garden Home  
              Location:       East of Oleson Road, south of  
                              Beaverton Hillsdale Highway.

APPLICABLE GOALS, POLICIES AND REGULATIONS

- A.    LCDC Statewide Planning Goals 1,2,10,11,&12.
- B.    Washington County Comprehensive Framework Plan  
        Policies 1,2,14,18,21,&22.
- C.    Raleigh Hills-Garden Home Community Plan.
- D.    Washington County Transportation Plan Policies 9 &  
        12.
- E.    Washington County Community Development Code  
        Article II, Procedures; and Article III, Land Use  
        Districts.

IX. ADJOURN

pcagenda

WASHINGTON COUNTY PLANNING COMMISSION  
MINUTES MAY 9, 1990  
ALL PUBLIC MEETINGS ARE RECORDED

I. CALL TO ORDER

The meeting was called to order at 1:01 p.m. in Room 408, Administration Building, by Chairman Martin.

II. ROLL CALL

Planning Commissioners present: Chairman Martin, Commissioners Baker, Easton, King, and Randall. Commissioner Christy arrived after roll call. Commissioner Fyre was absent.

Staff present: Frank Angelo, Hal Bergsma, Kevin Martin, Marie Bennett, Lynda Trost, DLUT; David Noren from County Counsel's office.

Jean Taylor, CPO 1 Chairman, was present as observer.

III. DIRECTOR'S REPORT

In Brent Curtis' absence Frank Angelo explained that, due to scheduling conflicts among the various agencies vying for meeting space, the May 23rd evening public hearing meeting has been changed from the Auditorium of the Public Services Building to Room 409 of the Administration Building.

Mr. Angelo reported that on May 8, the Board of County Commissioners (BCC) approved by R&O the Proposed Periodic Review Order for the urban area. Staff is forwarding it to LCDC. They acknowledged the importance of the additional issues raised at the Planning Commission public hearing of April 25, i.e., the Bethany concerns, noise abatement, wetlands preservation, radio towers, enforcement issues, Leahy Road traffic patterns and Neighborhood Commercial. They will prioritize these and other subjects for further consideration in approximately November, 1990.

Mr. Angelo distributed copies of an issue paper previously given to the BCC regarding the Proposed Local Review Order for the Urban Comprehensive Plan.

Mr. Bergsma distributed application material relating to matters planned for the May 23rd meeting. The Planning Commission was informed that there will be three AF-10 to AF-5 plan amendments on the evening agenda prior to consideration of the Gales Creek Ironworks plan amendment application at the next meeting.

Planning Commission Minutes

May 9, 1990

Page 2

Mr. Angelo announced the resignation of Commissioner Dorr. BCC has authorized the staff to advertise the position. Notification of the opening will be sent to CPO'S and cities for the at-large position. Applications for Commissioner Stanfill's vacant position are due by Friday, May 11, and will go before the BCC in approximately three weeks.

Mr. Angelo reported that a LJBA brief was received from the McKay Creek Valley Association regarding appeal of Code amendments which were part of the Code Ordinances last year.

Mr. Noren summarized the 35 page brief as focusing on seven assignments of error. The first six assignments of error pertain to dwellings in the EFC district not being farm-related dwellings or to inadequate distinction in the Code language with regard to the necessary criteria. They also argue that AF-20 is a mixed forest/farm zone and that forest district rules should apply. He mentioned that a major issue would be the quantity of evidence in the records to support the findings on farm income standards. The seventh assignment of error involves a general series of allegations about the new HB-2288 and what it requires in terms of notice and procedures for code amendments.

Chairman Martin inquired about the next step in this matter.

Mr. Noren replied that the respondent's brief will be filed in several weeks, but there is still a question regarding the legal status of Lee and Marion Blakesley as intervenors. Oral arguments will be in mid-June with a decision approximately July/August, 1990.

Mr. Angelo said that some Code amendments may be necessary and Joanne Rice is working on the response and issues involved. The Planning Commission will be kept informed of the process. Also, local ordinances resulting from the County's submission of the Periodic Review Order to LCDC likely will come before the Planning Commission in a June/July timeframe.

Mr. Angelo mentioned Roger Ellingson's concerns at the last meeting about signage for noise along Barnes Road. He distributed a copy of the response letter from Mike Maloney, LUT Operations Manager, regarding the inability to put up signs.

Chairman Martin asked the status of the Barnes Road realignment.

Mr. Noren said the County's Flood Plain Application was processed and appealed to the Hearings Officer who subsequently denied it. That decision was appealed by the County. There is a petition for a partial de novo hearing to submit new engineering plans; it is scheduled for BCC Tuesday, May 15.

Commissioner Randall asked the identity of the applicant. Mr. Noren replied that it was the Engineering Department of Land Use and Transportation. They are seeking legal counsel as to whether their status as petitioner is appropriate.

Chairman Martin asked about the status of the Peterkort property. Mr. Angelo said that the master plan developed in the 1980's is still in effect; however, no developer has submitted any development applications for the site.

Mr. Angelo distributed live holly plants to the Commissioners, courtesy of Teufel Nursery.

Commissioner Randall mentioned that Ethan Seltzer from Metro would be today's guest speaker. He asked if he should arrange for other speakers in the near future, and the members agreed he should proceed.

#### IV. APPROVAL OF MINUTES

Commissioner Baker moved, Easton second, to approve the minutes of February 20, 1990. Motion carried 6-0.

Commissioner Randall moved, Christy second, to approve the minutes of March 14, 1990. Motion carried 4-0 (Easton and King abstained).

Commissioner Baker moved, Christy second, to approve the minutes of March 28, 1990. Motion carried 6-0.

#### V. ORAL COMMUNICATIONS NOT ON AGENDA

There was no one present who wished to speak on a non-agenda item.

#### VI. PLANNING COMMISSION WORKSESSION

Mr. Angelo introduced speaker Ethan Seltzer, Land Use Coordinator for Metropolitan Service District (Metro), who is a member of the Washington County Transportation Coordinating Committee for policy and technical matters. He is also the staff for Metro's Periodic Review of the Urban Growth Boundary (UGB).

Mr. Seltzer summarized the development process of the UGB in the 1970's per Goal 14 in Oregon law which refers to a mandate for efficient transition between urban and rural areas. He generally explained the role of Metro as it relates to the Urban Growth Boundary, and related some primary concerns.

1. Unlike the counties, Metro has no procedures to govern major changes to the Boundary and the State requirements are minimal. However, with such a large UGB (223,00 acres, 200 mile perimeter), Metro felt the current Periodic Review process would the appropriate time to develop codified procedures and criteria for making future changes to the UGB.

In the last 10 years about 25,000 acres (1%) have been added to the UGB, including two large parcels in the Sunset Corridor. Metro concludes there is enough land within the current UGB for the next 20-year growth cycle.

2. When assessing the adequacy of the UGB, Metro assumes that there has been no net rural residential growth in Multnomah and Washington counties. However, Mr. Seltzer drew attention to the existence of many Clackamas County exception lands near the UGB which reflect the history of changes in settlement patterns. Now there is a market for development of rural subdivisions because of the pre-existing parcels of 2 to 10 acres in that area. Long term (10-30-50 years), Metro is concerned that if these exception lands are developed as a belt around the UGB the only alternative for expansion of the UGB would be the use of prime farm and forest resource lands.

3. Inside the UGB, the comprehensive plans of many jurisdictions do a good job of funding services and seeking solutions. However, some jurisdictions are purposely under-building and this affects the underlying assumptions about the rates at which urban land is consumed.

4. Regarding vacant urban land, Metro doesn't have mechanisms in place to account for infill and redevelopment. These will be needed to manage future changes to the UGB.

The latest forecast (2010) for growth and population will see the highest development in the fringes around the urban area where the larger, ready-to-develop parcels are located. This has major consequences on the following:

A. The journey to work. Metro has found that the greatest trip growth is intra-suburban due to dispersion of employment nodes. This is caused by changes in family composition and behavior (such as 2 wage-earners) with travel patterns that are not amenable to public transit. The results are a change in traffic peaks and commuting over longer periods each day.

B. Location and cost of housing. The norm used to be broad diversification and range in housing prices throughout the Portland area. New residential developments now feature larger, more expensive homes that fewer households can afford. Median house prices are increasing in Portland.

C. Other concerns are air quality, water quality and drainage, and parks and open spaces.

Metro has been meeting with the Washington County Transportation Coordinating Committee (WCTCC) and holding workshops to prioritize local issues. The Growth Conference found the following:

1. A major priority for Metro and the State is to involve and educate the public to participate in the legislative planning process rather than just the quasi-judicial process.
2. This area is characterized by in-migration with a projected population growth of 500,000 in Multnomah, Clackamas and Washington counties, plus Clark County over the next twenty years.
3. Transportation issues are the most visible aspect of area changes.

The Regional Urban Growth Goals and Objectives will focus on a) the built environment (there is a lack of coordination in rapidly growing areas among jobs, housing, transportation, and public services/facilities) with attention to housing location/affordability, multi-family zoning, and sharing of densities near transit routes, and b) preservation of natural environment.

Urban form will be the subject for next year's Regional Growth Conference, and they will focus on 1) identification of future settlement patterns, 2) development of methods for infill and redevelopment, 3) urban design to allow area identity and differentiation, and 4) better citizen education and involvement in the planning process.

In response to Commissioner Easton's question about light rail links, Mr. Seltzer replied that high speed links into downtown Portland are needed despite emerging growth centers in Beaverton, Gresham, and Tigard.

Commissioner Baker asked if growth projections would require zone changes to allow a better match between planned and built densities. Mr. Seltzer commented that Clark County would absorb some growth, but infill development methods for 40-80 acre vacant parcels among "leapfrog" areas could serve to dampen some area growth; providing services to those kinds of parcels is very expensive.

//

Metro has not analyzed the relationship between job growth/salaries and housing in the Washington County area, but studies show both unemployment and transit use are down in Portland inner northeast and southeast sides. Residents (particularly in 2 wage-earner families) may be driving to newly-created jobs in other urban centers instead of relocating.

If the projected 500,000 population growth does not occur, Metro does not foresee major infill problems. Metro will review as many community Comprehensive Plans as possible for a composite overview. Whether or not the Comprehensive Plans meet future needs, there will always be some degree of "catch-up".

Metro will have a draft of their goals and objectives in June, and the results of the workshops and public review are scheduled for August. They aim for adoption of policy in October. Policy needs to be in place prior to the 1992-93 population projections and possible UGB adjustment recommendations.

An "Urban Reserve" status may be assigned to urban/future-urban lands (and so designated on UGB maps) based on availability of necessary services.

There is potential for growth in outlying satellite urban growth boundaries such as North Plains, Banks, Forest Grove, and Canby areas. Columbia County's Hwy. 30 corridor and road system could sustain further development.

Development pressures along I-5 south from Tualatin to Eugene continue to build, but Oregon residents may want to avoid the California-style urban strip sprawl along major freeways.

Oregonians have a vested interest in seeing that Washington and California get their land use planning act together because it will greatly impact Oregon's future growth patterns.

Mr. Seltzer distributed related materials, and the Planning Commission members thanked him for his information about Metro's role in the management of the Urban Growth Boundary.




VII. ADJOURN

There being no further business, Chairman Martin adjourned the meeting at 2:35 p.m.

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F. Vance Martin, Chairman  
Washington County Planning  
Commission



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Bruce A. Warner, Secretary  
Washington County Planning  
Commission

Submitted by Lynda Trost.

Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_ 1990.

