



METRO

Agenda

MEETING: METRO COUNCIL
DATE: November 05, 2009
DAY: Thursday
TIME: 2:00 p.m.
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

**3. IMPLEMENTING THE COMMUNITY INVESTMENT TOOLKIT:
COTTAGE HOUSING AND THE CITY OF WOOD VILLAGE;
PRESENTATION**

4. CONSENT AGENDA

4.1 Consideration of Minutes for the October 22, 2009 Metro Council Regular Meeting.

4.2 **Resolution No. 09-4081**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Non-System License Jointly to Allied Waste of Clackamas and Washington Counties and Willamette Resources, Inc. for Delivery of Source-Separated Pre-and Post-Consumer Food Waste to the Processing and Recovery Center for Composting.

4.3 **Resolution No. 09-4083**, For the Purpose of Confirming the Appointments of Greg Madden and Elizabeth Patte to the Metro Central Station Community Enhancement Committee.

5. ORDINANCES – FIRST READING

5.1 **Ordinance No. 09-1222**, For the Purpose of Amending Metro Code Title II, Administration and Procedures, to Revise the Purpose and Membership of the Solid Waste Advisory Committee. Bragdon

5.2 **Ordinance No. 09-1223**, For the Purpose of Amending Metro Code Chapter 5.02 to Adopt Solid Waste Rate Setting Procedures, and Amending Metro Code Chapter 2.19 to Repeal the Solid Waste Rate Review Committee. Bragdon

6. RESOLUTIONS

6.1 EXECUTIVE SESSION TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS

6.2 **Resolution No. 09-4084**, For the Purpose of Amending the Natural Areas Acquisition Refinement Plan for the Columbia Slough Target Area and Approving the Expenditure of Natural Areas Bond Measure Funds for Trail Construction at Blue Lake Regional Park.

7. CHIEF OPERATING OFFICER COMMUNICATION

8. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for November 5, 2009 Metro Council meeting

Clackamas, Multnomah and Washington counties, and Vancouver, Wash. Channel 11 – Community Access Network www.tvctv.org – (503) 629-8534 2 p.m. Thursday, November 5 (Live)	Portland Channel 30 (CityNet 30) – Portland Community Media www.pcmv.org – (503) 288-1515 8:30 p.m. Sunday, November 8 2 p.m. Monday, November 9
Gresham Channel 30 – MCTV www.mctv.org – (503) 491-7636 2 p.m. Monday, November 9	Washington County Channel 30 – TVC-TV www.tvctv.org – (503) 629-8534 11 p.m. Saturday, November 7 11 p.m. Sunday, November 8 6 a.m. Tuesday, November 10 4 p.m. Wednesday, November 11
Oregon City, Gladstone Channel 28 – Willamette Falls Television www.wftvaccess.com – (503) 650-0275 Call or visit website for program times.	West Linn Channel 30 – Willamette Falls Television www.wftvaccess.com – (503) 650-0275 Call or visit website for program times.

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

Agenda items may not be considered in the exact order in which they are listed. If you have questions about the agenda, please call the Council Office at (503) 797-1540. Public hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Council Office to be included in the decision record. Documents may be submitted by e-mail, fax, mail or in person at the Council Office. For additional information about testifying before the Metro Council, and for other public comment opportunities, please go to this section of the Metro website www.oregonmetro.gov/participate. For assistance per the American Disabilities Act (ADA), dial Metro’s TDD line (503) 797-1804 or (503) 797-1540 for the Council Office.

Agenda Item Number 3.0

**IMPLEMENTING THE COMMUNITY INVESTMENT TOOLKIT:
COTTAGE HOUSING AND THE CITY OF WOOD VILLAGE;
PRESENTATION**

PRESENTED BY CHRIS DEFFEBACH, MIRANDA BATESCHELL,
AND STAFF

Metro Council Meeting
Thursday, November 5, 2009
Metro Council Chamber



Date: Monday, Oct. 26, 2009
To: Metro Council
From: Miranda Bateschell, Associate Regional Planner
Subject: Implementing the Community Investment Toolkit: Cottage Housing and the City of Wood Village

The Community Investment Toolkit is part of Metro's effort to provide local jurisdictions with innovative planning and financial tools to achieve community development goals and the 2040 Growth Concept. Highlighted in the second volume of Metro's Community Investment Toolkit, *Innovative Design and Development Codes*, cottage housing is a model of clustered single family housing that provides a new housing opportunity in the region, particularly in transition areas between existing single family neighborhoods and vertical development in centers and along corridors. While the scale of cottage housing fits the character of single-family neighborhoods, it also offers double the density. The City of Wood Village approached Metro for technical assistance on how to implement cottage housing standards for the City. The attached case study outlines how Metro and the City of Wood Village partnered and includes a regional model code for cottage housing.

Project Overview

Metro and the City of Wood Village entered into an intergovernmental agreement and worked together to research existing cottage housing developments and create cottage style housing standards for the City of Wood Village. The team looked at existing case studies in Washington State and similar projects around the Portland metro region, and then assessed the feasibility of applying cottage housing in the City of Wood Village. As a result, on September 15, 2009, the Wood Village City Council unanimously passed a cottage housing ordinance and adopted cottage housing standards into their municipal code.

Cottage housing will be an allowed use in the multi-family residential zones between dense, mixed-use development and surrounding single family neighborhoods. Adoption of cottage housing will offer a variety of more thoughtful housing options for the city's residents while allowing for an increase in density of 100% in these zones. Ultimately this will lead to a development pattern in the City that maximizes land values, reduces infrastructure costs, and provides much needed, more affordable housing next to services. In addition to the cottage housing tool, the City of Wood Village has worked proactively to implement other tools from Metro's Community Investment Toolkit, including a Vertical Housing Development Zone, Urban Renewal and zoning code updates.