(MM\pa\ : 05-09-90)



WASHINGTON COUNTY PLANNING COMMISSION  
MINUTES  
MAY 23, 1990

ALL PUBLIC MEETINGS ARE RECORDED

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Martin.

II. ROLL CALL

Commissioners present: Martin, Fyre, Christy, Randall, Easton and King.

Staff present: Brent Curtis, Hal Bergsma, Marie Bennett - DLUT; David Noren, Office of County Counsel.

III. DIRECTOR'S REPORT

Brent Curtis reported that Frank Angelo has resigned his position with Washington County and is going to work for the Oregon Department of Transportation.

He also handed out a memo from Doug Olson, Facilities Manager, stating that the Auditorium of the new Public Services Building is not available for the Planning Commission meeting on the 4th Wednesday evening of each month. The memo listed alternative meeting times when the room would be available.

A discussion was held about possible meeting times. It was decided that since the next meeting is scheduled for the Auditorium for a daytime meeting, a decision would be made at that time about changing the meeting date(s). First and third Wednesdays were listed as an option for meetings as well as Mondays.

Mr. Curtis reported that a schedule is being prepared for the upcoming hearings on the Code Update process for this year as well as other ordinance issues to be considered, which will probably call for weekly meetings by the Planning Commission.

IV. WORK SESSION

Commissioner Randall inquired about costs of preparing staff reports and attachments for plan amendments. He felt there is an excessive amount of paper going into this process.

Hal Bergsma explained how this is accounted for in that the applicants are required to make a fee deposit which covers duplicating costs, or make copies at their own expense.

A discussion was held about legal requirements of having all this material sent to all Commissioners.

V. APPROVAL OF MINUTES

Commissioner Easton moved to approve the Minutes of April 25, 1990. The motion was seconded by King and carried 5-0. Commissioner Fyre abstained because he was absent at that meeting.

Commissioner Easton moved to approve the Minutes of April 11, 1990. The motion was seconded by Randall and carried 4-0. Commissioners Christy and Fyre abstained because they were absent from that meeting.

VI. ORAL COMMUNICATIONS

No one was present who wished to testify on a matter not listed on the agenda.

VII. PUBLIC HEARINGS: QUASI-JUDICIAL PLAN AMENDMENT APPLICATIONS

- A. Chairman Martin gave an explanation of the hearings process and rules for testifying and noted that there were printed sheets available outlining these rules.
- B. Planning Division staff were sworn in by Assistant County Counsel, David Noren.
- C. Public Hearing Items:

90-149-PA- Land Development Consultants

Hal Bergsma presented the staff report and showed slides of the property explaining that the property consists of 45 acres on Vandehey Road and the plan amendment request is to change the plan designation from AF-10 to AF-5. He said there is now one house on the parcel and with the present designation of AF-10 there is a possibility of a total of six houses on the property, but with the proposed AF-5 designation there is the possibility of 11 houses on the property.

Mr. Bergsma listed written testimony from four persons who are opposing the application. He said their concerns include water supply and quality, traffic impact on Vandehey -Springhill Roads as well as changing the character of the area.

Mr. Bergsma stated that, information from the applicant's statement as well as from the State Water Resources Division, indicates there is sufficient ground water recharge for development. The applicant has stated that the County Health Department representative stated that as

June 7, 1990

To: Planning Commission

From: Brent Curtis, Planning Manager

Subject: PROPOSED URBAN GROWTH BOUNDARY ADJUSTMENT -  
TUALATIN-SHERWOOD/EDY ROAD PROJECT

Recommendation

Planning staff requests that the Board of County Commissioners authorize submittal of the attached petition for a locational adjustment of the Urban Growth Boundary (UGB) to the Metropolitan Service District (Metro) with a recommendation for approval.

Request

The Tualatin-Sherwood/Edy Road project is a part of the County's Major Streets Transportation Improvement Program (MSTIP) designed to improve the 4.5 mile route between I-5 in Tualatin and Highway 99W in Sherwood. Along a 2000-foot segment of the Tualatin-Sherwood Road, at the Cipole Road intersection, proposed road widening and realignment would place the new right-of-way outside the existing UGB. The standards and procedures for the approval of new alignments located outside the urban area, but intended to accommodate urban traffic have been a source of ongoing uncertainty and controversy, and remain unsettled at this time. A UGB adjustment to place the project within the urban area thus appears the simplest and quickest way to establish a sound legal framework for construction.

The County will be the petitioner for this adjustment. A draft of the petition to be submitted to Metro follows as Attachment A. It requests the addition of just over five acres, of which approximately two and one-half acres would be developable land that would lie between the existing and proposed rights-of-way.

Under the provisions of Metro's rules for filing applications to amend the UGB, an application must include a written action by the governing body of the city or county with jurisdiction over the areas included in the application which:

1. Recommends that Metro approve the petition; or
2. Recommends that Metro deny the petition; or
3. Expresses no opinion on the petition.

The Board of County Commissioners is asked to review the petition in order to authorize its submittal to Metro and recommend Metro's approval.

### Description

Washington County is petitioning Metro for a locational adjustment of the UGB to add just over five acres of land directly south of the Tualatin-Sherwood road at the intersection with Cipole Road (see Figures 1 and 2). The addition is requested in order to accommodate needed road widening and realignment as part of a 4.5 mile improvement project along Tualatin-Sherwood and Edy Roads. Improvements to this segment of the project include the addition of turning lanes at Cipole Road and straightening of the alignment in order to improve traffic flow and safety.

The property itself is part of two tax lots totalling 100 acres currently designated for Exclusive Forest and Conservation Use (EFC) in the County's Comprehensive Plan. It is currently in agricultural use. A dense stand of mixed conifer-broadleaf trees begins at the northwest corner of the 100 acre site.

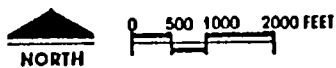
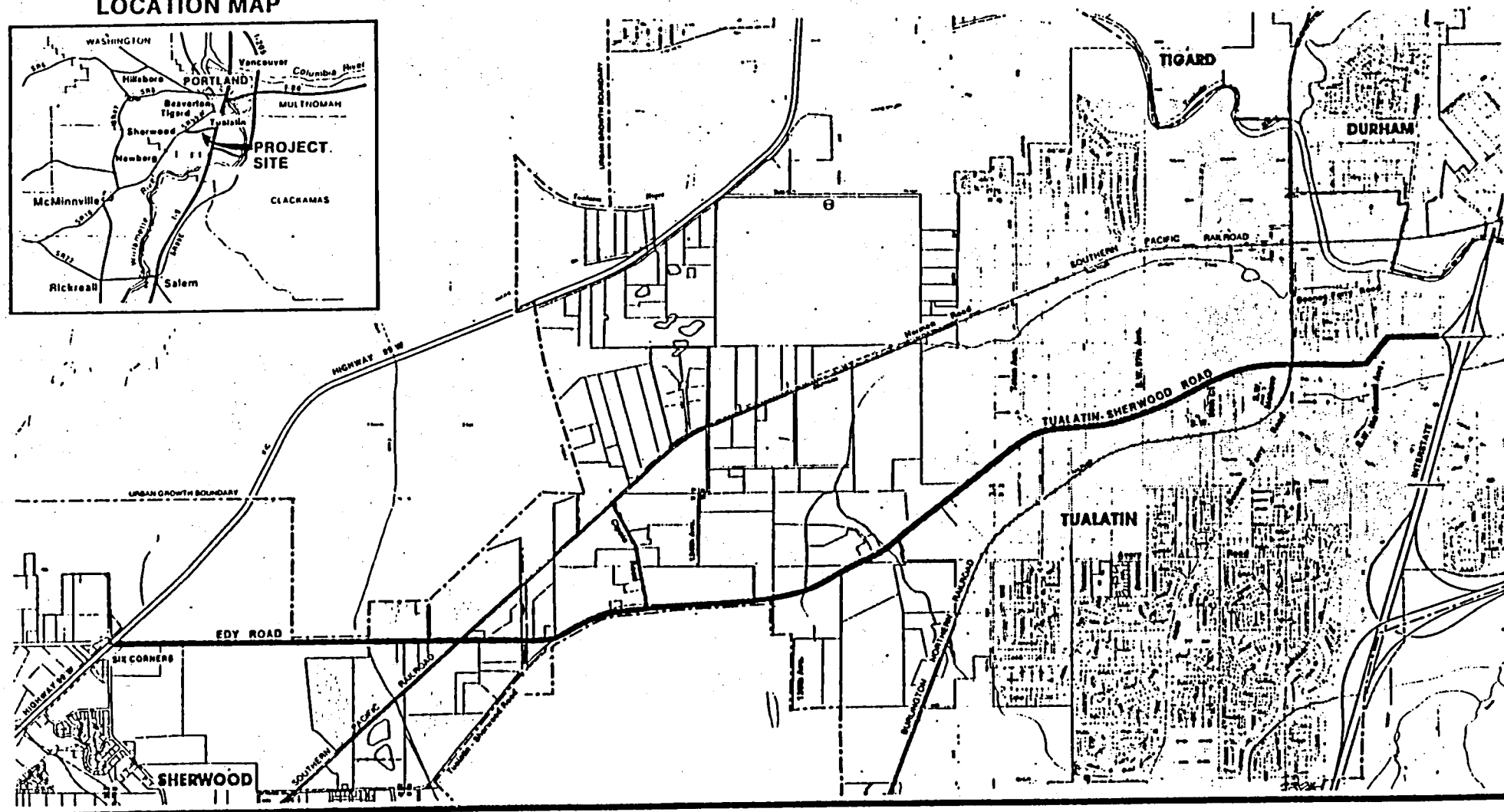
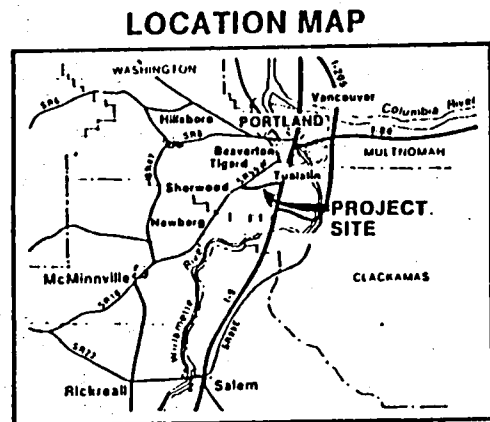
The adjacent parcel to the east is designated for Exclusive Farm Use (EFU). Properties to the north and west, inside the UGB, and located within the cities of Sherwood and Tualatin, have been designated for industrial use.

The proposed road realignment would create the addition of approximately two and one-half acres of developable land north of the new right of way and south of the existing UGB. Given the small size of this addition and its likely industrial zoning, the impact on services for the area will be minimal. Cipole Road currently forms the dividing line between Sherwood and Tualatin and it is anticipated that the developable land remaining after construction would itself be so divided. Either city is capable of providing urban services.