The partnership between Metro and the City led to the development of a Model for Cottage Housing Standards in the region, as well as the cottage housing case study that outlines Wood Village's story. Both documents will be made available to our local jurisdictions so that they may also implement this innovative design tool. Metro staff will continue to pursue partnerships with local jurisdictions to implement tools within the Community Investment Toolkit, including the Regional Model for Cottage Housing Standards.

cc: Mayor Dave Fuller, City of Wood Village
Sheila Ritz, City of Wood Village Administrator
Robin McArthur, Planning and Development Director
Christina Deffebach, Planning Manager
John Williams, Planning Manager
Carole Connell, Planning Consultant to the City of Wood Village



www.oregonmetro.gov

COMMUNITY
INVESTMENT
TOOLKIT
VOLUME 2

CASE STUDY

Cottage housing in the City of Wood Village

Cottage housing is a new model of clustered single family housing that provides a transition between single family housing neighborhoods and higher density areas, creating a development pattern that maximizes land values, reduces infrastructure costs and provides housing next to services. As the region implements the 2040 Growth Concept, the long range growth plan, Metro is working to help communities address the stark differences in scale, density and use that often appear between established neighborhoods and newer, higher density commercial or residential development in town centers and corridors. These transitions underutilize land and create a disjointed development pattern, often undermining the capacity of the region and the character of our communities.

Metro highlighted cottage housing in the **Community Investment Toolkit: Innovative Design and Development Codes**. After learning of cottage housing in the toolkit, the City of Wood Village researched the concept further in partnership with Metro and adopted minor adjustments to their development code to facilitate cottage housing developments in their community. The City's experience illustrates how local governments in the region can use innovative strategies to build vibrant, sustainable communities. This case study summarizes this research for use by other communities who may wish to consider cottage housing.

Cottage housing

Cottage housing is used as a creative infill development between higher density mixed-use areas and established neighborhoods of lower density single family housing. The coordinated design plan and smaller units of cottage housing developments allow densities that are somewhat higher than typical single-family neighborhoods, similar to the density of attached row houses, but minimize impacts on adjacent residential areas because of their smaller overall bulk and scale. While a cottage housing development focuses internally to the central outdoor space, the project maintains visual and pedestrian connections with the existing neighborhood in form and scale and with windows, doors and porches on the exterior façade oriented to human activity on the street.

“The City of Wood Village is leading the way in applying an innovative tool that promotes efficient land use and supports their community vision. Metro looks forward to more partnerships like this with other communities around the region.”

– Rod Park,
Metro Councilor

From a homeowner’s perspective, cottage housing offers an alternative housing opportunity that is responsive to changing household demographics, lifestyles and housing needs. Although average household size is decreasing, single-family housing still remains the preferred housing type. Cottage housing maintains a single-family housing environment by providing a small private yard space and detached units, but combines it with the affordable cost and reduced maintenance attributes of attached housing. The site design also encourages neighborhood interaction and safety by orienting homes around a functional community space. Community spaces are designed to be usable and can be easily tailored to the needs of the residents (e.g. past developments have used the space as an art studio, a workshop equipped with shared facilities, or a community garden). Cottage housing is therefore ideal for retirees wanting to downsize but remain in a single family neighborhood, as well as for small families and single parent households desiring homeownership.

cottage house: 1000sf max
650 sf max first floor

Cottage housing layout

Cottage housing is generally defined as a development of small, detached single-family dwelling units clustered around a central outdoor common space within a coordinated site plan. The cottage units are smaller than single-family houses and are often oriented toward the common space. While houses share amenities such as open space, gardens, a workshop, or a community building, each cottage house also has its own yard and the privacy of a roofed porch.

common use building

private open space

common open space

covered porch

Nuts and bolts

Because cottage housing demands more compact development, existing code often must be modified to allow for reduced minimum lot size and setback requirements. The table on page 4 outlines the model cottage housing standards based on successful developments in the state of Washington. Key elements of the model development standards include:

Higher densities than traditional single family housing. Cottage housing densities typically require a low lot coverage maximum of 40 to 60 percent; moderate density limits such as .35 Floor Area Ratio (FAR); two times the zone density allowance; or one unit per 2,000 to 5,000 square feet of land area. Given these densities, cottage housing is marketable and most successful as a transition tool in single family or moderate density multi-family zones where the cottage densities exceed the capacity of the underlying zone. Cottage housing codes can avoid overly dense developments by setting a maximum allowed number of units as well as requiring at least 1,000 feet between developments.

A maximum housing size of 1,000 square feet. When the style was in its infancy, units were between 500 to 600 square feet, but the market has driven up housing size – in some developments to more than 1,500 square feet. In order to maintain the intent of cottage housing, it is recommended that maximum unit size average not exceed 1,000 square feet, with a maximum building height of 18 feet for houses without pitched roofs and 25 feet for houses with pitched roofs.

Usable open space. Development standards encourage the creation of functional community open space not typically required or always available in single family housing developments. For instance, a steep natural ravine on a site may not qualify as usable open space in a cottage housing project because it would be impossible to build a community facility or a community garden with such topographic constraints. In a comparable planned development, a housing developer often requests that such spaces qualify for required open space. To maintain a single family environment, functional private open space is also required for each cottage housing unit.

Quality aesthetics and parking standards. Quality design and aesthetic controls are often required in order to create an efficient use of space and ease transitions between existing developments. Controls for garage and/or parking areas include setbacks of 20 to 40 feet from the street and an average maximum parking requirement of 1.5 parking spaces per unit. Cottage housing codes and projects have also required an average of one space per unit. Allowing reduced parking standards has been successful given the target demographics of cottage housing, goals for increased densities, and the desire for a more flexible, high-quality design. Quality design standards can include required covered front porches and northwest architectural design and materials.

Ownership. Ownership is an important element of the cottage housing style. Usually cottage housing developments are sited on one commonly owned parcel and each cottage is sold as a condominium. However, cottage housing units can also be owned fee-simple by subdividing the land into individual parcels with shared amenities owned in common by the cluster



Salish Pond Cottages
designed by Ross Chapin
Architects

Washington state

Cottage housing is a relatively new concept to the Portland metro area, but has been a popular form of infill development in cities across the state of Washington since the early 1990s. Early success in cities such as Seattle, Kirkland, and Richmond prompted the Seattle Housing Partnership to develop a model code for cottage housing in 2001. The Washington state model code has provided a foundation for cottage housing standards across the state of Washington and was assessed by Metro in the creation of the Regional Model for Cottage Housing Standards included in this case study.

City of Shoreline, Washington

The City of Shoreline, Washington, implemented cottage housing and learned that scaling and density standards are integral to the effectiveness of a cottage housing development. City officials did not include such requirements in their standards, and as a result developers utilized density bonuses and built cottage housing developments with double the density intended by the code. This was compounded by the lack of separation between cottage developments. Due to the resulting appearance of overcrowded units, Shoreline decided to repeal the cottage housing provisions four years after adopting standards into their code.

residents. This model offers a unique home ownership opportunity not commonly available. Ownership models vary and are typically determined by the developer based on the local market, unless the city only allows one of these options in the zoning code.

Development review. Cottage housing provisions are placed within the municipal code. Specific development plans can be reviewed and permitted through various avenues, a decision unique to each jurisdiction. Examples include administrative review, the subdivision process, a design review board, or a public hearing with a design review board or planning commission. When reviewing cottage housing development designs, priority is given to plans with functional, usable open space and a design that meets the intent and definition of cottage housing.

Model cottage housing code

Zones	Vary by city; single family or moderate density multi-family
Lot cover	40 to 60 percent
Density	.35 floor area ratio, twice the existing allowed density; 7-14 units per acre
Unit size	1,000 square feet maximum
Number of units	4 minimum /12 maximum
Height/ridge pitch	18 to 25' with 6:12 minimum slope
Yards front/side/rear	15'/5'/5'
Minimum open space-private/common	300 square feet per unit, minimum dimension of 10'/400 square feet per unit, minimum dimension of 20' with cottage units facing at least two sides
Garage or parking standards	1-1.5 spaces; bundled parking; screened from view. 20' setback
Usable porches	Usable covered porches, minimum 80 square feet with a minimum dimension of 5'
Privacy standards	Minimum 10' distance between structures
Separation of developments	Minimum 1,000 feet
Review procedure	Varies by city
Ownership	Fee-simple subdivided land ownership with shared common space; commonly owned parcel with each cottage sold as a condominium
Other provisions	Quality design and construction provisions. Maximum 3' fences within a development

Keep in mind

Applicability. Cottage housing is an infill development opportunity to bridge transition gaps and create more affordable housing opportunities near amenities. Successful cottage housing standards clearly outline the intent of cottage housing and are allowed by right. They are also placed in their own section of code instead of being buried throughout other code sections, thereby limiting confusion and easing the ability of developers to implement projects.

Flexibility. Overly rigid regulations may hinder the ability of developers to implement projects. Therefore successful cottage housing standards are flexible, outlining a broad set of rules within which the developer can refine the project to fit the specific marketplace and the homeowner. For instance, flexible height restrictions can give developers the creativity to allow for better transitions between zones and may lead to more financially feasible projects. This flexibility is important because full two-story framing is often less expensive than story-and-a-half framing.

Dwelling size. Cottage housing is designed to create cottages as an alternative style of housing to larger single-family homes. Developers desiring to build larger homes may do so under existing development regulations for single family dwelling units. Thus, cottage housing development codes usually limit building mass to 1,000 square feet or less in order to maintain the original intent of cottage housing. Limiting dwelling size also ensures that cottage housing developments can serve as an effective tool to bridge transitions.

Scaling. Creating a compact, aesthetically pleasing development pattern through scaling requirements is also a key element of cottage housing. A minimum of four units per cluster is needed in order to create a coordinated site design, while a maximum of 12 units will prevent an over abundance of housing. In cities like Shoreline, Wash., having no maximum resulted in abuse of density bonuses and massive developments that undermined the effectiveness of cottage housing as a tool for bridging transitions.

Parking. In cottage housing standards, parking requirements are generally limited and preferably clustered off to the side or in an adjoining alley. Direct individual driveway access to the street is not necessary. Limiting parking helps achieve the goals of cottage housing in increasing density and creating a more pedestrian-friendly atmosphere. It also increases flexibility, allowing developers to be more creative with site design to increase a project's overall quality and its financial feasibility.

Affordability. Providing high-quality housing units at an affordable price is one of the primary goals of cottage housing developments. Due to its small scale, cottage housing is often a more affordable alternative to traditional single family housing. In the areas surveyed, cottage housing units were typically 20 to 30 percent below traditional market housing. Incentives can be placed to ensure affordability, including relaxing standards for architectural or building material regulations. This is particularly useful in areas with higher housing costs where the market often demands quality construction anyway.



Danielson Grove Cottages designed by Ross Chapin Architects and developed by The Cottage Company

“I think it’s a significant trend, better rather than bigger, quality over quantity. It’s something people have been waiting for. It takes more work, details and supervision but – like the old pre-1940s craftsman homes with mantels and casings – they are homes that get a premium price.”

– Jim Soules,
Cottage Company, LLC

Putting it together

“To address the realities of a limited land supply and changing demographics, the City of Wood Village has worked with Metro to identify a number of innovative solutions. Cottage housing allows the City to use our land more efficiently, while providing greatly needed housing next to services.”

– Sheila Ritz,
City of Wood Village
Administrator

After attending a presentation by Metro on the Community Investment Toolkit, staff from the City of Wood Village became interested in cottage housing as a good fit for redevelopment of underutilized residential land, particularly in transition areas between high density residential or commercial uses and single family residential areas. Given the limited land supply, the City felt it was important to offer a variety of more thoughtful housing options than the traditional single family subdivisions, duplex rentals or leased manufactured home lots. By pursuing cottage housing, the City was looking to promote quality craftsmanship and desirable growth in their existing neighborhoods.