### Project Need

Tualatin-Sherwood/Edy Road provides the major connection between Interstate 5 in Tualatin and Highway 99W in Sherwood. In order for this road to meet the capacity and safety demands of existing and proposed development, a series of design and capacity improvements are proposed to bring the roads to minor arterial design standards, and road capacity to at least level of service D. The project's purpose and need were summarized as follows in its draft Environmental Impact Statement released in May 1988:

The proposed project would widen Tualatin-Sherwood Road to five lanes from Boones Ferry Road to Teton Avenue, including two through-lanes in each direction and a raised median. The remainder of the road would be widened to three lanes, with one through-lane in each direction and a center median/left-turn lane. The existing Tualatin-Sherwood/Edy Road intersection and the Six Corners



#### LEGEND

— Existing Roadway Alignment

— Incorporated Areas

### VICINITY MAP

TUALATIN-SHERWOOD/  
EDY ROAD PROJECT

CH2M HILL

Figure 1

**Figure 2**



intersection would be reconfigured to better accommodate existing and projected traffic patterns and volumes. West of Boones Ferry Road to Highway 99W in Sherwood, Tualatin-Sherwood Road tapers to a two-lane rural highway with narrow shoulders, no pedestrian or bicycle facilities, and no refuge for left-turning vehicles. The current configuration of the Tualatin-Sherwood/Edy Road intersection requires traffic movements inconsistent with driver expectations. The western terminus of the project at Six Corners is a complex six-legged intersection that has substantial congestion during peak hours.

Two-way average daily traffic (ADT) is projected to increase by 43 percent on the east end of the project near Tualatin and will increase by 75 percent on the west end near Six Corners by the year 1998. One turning movement from Edy Road onto Highway 99W is currently operating at capacity. With no improvements to the existing roadway, the intersections of Tualatin-Sherwood Road with Avery and Cipole Roads and the Six Corners intersection are expected to exceed capacity.

Although accident rates are currently close to the statewide average, all types of accidents (sideswipes, head-on, pedestrian, bicycle) are expected to increase under existing conditions. Pedestrian and bicycle travel is currently inconvenient and hazardous along the roadway because of the variable width and condition of the unpaved shoulders, irregular pavement edges, narrow roadway travel lanes, numerous horizontal and vertical curves, and high volume of truck traffic. Tualatin-Sherwood/Edy Road was removed from the Regional Bicycle Plan at Washington County's request because of the current unsafe condition of the road for cyclists. With continued urban development in the corridor, consistent with comprehensive plans for Washington County, Tualatin, and Sherwood, demand for pedestrian and bicycle facilities will increase.

Along the segment of the project in question, the needed improvements include widening and straightening to accommodate turning onto Cipole (see Figure 3). Without these improvements, level of service at this intersection would drop to level F by 1998. Safety would be significantly impaired if the alignment were not corrected, as the existing radius would require vehicles to slow through that stretch in a potentially hazardous manner, and sight distance for vehicles turning from or onto Cipole Road would be limited. The proposed reconfiguration of the intersection with Edy Road would necessitate an S-curve design that would further exacerbate these problems.

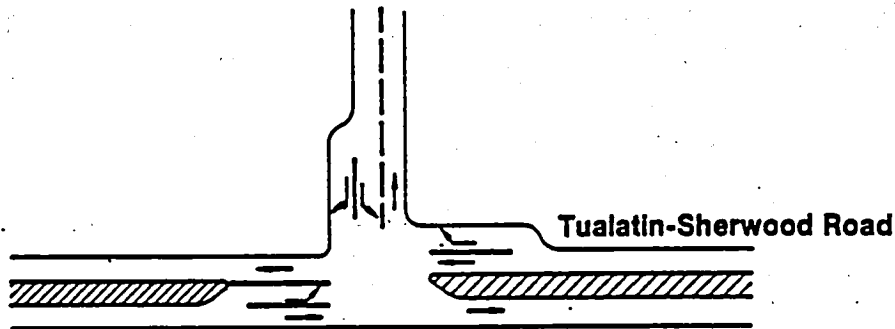
#### Review Criteria

Metro has adopted procedures governing locational adjustments of the UGB including removal, trades and additions of land. The procedures contain standards under which adjustments may be allowed. Washington County has developed additional standards which further clarify those adopted by Metro. This section reviews the proposed locational adjustments against the Metro and Washington County criteria.

Each Metro standard (capitalized) is quoted, followed by the applicable findings of fact. The County's criteria for applying that Metro standard (underscored) are listed in turn, and used to analyze compliance. Staff conclusions regarding overall compliance with each standard follows this analysis.

## TYPICAL OF THE FOLLOWING:

TUALATIN-SHERWOOD/CIPOLE  
SHERWOOD/NORTH-SOUTH CONNECTOR  
SOUTH EDY/NORTH-SOUTH CONNECTOR



## APPROACH LANE CONFIGURATIONS

TUALATIN-SHERWOOD/ EDY ROAD PROJECT	CH2M HILL	
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### I. GENERAL STANDARDS

- (a) AS REQUIRED BY SUBSECTIONS (b) THROUGH (d) OF THIS SECTION, LOCATIONAL ADJUSTMENTS SHALL BE CONSISTENT WITH THE FOLLOWING FACTORS:
- (1) ORDERLY AND ECONOMIC PROVISION OF PUBLIC FACILITIES AND SERVICES. A LOCATIONAL ADJUSTMENT SHALL RESULT IN A NET IMPROVEMENT IN THE EFFICIENCY OF PUBLIC FACILITIES AND SERVICES, INCLUDING BUT NOT LIMITED TO, WATER, SEWERAGE, STORM DRAINAGE, TRANSPORTATION, FIRE PROTECTION AND SCHOOLS IN THE ADJOINING AREAS WITHIN THE UGB; AND ANY AREA TO BE ADDED MUST BE CAPABLE OF BEING SERVED IN AN ORDERLY AND ECONOMICAL FASHION.

Staff:

Water and Sewer: A 12" water line runs along the Tualatin-Sherwood Road and an 8" sewer line is located 500' west, within the city of Sherwood at Edy Road. These lines will be vertically relocated as part of the project, but will otherwise be unchanged. Sewer lines have also been extended to within a half-mile of the UGB amendment area to the east in Tualatin.

Neither Sherwood nor Tualatin anticipate any water or sewer capacity problems and, in any case, the addition of two and one-half acres of developable industrial land will have only the most minimal affect on these services.

Storm Drainage: Petition approval will have only a very minimal impact on storm drainage, since the only increase in impervious surface will result from increased road width and whatever structure might be placed on the remaining land to the north in conjunction with its development for urban use.

As part of the overall project, existing culverts will be replaced with new culverts designed to accommodate a 50-year flow, based on projected land use, at or below an allowable headwater.

Because these culverts would be included in the project even if improvements were not made to the segment in question, approval of a UGB amendment to authorize those improvements cannot be said to improve the provision of storm drainage facilities in the adjacent urban area. But the new facilities insure that the petition area itself can adequately be served by storm drainage facilities, and that inclusion of the area within the UGB will have no negative impact on storm drainage in the adjoining urban area.

Transportation: The Tualatin-Sherwood Road is part of the main route connecting I-5 in Tualatin with Highway 99W in Sherwood, and offers the only direct access to either city for the adjoining urban area to the north. Traffic volumes are projected to increase 58% by 1998. Peak hour traffic flow at this point will grow from 10,800 to 16,500 vehicles by 1998. The level of service will drop to F, unacceptable by both County and Metro standards, unless improvements are undertaken to increase capacity. Correcting the horizontal and vertical alignments along this segment will also improve traffic safety.

Because of the small amount of land to be added, the site itself could be adequately served with transportation facilities even if the project were not completed as proposed. However, petition approval to allow the road to be widened and straightened at this point will significantly improve transportation service for the adjoining urban area.

Fire Protection: Property is within the Tualatin Fire and Rescue District, which will continue to provide emergency services. The entire project in general and the improvements proposed for the subject segment in particular will measurably decrease average travel time for emergency vehicles using Tualatin-Sherwood/Edy Road, especially during morning and evening peak hours. The provision of full-width travel and bicycle lanes, together with the separation of these travel lanes by a wide painted or raised median, will provide a means for emergency vehicles to bypass stalled or slow-moving vehicles. The increased capacity provided at all major intersections will reduce average vehicle delays and stops, thereby resulting in an overall improvement in the delivery of emergency services.

Schools: The property lies within Sherwood School District 88J. Because industrial development is expected on the portion of the site north of the new right-of-way, the adjustment would provide a slight increase in the district's assessed value without requiring any additional school services.

(aa) Public facilities and services with adequate capacity to serve the additional land must be available or planned.

Staff:

The site can be provided with needed urban services. Additional sewer and water capacity requirements are minimal and can be readily provided by the cities of Sherwood and Tualatin. Storm drainage facilities will be reconstructed in conjunction with the overall project. Transportation access for the developable portion of the site will be adequate once the planned improvements are completed. The Tualatin Valley Fire and Rescue District can provide adequate protection. The road improvements authorized by petition approval will enhance the quality of fire protection and other emergency services for the subject property and for the adjacent urban area. Because the acreage not needed for the new right-of-way will likely be developed for industrial use, no school facilities will be utilized.

(bb) A net improvement in efficiency would result if existing and planned surplus capacity is utilized.

A net decrease in efficiency would result if existing or planned capacity must be expanded to accommodate the additional land and the cost of expansion must be borne by the entire service district rather than just the benefitted properties. No change in efficiency would result if the benefitted property was responsible for the costs of necessary increases in capacity.

Capacity is defined as the ability of available or planned public facilities and services to provide services through the long-range planning period (usually 20 years or the year 2000). Consideration is centered on, but not limited to, major facilities such as sewer trunk and treatment facilities; water transmission lines, storage and treatment facilities; collector and arterial streets; fire stations, engines and trucks; school buildings; and major storm drainage facilities.

Staff: The small portion of the site that would require urban services would not require any capacity increases, but could be served by existing and planned facilities. Thus a very small increase in the efficiency of sewer, water, storm drainage and fire protection service would result.

(cc) The adjustment is necessary in order to provide needed public facilities to adjacent urban land and no other practical alternatives exist to remedy the problem.

Staff: The adjustment is needed in order to provide safe and efficient transportation service to the adjoining urban area, by allowing for turning lanes at the Cipole Road intersection, increasing sight distance at this intersection and for vehicles entering the road from adjacent properties. Without the proposed improvements, traffic would reach level of service F by 1998, below acceptable County standards. Because of the road curvature at this point, realignment to the south is the only practical way to accommodate needed improvements.

(dd) The adjustment is necessary to moderate the cost of providing public facilities and services. Addition of urban land may be justified if the cost/unit of providing services to existing urban land can be reduced by more than 20 percent.

Staff: The addition will not significantly reduce the cost per unit of providing urban services to existing urban land.

The developable portion of the site can be provided with a full range of urban services without any increase in the capacity of existing or planned facilities. Inclusion of the site within the UGB will have no impact on the provision of water, sewerage, storm drainage and school service to the adjoining urban area, but will significantly improve the efficiency of transportation service and fire

protection. Petition approval would thus result in a strong net improvement in the efficiency and effectiveness with which public services would be provided to the adjoining urban area.

- (2) MAXIMUM EFFICIENCY OF LAND USES. CONSIDERATIONS SHALL INCLUDE EXISTING DEVELOPMENT DENSITIES IN THE AREA INCLUDED WITHIN THE AMENDMENT, AND WHETHER THE AMENDMENT WOULD FACILITATE NEEDED DEVELOPMENT ON ADJACENT EXISTING URBAN LAND.

Staff: There is no existing development on the site. The adjoining urban area has been designated for industrial development in the Comprehensive Plans of Sherwood and Tualatin (see Figure 4). Without the proposed improvements, congestion at the Cipole Road intersection could seriously impede the area's ability to achieve its maximum potential for industrial development. The degree of congestion that would be present (level of service F) could be expected to discourage new development relying on truck transport or frequent vehicle trips. Petition approval would facilitate planned development by providing transportation capacity commensurate with planned growth.