Creating cottage housing standards for Wood Village

City staff contacted Metro for technical assistance to research successful cottage housing developments in other cities and to help create cottage-style housing provisions for the City of Wood Village. Metro staff and city planners researched the cottage housing model code from the state of Washington, as well as cottage housing zoning requirements in the following cities in the state of Washington: Federal Way, Kirkland, Langley, Port Townsend, Redmond, Seattle and Shoreline. Metro and City staff also reviewed similar development projects within the Portland metropolitan region, including Salidge Ponds in Fairview and the “Common Green” housing developments in Portland.

Metro worked with City staff to synthesize the findings of the research and to address how cottage housing could be adapted to the City of Wood Village, both geographically in terms of where cottage housing would work within the city and in terms of how to incorporate cottage housing standards into City code.

After reviewing areas where cottage housing would be most beneficial, the City decided to include this type of housing as an approved use in the Multi Residential MR2 and MR4 zones. They selected these zones because they represent the transition areas adjoining the town center, the Halsey Street corridor and the neighborhood commercial zone to single-family neighborhoods. These areas also include larger parcels of land that have re-development potential and are generally flat for usable open space. The adjacent town center and neighborhood commercial zones offer cottage housing developments easy access to services and frequent transit routes. Cottage housing developments in these areas will be subject to the standards adopted into the City of Wood Village’s zoning code as well as subdivision and/or design review approval by the planning commission.

In the preliminary development of the special cottage housing development standards, the City considered no limitation to the square footage of each unit and also considered more off-street parking than other jurisdictions because of the narrow streets and the number and size of vehicles per household. Staff and the planning commission eventually recommended to the City Council that a dwelling unit size limitation of 1,200 square feet was important to preserve the overall cottage housing character of single family mass and scale and to assure compact development. They also recommended a reduction in the minimum number of off-street parking spaces required from 1.5 to 1 space per dwelling, to be consistent with the existing single-family dwelling minimum parking standard. The planning commission recommended including individual garages with design standards, set back and to the side or

rear of each unit to respond to the characteristics and suspected demand of their community. They also recommended limited parking structures or parking lots to be closer to streets in certain circumstances in order to maximize internal common spaces, given the successful results of these standards implemented in other jurisdictions. Staff and the planning commission also outlined and recommended inclusion of architectural elements and material standards in order to ensure quality cottage craftsmanship.

In order to better respond to the market and changing demographics, the Wood Village Planning Commission decided to offer either fee-simple ownership through the subdivision of land or condominium ownership of each detached dwelling. The choice will be up to the developer, although land ownership is encouraged. The commission also recommended an increase in the maximum height of a pitched roof to 30 feet (versus 25 feet in the model) for more flexible design options. The Wood Village City Council agreed with these recommendations and unanimously adopted the cottage housing standards as recommended by the planning commission.

The City adopted these special cottage housing standards within the multi-family housing section of the City's zoning code. Thus, this type of housing is a use allowed by right if a developer meets the outlined standards. In doing so, the City chose not to embed the cottage housing standards within more complicated sections of its code that require more rigorous review processes, such as the Planned Use Development requirements, in order to ease implementation for developers. By making these decisions and choosing to maintain the other elements of cottage housing, the resulting cottage housing standards for the City of Wood Village adhere to the original intent of cottage housing and are consistent with the lessons learned in the cities in the state of Washington.

Tips for implementation

- Focus on the intent of cottage housing and how it fits into the context of transition zones within your community.
- Isolate areas where you think cottage housing would work and talk to the community to get feedback.
- Hold a public hearing to fully explain the intent of cottage housing and the benefits of its use as a housing option and transition tool.
- Invite housing developers and gather feedback from them, as well as local citizens, in order to guide the local cottage housing development standards.
- Make standards easy to understand. Include images for clarification.
- Make standards easy to implement by creating a special section for cottage housing within the city's zoning code.



Hastings Green developed by Northwest Pacific Development Group through Portland's "Common Green" provisions

City of Portland

While the City of Portland does not have cottage housing, it offers a similar style called "Common Green" housing provisions. Hastings Green in the South Tabor neighborhood at Southeast Clinton between 70th and 71st completed phase one development in 2003 and includes 13 single-family dwellings. The well-designed, high-quality units sold as condominiums, each with about 1,100 square feet and one to two bedrooms. A common space in the center of the units is used by residents as a community garden and clustered parking is provided. The first 10 units sold in six weeks. Phase two, constructed across the street, sold out prior to completion. The project has a density of 14 dwelling units per acre.

Metro

People places. Open spaces.

Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy and good transportation choices for people and businesses in our region. Voters have asked Metro to help with the challenges that cross those lines and affect the 25 cities and three counties in the Portland metropolitan area.

A regional approach simply makes sense when it comes to protecting open space, caring for parks, planning for the best use of land, managing garbage disposal and increasing recycling. Metro oversees world-class facilities such as the Oregon Zoo, which contributes to conservation and education, and the Oregon Convention Center, which benefits the region's economy.

Metro Council

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District 2

Carl Hosticka
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Kathryn Harrington
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Rex Burkholder
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Robert Liberty
District 6

Auditor

Suzanne Flynn

Resources

For more information on the Regional Model for Cottage Housing Standards, contact:

Metro

600 NE Grand Ave.
Portland, OR 97232
503-797-1839
www.oregonmetro.gov/communityinvestment

For more information on the City of Wood Village Cottage Housing Standards, contact:

City of Wood Village

2055 NE 238th Drive
Wood Village, OR 97060
503-667-6211
Staff contact: Carole Connell, AICP
www.ci.wood-village.or.us/

For more information on the Washington Model Code for Cottage Housing, contact:

Michael Luis and Associates

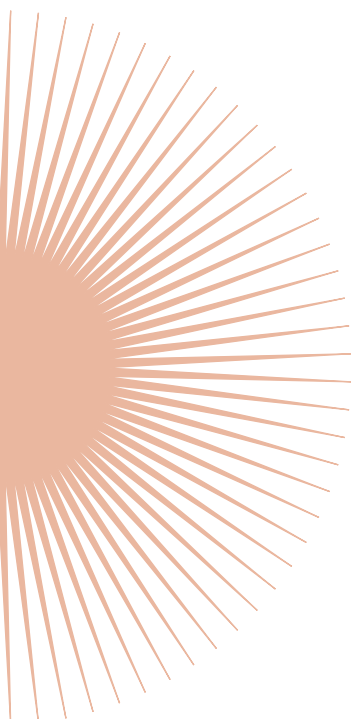
P.O. Box 15
Medina, WA 98039
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For more information on Portland's Common Green Provisions, contact:

City of Portland

Bureau of Planning and Sustainability
1900 SW 4th Avenue
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Portland, OR 97201
503-823-7700
www.portlandonline.com/bps
You can also access the provisions online in the "Infill Design Toolbox" at:
www.portlandonline.com/bps/index.cfm?c=49254

Regional Model for Cottage Housing Standards



A. Intent

1. Support the growth management goal of more efficient use of urban residential land;
2. Support development of diverse housing in accordance with the Comprehensive Plan;
3. Increase the variety of housing types available for smaller households;
4. Provide opportunities for small, detached dwelling units within existing neighborhoods;
5. Provide opportunities for creative, diverse, and high quality infill development that is compatible with existing neighborhoods.

B. Definition of cottage housing development

A development of detached dwellings which has the following characteristics:

1. Each unit is of a size and function suitable for a single person or small family;
2. Each unit has the construction characteristics of a single-family house;
3. The density of the development is typically 7 to 14 units per acre;
4. Units are for residential use only and may not be operated as transient accommodations;
5. The development is designed with a coherent concept and includes: private and shared usable open space, off-street parking, access within the site and from the site, amenities such as a multipurpose room, workshop, garden, and a coordinated landscape plan;
6. Cottage design incorporates classic cottage features or northwest style using quality materials.

C. Small, compact dwellings

The total floor area of each cottage unit shall not exceed 1,000 square feet. Total floor area is the area included with the surrounding exterior walls, but excluding any space where the floor to ceiling height is less than six feet.

D. Number of cottages allowed

Two cottage housing units shall be allowed in place of each single family home allowed by the base density of the district.

E. Small clusters of cottages

Cottage housing units shall be developed in clusters of a minimum of 4 units to a maximum of 12 units.

F. Separation of developments

Cottage housing developments shall be separate from each other by at least 1,000 feet.

G. Maximum height

The height limit for all structures shall not exceed 18 feet. Cottages or amenity buildings having pitched roofs with a minimum slope of 6:12 may extend up to 25 feet at the ridge of the roof.

H. Common space

Cottage housing units shall be oriented around a central common space. The common open space must be at least 400 square feet per cottage housing unit. The common space shall have cottage units facing at least two sides. Open space with a dimension of less than 20 feet shall not be included in the calculated common open space.

For more information:

503-797-1839
www.oregonmetro.gov/
communityinvestment

Metro

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Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy and good transportation choices for people and businesses in our region. Voters have asked Metro to help with the challenges that cross those lines and affect the 25 cities and three counties in the Portland metropolitan area.

A regional approach simply makes sense when it comes to protecting open space, caring for parks, planning for the best use of land, managing garbage disposal and increasing recycling. Metro oversees world-class facilities such as the Oregon Zoo, which contributes to conservation and education, and the Oregon Convention Center, which benefits the region's economy.

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Auditor
Suzanne Flynn

Fall 2009

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09385

I. Private ground space

Each cottage housing unit shall be provided with a private use open space on the ground of at least 300 square feet with no dimension of less than 10 feet on one side. It should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented toward the common open space.

J. Ownership

Cottages are for residential use only and may not be operated as transient accommodations. Cottage housing developments are sited on one commonly owned property, or individual parcels may be created by subdividing the land with shared amenities owned in common.

K. Separation of structures

All structures shall maintain no less than 10 feet of separation within the cluster. Eaves may project into the required separation up to 12 inches.

L. Parking requirements

There shall be at least one off street parking space per dwelling unit.

M. Parking design (lots or structures)

1. Setback a minimum of 5 to 20 feet from the street, depending on the orientation of the structure or lot. If the structure or lot is perpendicular to the street, the narrow dimension may be within 5 feet of the street. If parallel to the street the lot or structure must be at least 20 feet from the street;
2. Clustered and separated from the common areas by landscaping and/or an architectural screen. Solid board fencing shall not be allowed as an architectural screen;
3. Screened from public streets and adjacent residential uses by a landscaping and/or architectural screen, which shall not include a solid board fence.

N. Setbacks

Setbacks for all structures from the property lines shall be an average of 10 feet, but shall not be less than 5 feet and not less than 15 feet from a public street.

O. Usable porches

Each unit shall have a covered porch with an area of at least 80 square feet and a minimum dimension of 5 feet. The porches on at least half the units shall face the common space.

P. Fences

All fences on the interior of the development shall be no more than 3 feet in height. Fences along the exterior of the development may be up to 6 feet in height, except as restricted by intersection clear vision standards. Chain link fences shall not be allowed.

Q. Maximum lot coverage

The total footprint of all structures shall not exceed 40 percent of the site area. Impervious surfaces shall not exceed 60 percent of the site area.

R. Architectural elements and materials

Cottages fronting a street shall avoid blank walls by including at least one of the following:

1. Changes in exterior siding material and paint color;
2. Windows which may include bay windows; and/or
3. Building modulation with a depth measuring at least one foot.

Structures shall be provided with substantial exterior trim elements consistent with traditional northwest cottage design and small home craftsmanship.

Note: The Regional Model for Cottage Housing Standards was adapted from successful cottage housing developments in the state of Washington and the Washington cottage housing model code.

Agenda Item Number 4.1

Consideration of Minutes for the October 22, 2009 Metro Council Regular Meeting.