(aa) Maximum efficiency is achieved when existing urban property is developed to the extent allowed by the governing comprehensive plan.

The adjustment is needed in order to enable existing urban land to develop to the extent allowed by the governing comprehensive plan.

Staff: Although the effect of an inadequate transportation system is less easy to document or predict than that of, say, the infeasibility of providing sanitary sewers, the planned road improvements will support maximum efficiency by alleviating the congestion which would otherwise be likely to interfere with development to the full extent allowed by the cities' comprehensive plans.

(bb) The adjustment is necessary to bring rural land which is developed into the urban growth boundary to obtain needed public facilities and services.

Staff: With the exception of the paving along the southern portion of the existing right-of-way, there is no development on the site; this criterion does not apply.

- (3) ENVIRONMENTAL, ENERGY, ECONOMIC AND SOCIAL CONSEQUENCES. ANY IMPACT ON REGIONAL TRANSIT CORRIDOR DEVELOPMENT MUST BE POSITIVE AND ANY LIMITATIONS IMPOSED BY THE PRESENCE OF HAZARD OR RESOURCE LANDS MUST BE ADDRESSED.

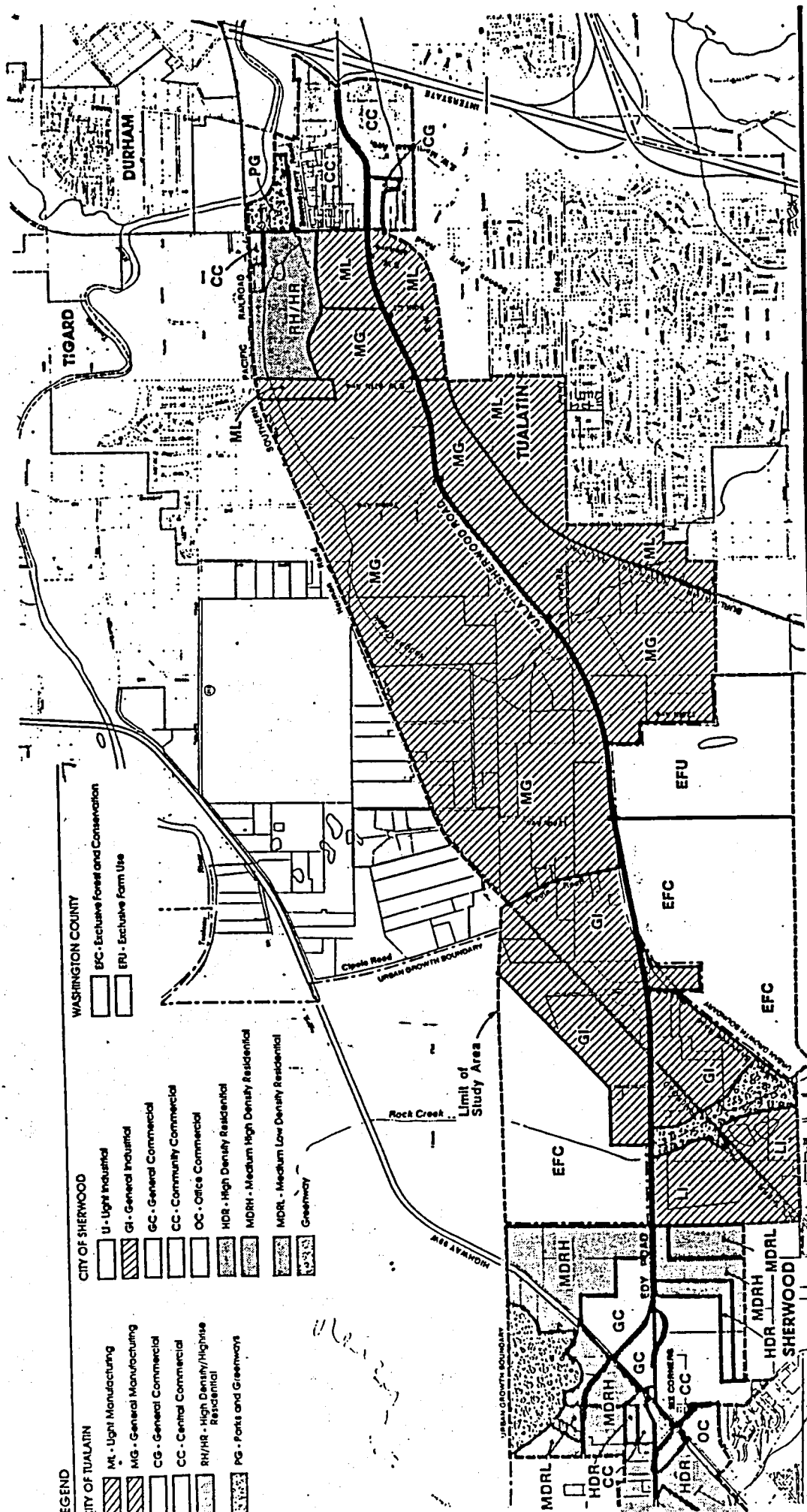


Figure 4

# COMPREHENSIVE PLANS

TUALATIN-SHERWOOD/ EDY ROAD PROJECT	CH2M HILL
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SOURCE: City of Sherwood, Comprehensive Plan; Community Development Plan, Part 2, March 1982; City of Tualatin, Tualatin Development Code, December 1983; Washington County, Rural Natural Resource Plan.

Staff:

There is no transit service along the Tualatin-Sherwood road, nor is the site within one-quarter mile of a Regional Transit Corridor, as identified in Metro's Regional Transportation Plan.

No hazards have been identified on the site. Although there are no historic resources on the site, the Orr residence to the south was built in the 1900's and identified in a survey of cultural resources conducted for the Tualatin-Sherwood/Edy Road Draft Environmental Impact Statement (Vol. 1, p. 4-62). The report concluded that this structure did not meet minimum criteria for listing on the National Registry. The County's Historic and Cultural Resource Overlay has not been applied to this property. In any case, realignment of the road in front of this house will have no impact on it.

The site contains Class II soil and has been designated EFC in the County's plan. That portion of the five acres situated between the existing and proposed right-of-ways would be isolated from the remaining resource land to the south, and the possible future agricultural or forest use of this land would be impaired.

The land to the south is part of an area known as the Tonquin Scablands Geologic Area which consists of typically featureless basalt uplands with deep, frequently dry channels. These features were formed 10,000 to 20,000 years ago when torrential glacial meltwaters flooded the scablands area and surrounding region. The swift-moving flood waters scoured and eroded the hilltops, formed many deep channels, and deposited large quantities of sand and gravel.

The subject site itself does not contain any features of geologic interest and the realigned road would provide a buffer of sorts between the Scablands and urban development to the north. Because the project improves an existing route, and would be constructed even if the proposed improvements on the site could not be accomplished, improvements on the site are not expected to increase traffic along the route. In any case, the impacts of any increased traffic on protection of the lands to the south for farm or park use would be minimal.

There is a stand of trees on the southwest corner of the subject property. Those trees on the site itself would be removed as part of the road realignment (approx. .10 Ac.).

The improvement in traffic flow that would be achieved as a result of the requested adjustment represents a significant savings in terms of energy consumption and air quality. By improving the level of service from



level F to level B, the project would reduce average stop delay idling time at least 75%, from 60 seconds per vehicle to 5 - 15 seconds. For the project as a whole, the savings in terms of air quality and energy consumption are summarized in Tables A and B below.

TABLE A  
ESTIMATED DAILY EMISSIONS  
(kilograms per day)

Pollutant	Existing	With Project		Without Project	
		1998	2008	1998	2008
Carbon monoxide	1,342.1	1,262.1	1,274.9	1,412.2	1,419.4
Nonmethane hydrocarbons	186.7	126.7	111.6	131.9	118.2
Nitrogen oxides	272.0	237.7	190.7	240.9	195.9

TABLE B  
Estimated 1998 Energy consumption  
(gallons)

	With Project	Without Project	Difference/ Benefit
Fuel consumption	860,000	1,115,000	_____
Fuel consumption equivalent of electrical energy for street lights and traffic signals	<u>28,000</u>	<u>9,000</u>	
TOTAL:	888,000	1,124,000	36,000

In addition, by adding a bike lane, the project may further reduce energy consumption and air pollution by encouraging more bicycle and pedestrian travel.

(aa) The "Regional Transit Corridors" are mapped in the Metro Regional Transportation Plan. A positive impact on regional transit corridor development occurs when manufacturing, office or residential development exceeding 8 units/acre occurs within one-quarter mile of the designated route.

Staff: There is no Regional Transit Corridor within one-quarter mile of the site; this criterion does not apply.

The proposed adjustment would not impact any Regional Transit Corridor, nor are any natural hazards to development present. Although it would have no significant impact on adjacent resource land, the five acres included in the adjustment itself would be lost to resource use. However, the benefits to air quality and energy consumption produced by the project outweigh this loss and produce a net benefit in terms of energy and environmental consequences.

(4) RETENTION OF AGRICULTURAL LAND:

(A) WHEN A PETITION INCLUDES LAND WITH CLASS I-IV SOILS DESIGNATED IN THE APPLICABLE COMPREHENSIVE PLAN FOR FARM OR FOREST USE CONSISTENT WITH THE REQUIREMENTS OF LCDC GOALS NO. 3 OR 4, THE PETITION SHALL NOT BE APPROVED UNLESS IT IS FACTUALLY DEMONSTRATED THAT:

- (i) RETENTION OF THE AGRICULTURAL LAND WOULD PRECLUDE URBANIZATION OF AN ADJACENT AREA ALREADY INSIDE THE UGB, OR
- (ii) RETENTION OF THE AGRICULTURAL LAND WOULD PREVENT THE EFFICIENT AND ECONOMICAL PROVISION OF URBAN SERVICES TO AN ADJACENT AREA INSIDE THE UGB, OR
- (iii) THE PROPERTY IS A LEGAL PARCEL OR PARCELS 10 ACRES OR SMALLER IN AGGREGATE ZONED FOR EXCLUSIVE FARM USE UNDER PROVISIONS OF ORS CHAPTER 215 AND OCCUPIED BY ONE OR MORE PERMANENT STRUCTURES,.... (The balance of this standard has been omitted as the provisions do not apply here.)

Staff: In response to standard (i) above, because the road curves to the south, there is no way to correct the horizontal alignment without taking some of the resource land which runs south of the existing right-of-way. Nor could the left turn lane safely be included without correcting the horizontal alignment. Without these improvements, the level of service on the Tualatin-Sherwood Road, the main road serving all adjacent urban land, would drop to level F, an inadequate level of transportation service. Retaining the site in agricultural use would thus prevent the efficient and economical provision of urban transportation service to all adjacent lands within the UGB.

- (5) COMPATIBILITY OF PROPOSED URBAN USES WITH NEARBY AGRICULTURAL ACTIVITIES. WHEN A PROPOSED ADJUSTMENT WOULD ALLOW AN URBAN USE IN PROXIMITY TO EXISTING AGRICULTURAL ACTIVITIES, THE JUSTIFICATION IN TERMS OF FACTORS (1) THROUGH (4) OF THIS SUBSECTION MUST CLEARLY OUTWEIGH THE ADVERSE IMPACT OF ANY INCOMPATIBILITY.

- The adjustment and proposed urban uses will not adversely affect adjacent agricultural activities, especially those on property designated EFU (Exclusive Farm Use).

Staff: There will be industrial uses north of the Tualatin-Sherwood Road adjacent to existing agricultural uses whether or not this adjustment is approved. The only impact of the adjustment is to change the location of the road and the proposed industrial use to the north. There should be no adverse impact from this change. Even if there were some adverse impact, it would be strongly outweighed by the benefits to traffic flow and safety, and the attendant improvement in emergency services and reduction in projected air pollution and energy consumption.

## II. ADDITION STANDARDS

- (d) PETITIONS TO ADD LAND TO THE UGB MAY BE APPROVED UNDER THE FOLLOWING CONDITIONS:

- (1) AN ADDITION OF LAND TO MAKE THE UGB COTERMINOUS WITH THE NEAREST PROPERTY LINES MAY BE APPROVED WITHOUT CONSIDERATION OF THE OTHER CONDITIONS IN THIS SUBSECTION IF THE ADJUSTMENT WILL ADD A TOTAL OF TWO ACRES OR LESS, THE ADJUSTMENT WOULD NOT BE CLEARLY INCONSISTENT WITH ANY OF THE FACTORS IN SUBSECTION (a) AND THE ADJUSTMENT INCLUDES ALL CONTIGUOUS LOTS DIVIDED BY THE EXISTING UGB.

Not applicable.

- (2) FOR ALL OTHER ADDITIONS, THE PROPOSED UGB MUST BE SUPERIOR TO THE UGB AS PRESENTLY LOCATED BASED ON A CONSIDERATION OF THE FACTORS IN SUBSECTION (a). THE MINOR ADDITION MUST INCLUDE ALL SIMILARLY SITUATED CONTIGUOUS LAND WHICH COULD ALSO BE APPROPRIATELY INCLUDED WITHIN THE UGB AS AN ADDITION BASED ON THE FACTORS IN SUBSECTION (a).

Staff: The proposed UGB is superior to the existing UGB because it allows for road improvements which will substantially improve transportation service, in terms of both safety and efficiency, for both the immediate and larger urban area. Improving traffic flow in this road segment will also benefit emergency services, air quality, and energy conservation.

The addition includes only two and one-half acres of developable land outside the new right-of-way. It is expected that this land, like adjoining urban land, will be designated for urban use. Because its development can be easily accommodated by existing and planned public facilities and services such as sewer, water, storm drainage, and fire protection, its inclusion will achieve a slight increase in the efficiency of these facilities and services as well. It will add to the tax base for school support without requiring any school services.

The proposed UGB will have no more adverse impact on adjacent agricultural areas than the current UGB--which is, indeed, likely to be almost none. Although the site is protected resource land, the southerly curve of the road requires the inclusion of this land in order to accomplish the proposed improvement.

Overall, the benefits of the proposed UGB, as compared with the existing UGB, strongly outnumber and outweigh its disadvantages.

All of the benefits identified in discussing compliance with subsection (a) above apply only to this proposed adjustment. Because this adjustment is intended to allow for a specific, clearly delineated road realignment, adjacent properties, not needed to accomplish that realignment, cannot be considered similarly situated, and therefore they cannot be included in the UGB on the same basis.

- The inclusion of "similarly situated contiguous land" shall be subject to the limitations set forth in (d)(3) below.

See discussion at (d)(3)(aa) below.

- (3) ADDITIONS SHALL NOT ADD MORE THAN 50 ACRES OF LAND TO THE UGB AND GENERALLY SHOULD NOT ADD MORE THAN 10 ACRES OF VACANT LAND TO THE UGB. EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SUBSECTION, THE LARGER THE PROPOSED ADDITION, THE GREATER THE DIFFERENCES SHALL BE BETWEEN THE SUITABILITY OF THE PROPOSED UGB AND SUITABILITY OF THE EXISTING UGB, BASED UPON CONSIDERATION OF THE FACTORS IN SUBSECTION (a) OF THIS SECTION.

Staff:

The proposed addition would add only 5.14 acres to the UGB, roughly an acre of which is currently paved right-of-way to be replaced by a similar amount of paved right-of-way in the new alignment. The small size of this adjustment, well under the ten-acre standard, establishes a relatively light burden of proof, which is more than met by the significant improvements this adjustment will accomplish, as discussed above.

(aa) When a petition proposes to add less than 10 acres of vacant buildable land, the existence of vacant buildable land already in the UGB in the vicinity of the proposed addition with the same land use designation as that contemplated for the proposed addition, shall be taken into consideration. "In the vicinity" is defined as land within approximately one-quarter mile of the proposed addition.

(bb) When a petition proposes to add more than 10 acres of vacant buildable land, the existence of vacant buildable land already in the UGB in the planning area(s) adjacent to the proposed addition with the same land use designation as that contemplated for the proposed addition, shall be taken into consideration. Planning areas are defined as Washington County Community Plans and city planning areas as defined by Urban Planning Area Agreements.

Staff: Because the petition proposes to add less than ten acres of vacant land, (aa) rather than (bb) applies here.

The area to be added would be designated for industrial use, but only about half of it would be developed for that purpose. The remainder is needed for the road realignment, a need which cannot be met on other properties already in the UGB. Although there is ample industrially zoned land already in the vicinity, the two and one-half acres of developable industrial land to be added are a necessary adjunct to the addition of the land needed for the new right-of-way.

### Conclusions

This adjustment is requested in order to accommodate a needed widening and straightening of Tualatin-Sherwood Road near the intersection with Cipole Road. These improvements are an integral part of the Tualatin-Sherwood/Edy Road Project included in the MSTIP, and are needed to avoid peak hour traffic flows at level of service F, unacceptable under both County and Metro standards. They will enhance traffic safety and promote increases in bicycle and pedestrian traffic. These benefits also achieve reductions in air pollution and energy consumption over levels otherwise projected.

Although the adjustment includes identified resource land, there is no practical alternative that would avoid doing so. The amount of resource land included is relatively small, and the impact on the adjacent farmlands will be minimal.

Overall, the benefits of the proposed adjustment clearly outweighs its costs and it should be approved.

Petition for Locational Adjustment to  
Metro's Urban Growth Boundary (UGB) (check one):

☒ addition ☐ removal

Note: To add land in one location and remove land in another,  
please complete one form for the addition and another for  
the removal.

1. a. Petitioner's name and address:

WASHINGTON COUNTY PLANNING DEPARTMENT  
155 NORTH FIRST AVENUE  
HILLSBORO, OREGON 97124  
Phone number: 640-3519

b. Contact person, if other than petitioner (consultant or  
attorney) or if petitioner is a local government:

JILL HINCKLEY  
419 SE 15TH  
PORTLAND, OREGON 97214  
Phone number: 234-2113

2. What is petitioner's interest in the property:

☒ Property Owner  
☐ Contract Buyer  
☐ Option to buy  
☐ Other legal interest (Specify: \_\_\_\_\_)  
☒ Local government

3. County in which property is located: WASHINGTON

4. If the locational adjustment requested were approved, would you  
seek annexation to (or de-annexation from) a city?

☐ Yes, the City of \_\_\_\_\_

☒ No

5. Description of properties included in the petition (list each  
lot individually and attach a copy of the appropriate tax  
assessor's map(s)):

a. Legal Description  
(Township, Range,  
Section, Lot):

T2S R1W Section 28D  
Tax Lots 100 & 1000

- b. Acres: 5.14
- c. Owner's Name & Address Same  
(Mark "Same" if same as petitioner):
- d. Improvements on property Tualatin Sherwood Road runs from centerline over about 1 acre.  
(e.g., none, one single family dwelling, barn, gas station, etc.):

Attach additional sheets as needed.

6. a. What sewerage facilities currently serve the property?

☒ None, all land is vacant  
☐ Package sewage treatment plant  
☐ Sewer Line to public system  
☐ Septic Tank

- b. If septic tanks, have any septic tanks in the area failed?

☐ Yes, (Explain: \_\_\_\_\_)  
\_\_\_\_\_  
\_\_\_\_\_  
☐ No

7. How close is the nearest sewer trunk? 500'

8. a. Are additional sewer trunks for the area planned?

☐ Yes ☒ No

- b. If yes, how close to the property would planned sewer lines run? \_\_\_\_\_

9. How is water provided to the property?

☐ Private Well  
☐ inch water line provided by \_\_\_\_\_  
(city or water district)  
☒ No water provided





this petition, the local government, and other sources as needed, to prepare a list of questions for the Hearings Officer on whether these standards have been met. You and other parties may then submit any additional testimony in support of or opposition to the petition at the hearing. The Hearings Officer will then weigh the testimony received and submit the findings and recommendations to the Metro Council for action.

18. Petitioners Signatures

I/WE THE UNDERSIGNED HEREBY PETITION THE METROPOLITAN SERVICE DISTRICT TO ADD TO/REMOVE FROM THE URBAN GROWTH BOUNDARY THE PROPERTY DESCRIBED HEREIN.

SIGNED,

Name

Tax Lot

Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

T2S, R1W, Sect. 28D  
T.L. 100 & 1000

\_\_\_\_\_  
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JH/gl  
2383B/223  
05/07/87



WASHINGTON  
COUNTY,  
OREGON

Date : June 7, 1990

To : Planning Commission

From : Hal Bergsma, Senior Planner *HB*

Subject: PLAN AMENDMENT CASEFILE 90-149-PA

As of the date for mailing out your Commission's packet for the June 13 meeting, staff had not received additional material from the applicant pertaining to ground water, as you had requested at your May 23 meeting. According to the applicant's representative, they have retained a geologist to provide additional information, but the new material will not be available until the meeting.

We have received one additional letter from an opponent, which is enclosed.

HB:mb

EXHIBIT 19 IS THE ENVIRONMENTAL IMPACT STATEMENT FOR THE ROAD PROJECT, AND IS TOO LARGE FOR DUPLICATION. IT IS AVAILABLE AT THE METRO OFFICES FOR REVIEW.

EXHIBIT 20 IS THE TAX MAP FOR THE PROPOSED AMENDMENT, AND IS TOO LARGE FOR DUPLICATION. IT IS AVAILABLE FOR REVIEW AT THE METRO OFFICES.

July 2, 1990

Jill Hinckley  
419 SE 15th  
Portland, OR 97214

Dear Jill,

This letter acknowledges receipt of the application of Washington County for a locational adjustment of the Metro Urban Growth Boundary. This application will be known as "Washington County" and has been assigned Case Number 90-3.

I have reviewed the application and have determined that the following elements are needed before the application can be accepted as complete:

- 1) Notification List - Metro must be furnished with a mailing list for all owners of property within 250 feet of the subject property, including local, state, and federal agencies. Recent changes in state law not yet incorporated in the Metro code require notification of all owners within 500 feet. Although the Metro UGB has not formally completed periodic review at this time, it would be advisable to include owners within the 500 foot distance to avoid potential legal claims in the future.
- 2) Service Provider Comment - Comment is required from providers of water, sewerage, storm drainage, transportation, school, and fire services to the subject property. A letter from the relevant local planning department is sufficient for transportation and storm drainage. Since the application is coming from the County, Metro will consider the application itself sufficient comment on transportation and storm drainage services unless you wish to augment either one prior to the hearing. Other service provider comments have not been received by this office to date.

It is the responsibility of the petitioner to see that all items noted above are received by this office no later than 5 pm on Monday, July 23, 1990. Failure to complete the

application as noted above will result in the rejection of the petition. Should the petition be completed, Metro will then schedule a hearing before a Hearings Officer no sooner than 45 days from the date on which the application is accepted by Metro as complete.