Consent Agenda

Metro Council Meeting
Thursday, November 5, 2009
Metro Council Chamber

MINUTES OF THE METRO COUNCIL MEETING

Thursday, October 22, 2009
Metro Council Chamber

Councilors Present: Kathryn Harrington, Robert Liberty, Rex Burkholder, Rod Park, Carl Hosticka, Carlotta Collette

Councilors Absent: David Bragdon (excused)

Deputy Council President Harrington convened the Regular Council Meeting at 2:00 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

R.J. Claus, Sherwood, provided testimony on Sherwood development issues and other Sherwood policy issues.

Susan Claus, Sherwood, provided testimony on citizen involvement issues in Sherwood and provided examples of public records requests issues. Councilor Burkholder provided state contacts and information on how to alleviate the issues.

3. AUDITOR'S ANNUAL REPORT

Suzanne Flynn, Metro Auditor, presented a Powerpoint presentation on her Annual Audit Report (see meeting packet for slides and report). She provided a framework for the audit and thanked her staff for their work. She described steps and procedures involved in the audit. Councilor Burkholder asked about comparative audits. Councilor Harrington asked about norms and improvement area measurements. Councilor Collette asked about purpose of processes. Councilor Liberty asked about scope of transportation project audit outcomes.

Deputy Council President Harrington discussed values of audits and the necessity of receiving annual reports. Councilor Burkholder asked about costs associated with audits and the need to share auditing practices throughout the agency. Councilor Park asked who audits the "audit" and what the next particular step was.

4. CONSENT AGENDA

Councilor Burkholder motioned to move Resolution No. 09-4080 off the Consent agenda as Resolution No. 09-4080A. No one opposed.

4.1 Consideration of minutes of the October 15, 2009, Regular Council Meeting.

4.2 **Resolution No. 09-4069**, For the Purpose of Updating the Transportation Planning Public Involvement Policy to Conform to Public Involvement Requirements In the Current Federal Transportation Authorization Act.

- 4.3 **Resolution No. 09-4079**, For the Purpose of Authorizing the Chief Operating Officer to Sell Certain Real Property in the Cooper Mountain Target Area.

Motion:

Councilor Burkholder moved to adopt the meeting minutes of the October 15, 2009 Regular Metro Council meeting, Resolution No. 09-4069 and Resolution No. 09-4079.

Vote:

Councilors Burkholder, Harrington, Liberty, Park, Collette and Hosticka voted in support of the motion. The vote was 6 aye, the motion passed.

5. RESOLUTIONS

- 5.1 **Resolution No. 09-4082**, For the Purpose of Authorizing the Chief Operating Officer to Enter Into An Intergovernmental Agreement With the City of Portland for Management of Natural Areas.

Motion:	Councilor Liberty moved to adopt Resolution No. 09-4082.
Seconded:	Councilor Burkholder seconded the motion

Councilor Liberty introduced Resolution No. 09-4082. He discussed specifics of the Intergovernmental agreement (IGA). He introduced property specifics and the context surrounding collaborative management. He introduced Metro staff and City of Portland staff. Jim Desmond, Sustainability Center Director, provided information on the IGA. He discussed ballot measure action and the direction to acquire properties. He discussed “The Intertwine” concept. City of Portland staff presented information on natural areas acquisitions and plans. Councilor Burkholder asked about policy consistencies throughout regional parks. Councilor Hosticka asked about Nature in Neighborhood issues.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Hosticka voted in support of the motion. The vote was 6 aye, the motion passed.

- 5.2 **Resolution No. 09-4080A**, For the Purpose of Proclaiming October 24, 2009 As a Global Day of Climate Action and Recognizing the Number 350 as a Message to the Copenhagen Conference on Climate Change.

Motion:	Councilor Burkholder moved to adopt Resolution No. 09-4080A.
Seconded:	Councilor Hosticka seconded the motion.

Councilor Burkholder described specifics of the event on October 24, 2009 and revisions to the resolution creating an “A” version. He discussed the importance of climate engagement and participation and urged approval and support. Councilor Liberty discussed history of the carbon levels and global movements. Councilor Burkholder closed with a note of urgency to take action and change.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Hosticka voted

in support of the motion. The vote was 6 aye, the motion passed.

6. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, provided updates on agency issues, including design and remodeling of conference rooms on the 3rd floor in the Metro Regional Center.

7. COUNCILOR COMMUNICATION

Councilors discussed events and meetings they had attended, and provided stories from regional interactions.

8. ADJOURN

There being no further business to come before the Metro Council, Deputy Council President Harrington adjourned the meeting at 3:30 p.m.

Prepared by

A handwritten signature in black ink, appearing to read 'Tony Andersen', written in a cursive style.

Tony Andersen
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
October 22, 2009

Item	Topic	Doc. Date	Document Description	Doc. Number
5.2	Resolution	10/22/09	Resolution No. 09-4080A	102209c-1

Agenda Item Number 4.2

Resolution No. 09-4081, For the Purpose of Authorizing the Chief Operating Officer to Issue a Non-System License Jointly to Allied Waste of Clackamas and Washington Counties and Willamette Resources, Inc. for Delivery of Source-Separated Pre-and Post-Consumer Food Waste to the Processing and Recovery Center for Composting.

Consent Agenda

Metro Council Meeting
Thursday, November 5, 2009
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE)	
CHIEF OPERATING OFFICER TO ISSUE A NON-	)	RESOLUTION NO. 09-4081
SYSTEM LICENSE JOINTLY TO ALLIED WASTE)	
OF CLACKAMAS AND WASHINGTON	)	Introduced by Michael Jordan,
COUNTIES AND WILLAMETTE RESOURCES,	)	Chief Operating Officer, with the concurrence
INC. FOR DELIVERY OF SOURCE-SEPARATED	)	of David Bragdon, Council President
PRE-AND POST-CONSUMER FOOD WASTE TO)	
THE PROCESSING AND RECOVERY CENTER)	
FACILITY FOR COMPOSTING)	

WHEREAS, the Metro Code requires a non-system license of any person that delivers putrescible solid waste generated from within the Metro boundary to a non-system disposal facility; and

WHEREAS, Allied Waste of Clackamas and Washington Counties and Willamette Resources, Inc. have applied for a non-system license to deliver source separated, pre-and post-consumer food waste from its customers to the Processing and Recovery Center composting facility under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control"; and

WHEREAS, the non-system license application conforms with the requirements of Chapter 5.05 of the Code; and,

WHEREAS, the Chief Operating Officer has analyzed the application and recommended approval of the applicant's request for a non-system license with the conditions and in the form attached to this resolution as Exhibit A; now therefore,

BE IT RESOLVED that the Metro Council authorizes the Chief Operating Officer to issue a non-system license jointly to Allied Waste of Clackamas and Washington Counties and Willamette Resources, Inc. in a form substantially similar to the license attached as Exhibit A.