Finally, I will review the issue of land owner consent with Larry Shaw. I believe that the signature of Mr. Rosenberger will be sufficient for purposes of completing the application. Should the petition be completed, we can schedule the hearing around your negotiations for the land.

This letter also acknowledges receipt of your check in the amount of \$2300.00 as a deposit against Metro and Hearings Officer costs in processing this application. The check will not be deposited until Metro accepts the application as complete. If the application is not accepted, your deposit of \$2300.00 will be returned in full.

Please feel free to contact me should you have any questions.

Sincerely,

Ethan Seltzer  
Land Use Coordinator

cc: Mark Brown



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

*Council*  
*2/14/91*

*5.1*

TO: Metro Council *DC*  
FROM: Donald E. Carson, Council Administrator  
DATE: February 13, 1991  
RE: Resolution No. 91-1393A Authorizing Funds for Due Diligence Phase II Contracts for District Office Facility

Please find attached a copy of Resolution No. 91-1393A for your consideration at the February 14, 1991 Council meeting under Agenda Item No. 5.1. The amendments incorporated in this revised resolution have been drafted by General Counsel, Dan Cooper, to meet the requirements of the District's Contract Code. The proposed additional work listed in Exhibit A will be accomplished through the extension or use of existing contracts with the exception of the "Independent Cost Estimator", which is a proposed new contract.

Because of the size of the new contract, the Council, acting as the Contract Review Board must exempt the contract from certain requirements of the Metro Code. The proposed amendments accomplish this exemption by reference to Resolution No. 90-1338, which is attached.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING )  
\$85,000 IN ADDITIONAL FUNDS FOR )  
DUE DILIGENCE PHASE II CONTRACTS )  
AND TO AMEND THE BOOR/A )  
CONTRACT )

RESOLUTION NO. 91-1393-A  
Introduced by Rena Cusma,  
Executive Officer

WHEREAS, by Resolution No. 90-1338, the Council of the Metropolitan Service District authorized the execution of a sales agreement for the acquisition of the Sears facility as the site for Metro's administrative offices; and

WHEREAS, Resolution No. 90-1338 authorized alternative contracting procedures for the employment of consultants needed for conducting the due diligence investigation; and

WHEREAS, the Sales Agreement included a provision for a 67 day due diligence period by which Metro would employ a variety of consultants to determine the economic and pragmatic feasibility of the Sears facility as Metro's headquarters; and

WHEREAS, Resolution 90-1357 authorized the amendment of the Sales Agreement to extend the due diligence period until April 30, 1991 to allow Metro additional time to continue and refine the consulting work originating from the initial due diligence period; and

WHEREAS, \$85,000 in additional funds are required to continue due diligence work per the contract items listed in Exhibit A; and

WHEREAS, approximately half of this phase II work will be of on-going value to Metro; and

WHEREAS, an amendment, attached as Exhibit B, is required to the BOOR/A contract to allow continuation of the due diligence architectural work.

BE IT RESOLVED, that the Council of the Metropolitan Service District hereby authorizes the Executive Officer to proceed with additional due diligence contracts as listed in Exhibit A and authorizes the continued utilization of the alternative contracting procedures authorized by Resolution 90-1338.

BE IT FURTHER RESOLVED, that the Council of the Metropolitan Service District, acting as Contract Review Board, authorizes the amendment of the BOOR/A contract to continue the due diligence architectural review of the Sears Building.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_ day of February, 1991.

---

Tanya Collier  
Presiding Officer



Exhibit A

SEARS BUILDING PROJECT

Due Diligence Phase II Contract Items/Budget  
As of Monday, January 21, 1991

Initial Due Diligence Contracts Status

Amount allocated:	\$65,000
Amount spent to date:	\$56,100
Amount remaining:	\$ 8,900

Phase II Due Diligence Proposed Contracts

BOOR/A amendment to continue architectural work	\$45,500
Independent Cost Estimator	15,000
PFM	25,000
Bond Counsel	5,000
Contingency	<u>3,400</u>
	\$93,900

Less amount remaining from phase I \$ 8,900

Total \$85,000

Exhibit B

AMENDMENT NO. 1

BROOME, ORINGDULPH, O'TOOLE, RUDOLF, BOLES & ASSOCIATES

Contract No. 901-531

The contract between the Metropolitan Service District, hereinafter referred to as "METRO", and Broome, Oringdolph, O'Toole, Rudolf, Boles & Associates (BOOR/A), hereinafter referred to as "CONTRACTOR", to preform architectural analysis of the Sears Building as part of Metro's Due Diligence efforts, Contract No. 901-531, is hereby amended as follows:

The original contract amount of \$9,700 is increased by \$45,500, to the current contract amount of \$55,200.

The Scope of Work is amended as follows:

Additional tasks include:

- 1) Prepare a formal program for all Metro (First Avenue) spaces to be housed in one facility. The program would be useable in any facility and will identify the purpose, function, organization, space relationships, space sizes and needs, and growth potential.
- 2) Prepare limited Concept Design drawings for the Sears Building that indicate a potential design consisting of floor plans, a site plan, and two building elevations or a perspective sketch.
- 3) Prepare additional drawings and material identification of the Sears Building which will verify current costs estimates. This item consists of two building sections, a typical wall section, further development of the atrium, typical corridor treatment, including wall materials, door, and ceilings, and an outline specification identifying assumed materials used to develop costs.
- 4) Prepare a space plan to house a potential tenant in approximately half of the Grand Ave. level of the Sears Building.

All of the additional tasks shall be completed within 6 weeks of Notice to Proceed.

The contract expiration date shall be extended to April 30, 1991.

All other terms and conditions remain in full force and effect.

BOOR/A

Metropolitan Service District

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

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

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

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

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 90-1338
THE EXECUTION OF A SALE	)	
AGREEMENT FOR ACQUISITION OF	)	Introduced by Rena Cusma,
THE SEARS FACILITY, EXEMPTING	)	Executive Officer
DUE DILIGENCE CONTRACTS AND	)	
BOND COUNSEL SERVICES FROM	)	
METRO CODE 2.04.053	)	

WHEREAS, By virtue of the laws of the state of Oregon, the Metropolitan Service District (Metro) is authorized and empowered to acquire by purchase, real property or any interest therein for the purpose of providing a metropolitan aspect of a public service; and

WHEREAS, A Relocation Task Force has evaluated Metro's needs for administrative offices and determined that it is in the public interest to purchase an office facility; and

WHEREAS, A survey of available properties and relocation opportunities has been conducted and the Sears facility best suits Metro's needs; and

WHEREAS, A due diligence period of sixty-seven (67) days has been established to perform tests, inspections and feasibility studies on property; and

WHEREAS, Adequate time for a full bid process is not available for the due diligence contract items listed in Exhibit B; and

WHEREAS, Alternate methods for ensuring competition on due diligence contracts will be utilized; and

WHEREAS, It is the intent of the Council to finance the acquisition and renovation of this facility; and

WHEREAS, This acquisition will require staff and other resources to successfully implement; now, therefore,

BE IT RESOLVED,

1. That the Council selects the Sears facility at 524 N.E. Grand Avenue, Portland, Oregon 97232, as the site for Metro's administrative offices.

2. That the Council authorizes the Executive Officer to execute the attached sale agreement and promissory note, Exhibit A for the acquisition of the Sears facility.

3. That the Executive Officer shall immediately proceed with due diligence to determine the suitability of the building for Metro's needs.

4. That the Council hereby states that it is undertaking the acquisition of the Sears facility with the express intent of financing, at some appropriate time in the future, the acquisition, renovation, remodeling and equipping of the Sears facility by means of a lease-purchase transaction, revenue bonds or other appropriate financing vehicle available under applicable law, and that any costs of such acquisition, renovation, remodeling and equipping incurred by Metro prior to the time at which such financing is undertaken will be reimbursed in whole or in part out of the proceeds of such financing.

5. That the Executive Officer is directed to prepare a complete Scope of Work for undertaking the acquisition and renovation of the Sears facility, including staffing and funding requirements.

6. That prior approval of the Council shall be required before the Executive Officer may deposit the cash earnest money deposit provided for in the sale agreement.

BE IT FURTHER RESOLVED,

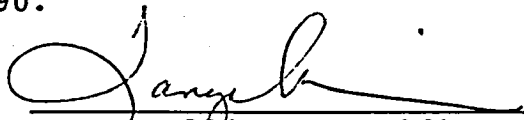
1. That the Metro Council, acting as Contract Review Board of the Metropolitan Service District, adopts the findings attached hereto as Exhibit C; and

2. That the Contract Review Board hereby exempts the class of due diligence on contracts between \$10,000 and \$31,000 from requirements of Metro Code Section 2.04.053; and

3. That the Contract Review Board directs that for the due diligence contracts attached hereto as Exhibit B, competitive quote procedures specified in Metro Code Section 2.04.052 be utilized as the alternate contracting procedures.

4. That the Contract Review Board hereby exempts from the competitive procurement requirements of Metro Code Section 2.04.053 an amendment to the existing contract for Bond Counsel services with Stoel Rives Boley Jones and Grey as may be necessary for project financing advice and related sources.

ADOPTED by the Council of the Metropolitan Service District this 11th day of October, 1990.

  
\_\_\_\_\_  
Tanya Collier, Presiding Officer

JS:sg  
October 11, 1990  
SEARFAC.RES



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

Council  
2/14/91  
#6

Date: February 14, 1991  
To: METRO Council  
From: Betsy Bergstein *LB*  
Regarding: Strategic Planning

---

Attached is a description of strategic planning and two attachments directed towards the questions on your February 9, 1991 Council Workshop agenda on strategic planning:

- o What is strategic planning?
- o What is the role of the Council?
- o Why has this process been started?
- o When is it to be completed?
- o What is the end product?

I am happy to answer any questions.

Attachments

## Notes for Council - February 9, 1991

### I. What is strategic planning?

Strategic planning is a process that originated with the military and was initially used by large industrial companies that had to make major capital investments years before the benefits from those investments could be realized (eg. natural resource exploration companies). These corporations were striving to anticipate and prepare for business opportunities that would occur in the future. By the end of the 1960s three-quarters of the large industrial corporations in the United States had formal strategic planning in place and by the mid-1980s more than half of publicly traded companies had some form of strategic planning (Denhardt 1985).

The focus of these early strategic planning efforts was on trying to predict the future. As the rate of change accelerated in the 1980s the focus switched to one of trying to "manage change" rather than "predict the future." The implications for the practice of strategic planning was that the focus of planning departments switched from producing THE STRATEGIC PLAN to implementing a strategic management system.

Today, strategic planning is considered a management process to rationally plan for and manage the progression of a business or organization, so that the unprecedented rate of change, the element of "unknown" in the future and the degree of turbulence in the present can be managed effectively.

J.B. Olson, D.B. Eadie and J.B. Bryson, three planners who focus on public sector strategic planning define strategic planning "as a disciplined effort to produce fundamental policy decisions and actions that shape and guide what an organization (or other entity) is, what it does, and why it does it." (Bryson, Strategic Planning for Public and Nonprofit Organizations. p.5)

All strategic planning systems, public or private, must answer four main questions according to Lorange in Corporate Planning, An Executive Viewpoint (1980):

1. Where are we going? (mission)
2. How do we get there? (strategies)
3. What is our plan of action? (action plan and budgets)
4. How do we know if we got there? (control, evaluation)

The public sector strategic planning model most often used is based on the Harvard policy model, defined by the acronym SWOT (strengths-weaknesses-opportunities-threats). (Kaufman and Jacobs, A.P.A. Journal, 1987).

In this model strengths, weaknesses, opportunities and threats are assessed as a basis for devising strategies to achieve specified objectives in key issue areas.

This all comes down to the key point that both the private and public sector strategic planning literature emphasizes, it is strategic thinking and acting that are important, not the strategic plan in itself.

II. What work has been done to date in strategic planning for METRO?

Strategic Planning began at METRO in January of 1991 at the direction of the Executive, Rena Cusma. The immediate, short-term objective was to produce a mission statement and a set of regional criteria that could be used in discussions with local governments around Ballot Measure #5 issues and the Charter Commission.

The Executive Department, Department Heads, Presiding Officer Tanya Collier were all individually interviewed as part of a "situation assessment." This interview included a discussion of METRO's mission, stakeholders, internal strengths and weaknesses, external opportunities and threats, strategic issues and "keys to success." These interviews were summarized in a report that has been distributed to the Government Affairs Committee.

Additionally, interviews were held with community leaders about the future role of METRO. These individuals included Mayor Bud Clark, Commissioner Gretchen Kafoury, Commissioner Earl Blumenauer, Commissioner Sharron Kelley, Commissioner Steve Larrance, Commissioner Ed Lindquist, Hardy Myers, Mike Ragsdale, Don McClave, Richard Forester, Charles Cameron, Eric Carlson (Mayor Larry Cole's office). The list of recommended people to interview keeps growing with every interview conducted.

Betsy Bergstein has appeared before the Government Affairs Committee (January 31, 1991) to give an overview of strategic planning.

The Executive and her management team have held two strategic planning meetings which have yielded a draft mission and the beginning of work on regional criteria.

Currently all Council members are being interviewed in the same "situation assessment" format and a report will be prepared when completed.

Presiding Officer Collier and the Council staff have copies of the Strategic Planning Program 1991 notebook which has been prepared.



III. Why has this process been started? When is it to be completed? What is the end product?

As mentioned, this process was initially started in response to events that have occurred and will take place in METRO's short term future. The immediate objective should be completed within three months. The completion of instituting a complete strategic planning program for METRO will probably take another six months, require consensus, communication to employees and constituents, and differentiation from the RUGGO process, since currently there is some confusion in the region between the two.

The "idealized" end product would be the institution of an agency management/planning process that marries strategic, financial and program planning on an annual cycle and calendar that includes planning at three levels:

Strategic

Financial

5-year plan

Annual budget

Program

Please see attachments.

IV. What is the Council's role?

I have taken an informal survey of strategic planning programs at the State, Tri-Met, the Port of Portland, City of Portland and Washington County to try to ascertain appropriate roles for Council and Executive. I have also done an informal survey of the literature on strategic planning in the public sector.

There is no one answer or model.

Basically, my opinion is that there is a legitimate role for the Executive and her management team, for the Council and for the community. There has been an interest expressed by the community in participating in METRO's strategic planning process, although I believe a vision of the region as opposed to the agency is where the interest lies.

I have found no model of a legislative body drafting a plan. (See attachment).

The Council, in its legislative and "administrative oversight" role could:

- o debate, amend and improve the draft that comes out of the Executive Department;

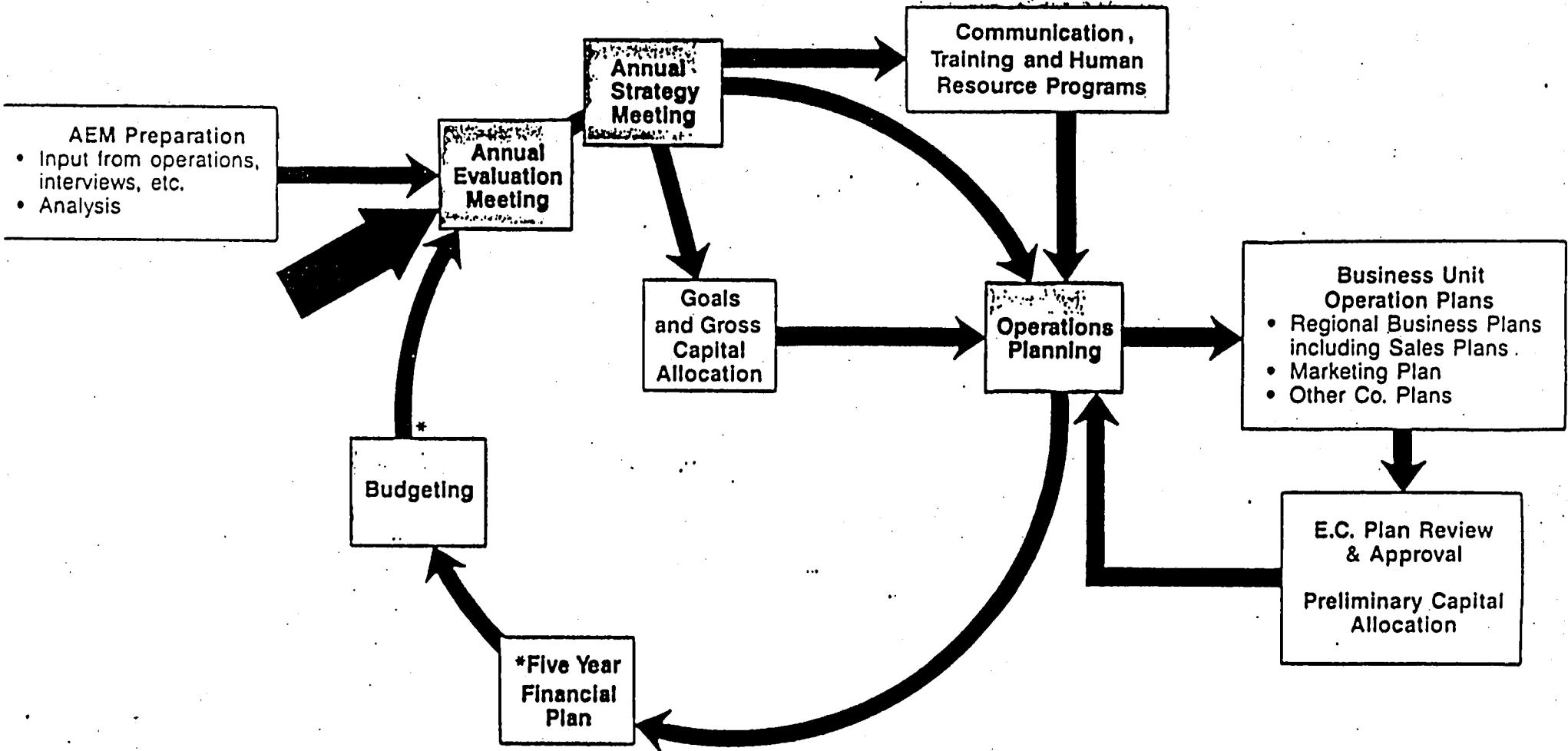
- o take it to METRO's stakeholders/constituency, both citizens and local governments, as a vehicle for a discussion on METRO's future role;
- o use it as a starting point for district meetings to talk with constituents about a vision for the region, similar to the State's benchmark's program;
- o focus on key strategic issues like regional funding, parks and open space, facilities --- and through research, debate and discussion formulate strategies for each.

As a final note, the State of Oregon's strategic planning process is very well conceptualized, I believe. It began with the Governor's strategic plan, "Oregon Shines" which yielded the benchmarks process and the Oregon Progress Board (established by the Legislature). Oregon Benchmarks went through an extensive state-wide citizen review was then revised by the Board before going back to the Legislature this session for another review and possible revision.

It was organized around six focused steering committees which presented preliminary benchmark recommendations, which were revised and reviewed in 12 statewide meetings. The Oregon Progress Board then shaped and adopted the benchmarks which came out of the statewide meetings; these will be reviewed by the 1991 session of the Legislature. The Progress Board's report is "substantially different from the public review draft." Out of 158 benchmarks, there are 17 "lead" benchmarks divided into three areas---people, quality of life and the economy---that are short-term, related to urgent problems where progress must be made in the next five years.

There are 13 "key" benchmarks organized around the same three areas that are "fundamental, enduring measures of Oregon's vitality and health." These benchmarks are measurements, focused on results, in five year increments, that will allow the state to see if progress is being made in key areas---"tangible measures of achievement...a roadmap to progress...give us a means to see where we are and where we would like to be in the two decades ahead."

## The Cycle



\* May also occur after budget

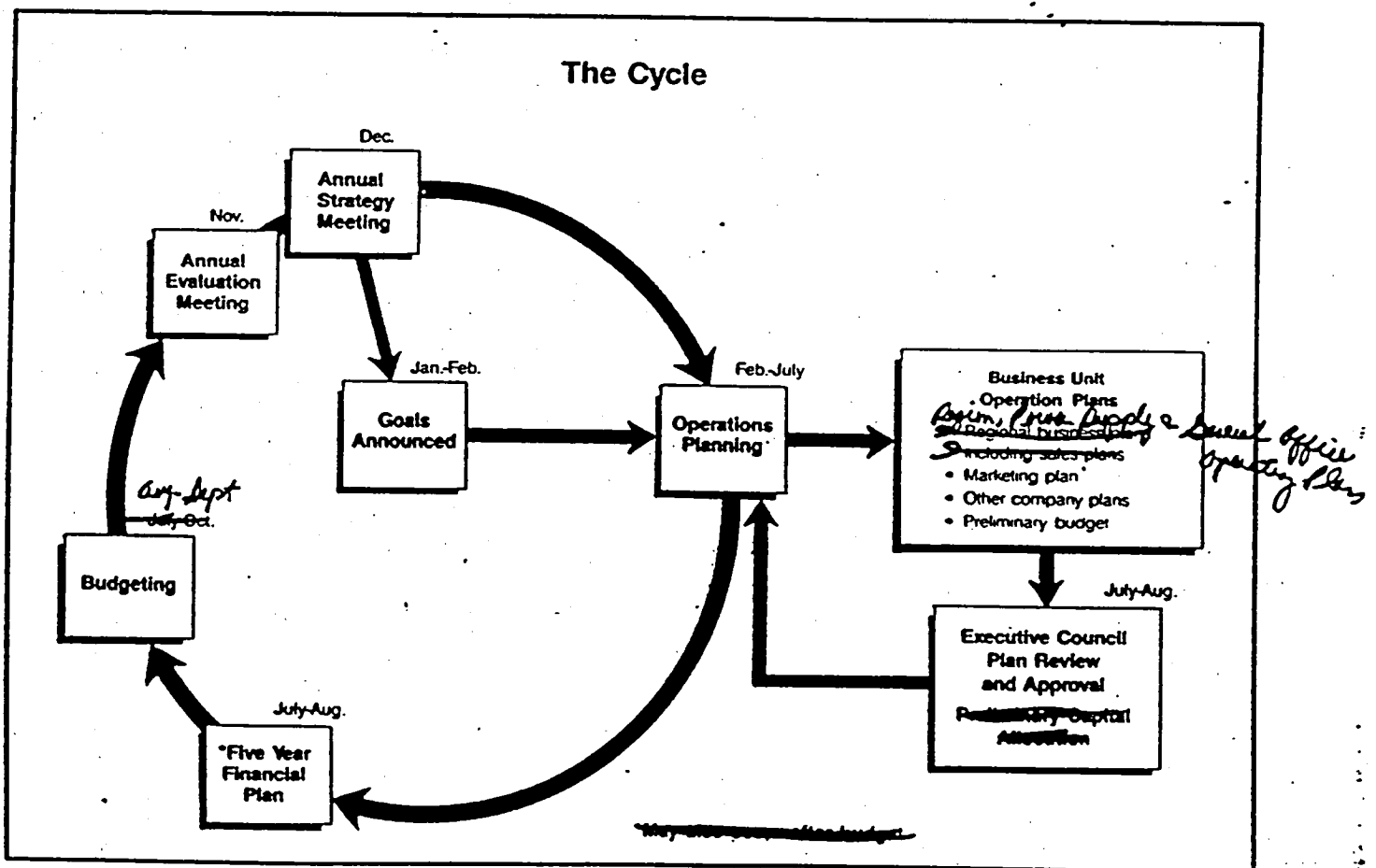
## Why Bother?