ADOPTED by the Metro Council this ____ day of _____, 2009.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
 TEL 503 797 1650 | FAX 503 813 7544



METRO

**METRO SOLID WASTE FACILITY
 NON-SYSTEM LICENSE**

No. N-005-09(4)

LICENSEE:			
Allied Waste of Clackamas and Washington Counties 10295 SW Ridder Road Wilsonville, OR 97070		Willamette Resources, Inc. 10295 SW Ridder Road Wilsonville, OR 97070	
CONTACT PERSON:			
Phone :	Carol Dion 503-570-0626	Frank Lonergan 503-682-3900	Ray Phelps 503-784-3516
Fax :	503-570-0523	503-682-9505	503-570-0523
Email:	CDion@republicservices.com	FLonergan@republicservices.com	RPhelps@republicservices.com
MAILING ADDRESS:			
Allied Waste of Clackamas and Washington Counties 10295 SW Ridder Road Wilsonville, OR 97070		Willamette Resources, Inc. 10295 SW Ridder Road Wilsonville, OR 97070	

ISSUED BY METRO

 Michael Jordan, Chief Operating Officer

 Date



1	NATURE OF WASTE COVERED BY LICENSE
	Source-separated, pre-and post-consumer food waste (including meat and cheese) generated by customers of Allied Waste of Clackamas and Washington Counties within the Metro region.
2	CALENDAR YEAR TONNAGE LIMITATION
	Licensee is authorized to deliver to the non-system facility listed in Section 3 of this license up to 12,000 tons per calendar year of the waste described in Section 1 of this license.
3	NON-SYSTEM FACILITY
	<p>The Licensee hereunder may deliver the waste described in Section 1, above, only to the following non-system facility for the purpose of processing and composting:</p> <p style="padding-left: 40px;">Processing and Recovery Center 29969 Camp Adair Road Monmouth, OR 97361</p> <p>This license is issued on the condition that the non-system facility listed in this section is authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality that this non-system facility is not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 10 of this license.</p>
4	TERM OF LICENSE
	The term of this license will commence on November 1, 2009 and expire at midnight on December 31, 2011, unless terminated sooner under Section 10 of this license.
5	COVERED LOADS
	The Licensee shall suitably contain and cover, on all sides, all loads of source-separated pre-and post-consumer food that are delivered under authority of this license to prevent spillage of waste while in transit to the non-system facility listed in Section 3 of this license.



6	MATERIAL MANAGEMENT
	<p>The Licensee is authorized to deliver the waste described in Section 1 of this license to the non-system facility listed in Section 3 under the following conditions:</p> <ul style="list-style-type: none">(a) The non-system facility shall accept all solid waste that is delivered under authority of this license for the sole purpose of processing and composting on site. The licensee shall not dispose of any source-separated recyclable material, except as provided in Section 7;(b) The non-system facility shall receive, manage, process, and compost all solid waste that is delivered under authority of this license in accordance with all applicable local, state and federal laws, rules, regulations, ordinances, orders, and permits.

7	REGIONAL SYSTEM FEE AND EXCISE TAX
	<p>The Licensee shall be subject to the following conditions:</p> <ul style="list-style-type: none">(a) Source-separated, pre-and post-consumer food waste that is delivered under authority of this license and is accepted and composted, in accordance with all applicable regulations, at the non-system facility listed in Section 3 is exempt from Regional System Fees and Excise Tax.(b) If the Licensee delivers waste under this license to the non-system facility but the material does not meet the facility's acceptance criteria (e.g., too contaminated for processing or composting) or the non-system facility fails to process and compost the material as required as a condition of this license, the Licensee shall pay to Metro an amount equal to the Regional System Fee, as provided in Metro Code Section 5.02.045, for each ton of waste delivered to the non-system facility that is ultimately disposed of at a solid waste disposal facility.(c) If the Licensee delivers waste under this license to the non-system facility but the material does not meet the facility's acceptance criteria (e.g., too contaminated for processing or composting) or the non-system facility fails to process and compost the material as required as a condition of this license, the Licensee shall pay to Metro an amount equal to the Excise Tax, as provided in Metro Code Section 7.01.020, for each ton of waste delivered to the non-system facility that is ultimately disposed of at a solid waste disposal facility.



8	REPORTING OF ACCIDENTS AND CITATIONS
	Licensee shall report to Metro any significant incidents (such as fires, off-site odor complaints), accidents, and citations involving vehicles transporting the solid waste authorized by this license.
9	RECORD KEEPING AND REPORTING
	<p>(a) The Licensee shall keep and maintain accurate records of the amount of all solid wastes that the Licensee delivers to the non-system facility described in Section 3 of this license. The Licensee shall keep and maintain complete and accurate records of the following for all transactions with the authorized non-system facility:</p> <ul style="list-style-type: none">i. Ticket or weight slip number from the non-system facility;ii. Material category designating the type of material transferred to the non-system facility;iii. Date the load was transferred to the non-system facility;iv. Time the load was transferred to the non-system facility;v. Net weight of the load; andvi. Fee charged by the non-system facility <p>(b) No later than the fifteenth (15th) day of each month, beginning with the first month following the commencement date of this license, Licensee shall transmit the records required under Section 9(a) above, that covers the preceding month, to Metro's Finance and Regulatory Services in an electronic format prescribed by Metro.</p> <p>(c) Licensee shall make all records from which Section 9(a) above are derived available to Metro (or Metro's designated agent) for its inspection or copying, as long as Metro provides no less than three (3) calendar days written notice of an intent to inspect or copy documents. Licensee shall, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility listed in Section 3, above.</p>
10	ADDITIONAL LICENSE CONDITIONS
	<p>This license shall be subject to the following conditions:</p> <p>(a) The permissive transfer of solid waste to the non-system facility, listed in Section 3, authorized by this license shall be subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.</p>