The main reason for strategic planning can be summarized in one word: CHANGE. Pacific Power is operating in a rapidly changing environment. Our social, political and economic climate has changed radically in the last decade. For example, conservation has become an established ethic among consumers. The power supply picture in the Northwest has shifted from shortage to surplus. New energy suppliers — such as gas companies, cogeneration projects, wood, higher efficiency lighting, and solar — have sprung up. We're seeing more and more competition from them in the marketplace.

To maintain steady growth in an era of continuing change, we need to be clear about what we are doing. We must understand the assumptions we are making, and carefully construct a plan. The plan must take into account all the risks, variables and opportunities before us, and outline an approach that will meet the needs of our customers, shareholders and employees. That is the purpose of the Strategic Plan. ■

## The Yearly Planning Cycle

Following are the steps in the yearly planning cycle, which begins with the Strategic Plan evaluation and update, and is completed with budget preparation. ■



## PUBLIC MODELS OF STRATEGIC PLANNING

### State of Oregon

The State of Oregon began its first strategic planning process when Neil Goldschmidt became Governor in 1987.

It was initiated by the Governor with the Trade and Economic Development Committee (Cohen, Carter, Bunn, Fawbusch).

A document titled "Oregon Shines" was drafted by over 100 participants, mostly from business with some government participation. It was brought back to the legislature and labelled "Part I."

"Part II" is called "Oregon Benchmarks". The legislature adopted "measurable goals" (5 year), and a process which they called "benchmarks" to guide the state's implementation of these goals and its strategy over the next 20 to 30 years. They also funded the Progress Board, a state agency to oversee this planning process.

An "Oregon Benchmarks Report" was published and adopted by the legislature.

During the summer of 1990, a series of regional workshops were held through-out the state, each including roughly 50-60 people. There was a heavy emphasis on public comment and included legislators, local government officials, institutions and opinion leaders as well as citizens.

Duncan Wyse, the director of the Progress Board, sees this process evolving over two to three bienniums.

#### Key points:

- State adopted long range plan, "Oregon Shines";
- 5 year results-oriented goals as part of the plan;
- Measurements (benchmarks) created to monitor the state's progress in achieving its strategic goals over the next 20-30 years;
- Process will take 2 to 3 bienniums to evolve.

#### Implications for METRO:

Council could adopt a similar process including "district meetings" to discuss a draft METRO mission/vision/regional goals as part of a METRO process.

Duncan asked: "Is this a plan for METRO (the agency) or for the region(its liveability)?"

Contact: Duncan Wyse

### Port of Portland.

The Port Commission does not adopt the strategic plan. It adopts the budget. The plan is written by the Executive Director and his directors/managers. The Commission's concurrence with the budget submitted is considered approval of the plan.

Susan Schreiber works with a series of commission task forces, each with no more than four members, because of the public meeting law. There is no vote taken in these task forces.

Each task force is briefed on their subject area, for example, the top ten strategic objectives in aviation.

Susan is careful about calling this a "strategic plan" and believes METRO should also proceed cautiously. She stated that strategic planning in the public sector is really a management tool, rather than a policy setting process.

She also echoed Duncan Wyse's view, that it will take 3 to 5 years before the Port has its process complete.

**Key point:**

METRO should view this process as a management tool to introduce strategic thinking in to the organization.

Contact: Susan Schreiber

Tri-Met

Tri-Met does not really have a strategic planning process. Bill Robertson thought that it was likely that it would when Tom Walsh becomes General Manager in July, 1991.

Robertson believes that "strategy has to reflect a cohesive vision of where things are going" and the role of a commission is to represent different perspectives and to use those viewpoints to examine what the organization is doing.

Contact: Bill Robertson

City of Portland

The City is currently going through a process they call "Portland Future Focus" which began in April 1990 following the Civic Index project. It has a citizen policy committee of 55 (which includes Bill Robertson, Rena Cusma, Bob Woodell), has its own staff and is additionally staffed from PDC and other city agencies.

They have done an "environmental scan", a survey of community values, created two scenarios for a future vision ( a preferred vision and a probable vision), identified six strategic goals and are now forming citizen task forces around each of these goals to write specific strategies and action plans. It is assumed that implementation of these action plans will be done by a range of organizations including the City, METRO, the United Way, Chamber of Commerce, etc.

**Key point:**

This is a citizen based process, more focused on crafting a common community vision of the future than applying a strategic management model to government.

Contact: Martha Bennett

Washington County

Washington County went through a process labelled "County 2000" when they noticed that there was an inter-relationship between many of their identified issue areas.

Should they take "reactive tactics", ie. hold town meetings to identify goals and objectives or "proactive tactics", first establish a plan of action and then share a draft with the community. They decided on the latter.

They took a public opinion poll, ascertained the values and direction the Board wanted the County to pursue, and then set a course of action focused on where the County should be in the year

2000. The focus was on "what we want to be" rather than "what we are."

They broke the draft proposal into small pieces and then held work sessions which included the Board, department heads and administration. The Board adopted a discussion draft that was then taken on a "road show."

Held many town meetings, included opinion leaders, business leaders, citizens, special interests; generated a lot of press; created a lot of publicity.

Found not much general public interest in "goals and objectives." Public is interested in implications.

Board adopted plan. It has made a big difference in ability to focus county direction. The Board uses it every year to make program decisions --"does that program fit with our strategic plan?" The plan takes them out of the business of incremental decision making leading to the addition of new services. Has made budget deliberations much more efficient and targeted.

**Key point:**

This is a process focused on strategic management and fiscal responsibility --- managing the present to get to a vision of "County 2000" --- as opposed to the City of Portland or the State of Oregon's more citizen based/consensus building future/vision focus.

Contact: Charles Cameron

FINANCE COMMITTEE REPORT

Council  
2/14/91  
# 5.2

RESOLUTION NO. 91-1398A, FOR THE PURPOSE OF AUTHORIZING THE  
RELEASE OF A REQUEST FOR PROPOSAL FOR GENERAL TECHNICAL  
SERVICES

Date: February 12, 1991

Presented by: Councilor Hansen

COMMITTEE RECOMMENDATION: The Committee at its February 7, 1991 meeting voted unanimously to recommend Council adoption of Resolution No. 91-1398A as amended. Voting yes were Councilors Devlin, Hansen, Van Bergen and Wyers. Councilor Buchanan was excused.

COMMITTEE DISCUSSION / ISSUES: Neil Saling, Acting Finance and Administration Director, presented the staff report. He indicated that this Request for Proposal (RFP) is for an unanticipated multi-year contract and as such requires Council approval to release the RFP for response. The proposed resources to be acquired are technical services in support of capital construction and facilities development activities including engineering and architectural services. The approach to this contract is similar to the approach used for the District's general financial services contract. That is, a professional firm will be retained for a three year period to respond to needs of the various Metro Departments on an as needed basis. This approach expedites the process to acquire standard engineering/architectural services on a timely basis.

Mr. Saling indicated that the operating departments could request up to \$50,000 in work for the remainder of this fiscal year and approximately \$50,000 to \$75,000 in each of the next two fiscal years.

In response to questions from Committee members and Council staff, Mr. Saling pointed out that 1) his department would manage the contract by responding to requests for needed services from operating departments; 2) the costs for these services would be budgeted and directly expended in the appropriate operating funds (Zoo, Solid Waste, Metro Exposition-Recreation Commission, etc.); and 3) the Council will have an opportunity to review and budget funds for the contract in future fiscal years.

Councilor Devlin pointed out that the Resolution as proposed waives subsequent Council review and approval of the contract after the procurement process is complete. He proposed an amendment which the Committee accepted which authorizes the Executive Officer to execute a contract for these services on the condition that this initial contract does not exceed \$150,000, and the scope of work in the contract is substantially similar to that described in the Request for Proposal.



BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 91-1398A
THE RELEASE OF AN RFP FOR	)	
GENERAL TECHNICAL SERVICES IN	)	Introduced by Rena Cusma,
SUPPORT OF ITS CAPITAL	)	Executive Officer
IMPROVEMENT AND FACILITY	)	
DEVELOPMENT PROGRAMS	)	

WHEREAS, the Metropolitan Service District (METRO)  
anticipates a continuing responsibility for the planning, design  
and construction of a wide range of public facilities; and

WHEREAS, METRO has a limited in-house capability for  
performing technical services and analyses associated with its  
facilities development programs; and

WHEREAS, METRO desires to augment its in-house  
capabilities with a single consultant or point of contact within  
a consulting firm which can provide for a wide range of technical  
services; and

WHEREAS, the request for proposals has been subjected to  
Metro's internal review procedures; and

WHEREAS, the contract is subject to Council review and  
approval pursuant to Metro Code 2.04.033;

BE IT RESOLVED,

The Council of the Metropolitan Service District hereby  
authorizes the [~~attached~~] Request for Proposals for General  
Technical Services attached as Exhibit A to be issued by Metro's

Finance and Administration Department and, [~~pursuant to Metro Code 2.04.033 (b), waives the requirement for Council review of the contract and~~] authorizes the Executive Officer to execute [the] a contract provided the contract does not exceed \$150,000 and the scope of the work is substantially similar to that described in the request for proposal.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

\_\_\_\_\_  
Tanya Collier, Presiding Officer

**TRANSPORTATION and PLANNING COMMITTEE REPORT**

RESOLUTION NO. 91-1394,  
AUTHORIZING a SOLE SOURCE CONTRACT  
under METRO CODE 2.04.060

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Date: February 13, 1991      Presented by: Councilor Bauer

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COMMITTEE RECOMMENDATION

At its February 12, 1991 meeting, the Transportation and Planning Committee voted unanimously (Bauer, Gardner, McLain, and Van Bergen; Devlin absent) to recommend the Contract Review Board adopt Resolution No. 91-1394, exempting Transportation's EMME/2 computer license upgrade from public bidding or applicable alternative procurement procedure as a sole source agreement pursuant to Metro Code Section 2.04.060.

The Committee found that the upgrade of its EMME/2 software is the software upgrade Transportation needs, that INRO is the only qualified provider of the upgraded EMME/2 license, and that the contract (\$18,700) exceeds \$2,500.

BACKGROUND

Code Section 2.04.060 requires the initiating department to document that there is only one qualified provider of the service required, and that a sole source contract may not exceed \$2,500 unless the Contract Review Board shall have specifically exempted the contract from the public bidding or applicable alternative procurement procedure.

Transportation has significantly increased its data processing requirements. It is replacing its computer, and needs to upgrade its software as well. It has been using EMME/2 for eight years, with several previous upgrades of that license. Only Inro Consultants, Inc. supplies this software. The cost depends upon the size and speed of the computer.

In Ordinance No. 90-374, Council amended Transportation's FY 90-91 budget to allow for computer acquisitions including this upgrade of this software license.

COMMITTEE DISCUSSION/ISSUES

There was no discussion.