	<p>(b) This license shall be subject to amendment, modification or termination by Metro's Chief Operating Officer (the "COO") in the event that the COO determines that:</p> <ul style="list-style-type: none"> (i) There has been sufficient change in any circumstances under which Metro issued this license, or in the event that Metro amends or modifies its Regional Solid Waste Management Plan in a manner that justifies modification or termination of this license; (ii) The provisions of this license are actually or potentially in conflict with any provision in Metro's disposal contract with Oregon Waste Systems; (iii) Metro's solid waste system or the public will benefit from, and will be better served by, an order directing that the waste described in Section 1 of this license be transferred to, and disposed of at, a facility other than the facility listed in Section 3; or (iv) The non-system facility listed in Section 3 fails to manage the waste subject to this license in accordance with the material management requirements described in Section 6. <p>(c) This license shall, in addition to subsections (b)(i) through (iv), above, be subject to amendment, modification, termination, or suspension pursuant to the Metro Code.</p> <p>(d) Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.</p> <p>(e) This license shall terminate upon the execution of a designated facility agreement with the facility listed in Section 3.</p> <p>(f) This license authorizes delivery of solid waste to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro.</p>
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11	COMPLIANCE WITH LAW
	<p>Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Chapter 5.05 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the collection and hauling of the Licensee's solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the Licensee shall be deemed part of this license as if specifically set forth herein.</p>



12	INDEMNIFICATION
	Licensee shall defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses, or including all attorneys' fees, whether incurred before any litigation is commenced, during any litigation or on appeal, arising out of or related in any way to the issuance or administration of this non-system license or the transport and disposal of the solid waste covered by this license.

BM:bjl
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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 09-4081 FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A NON-SYSTEM LICENSE JOINTLY TO ALLIED WASTE OF CLACKAMAS AND WASHINGTON COUNTIES AND WILLAMETTE RESOURCES, INC. FOR DELIVERY OF SOURCE-SEPARATED PRE-AND POST-CONSUMER FOOD WASTE TO THE PROCESSING AND RECOVERY CENTER FACILITY FOR COMPOSTING

October 12, 2009

Prepared by: Bill Metzler

BACKGROUND

Description of the Resolution

Approval of Resolution No. 09-4081 will authorize the Chief Operating Officer to issue a new non-system license ("NSL") jointly to Allied Waste of Clackamas and Washington Counties and Willamette Resources, Inc. to annually deliver a maximum of 12,000 tons of source-separated, pre-and post-consumer food waste that will include meat and cheese ("mixed food waste"), generated by its commercial customers to the Processing and Recovery Center ("PRC") facility located at 29969 Camp Adair Road in Monmouth, Oregon.

PRC is an established yard debris composting facility and the mixed food waste will be accepted and composted as part of a pilot study project, approved by the Oregon Department of Environmental Quality (DEQ) that could last for up to twelve months. Upon successful completion of the pilot study, PRC intends to obtain the required DEQ composting permit and apply for a Metro designated facility agreement that would authorize its acceptance of mixed food waste from the region on an ongoing basis. The term of the proposed NSL is through December 31, 2011, which would provide the applicant with sufficient time to apply to Metro for designated facility status - without an interruption in mixed food waste deliveries.

During the pilot study, PRC will accept mixed food waste generated in the Metro region from commercial food retail outlets such as delicatessens, restaurants, and retail food stores. The applicant intends to collect and haul the mixed food waste direct from the site of the retail outlet to PRC. For additional flexibility and potential cost savings, the mixed food waste may be delivered first to the Willamette Resources, Inc. (WRI) transfer station in Wilsonville for consolidation and reload to the PRC facility.

Because PRC is a composting facility, the waste covered under this proposed NSL will not implicate Metro's obligations under its disposal contract and the waste is exempt from Metro fees and taxes.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to the proposed non-system license.

2. Legal Antecedents

Metro Code Section 5.05.035 provides that a waste hauler may transport solid waste generated within Metro to any non-system facility only by obtaining an NSL. Metro Code further provides that

applications for non-system licenses for putrescible waste shall be reviewed by the Chief Operating Officer and are subject to approval or denial by the Metro Council. Under Metro Code Subsection 5.05.035(c), the Council shall consider the following factors when determining whether to approve an NSL application:

- (1) *The degree to which prior users of the non-system facility and waste types accepted at the non-system facility are known and the degree to which such wastes pose a future risk of environmental contamination;*

The non-system facility identified in this proposed license is an established yard debris composting facility rather than a landfill and thus does not pose the same potential environmental risk from wastes delivered from prior users. Since the facility has accepted only yard debris for composting and wood waste, staff is not aware of any other wastes accepted at PRC that could pose a risk of environmental contamination.

- (2) *The record of regulatory compliance of the non-system facility's owner and operator with federal, state and local requirements including, but not limited to, public health, safety and environmental rules and regulations;*

PRC is the non-system facility and is owned and operated by Valley Landfills, Inc. located at 28972 Coffin Butte Road in Corvallis Oregon. Valley Landfills, Inc. is owned by Allied Waste Industries, Inc. which is a wholly-owned subsidiary of Republic Services, Inc. headquartered at 18500 N. Allied Way in Phoenix Arizona.

Allied Waste Industries, Inc. also owns and operates Willamette Resources, Inc. ("WRI") a Metro franchised transfer station located at 10295 SW Ridder Road in Wilsonville Oregon, Allied Waste of Clackamas & Washington Counties (a solid waste hauling company), and the Coffin Butte Landfill a Metro Designated Facility located at 28972 Coffin Butte Road in Corvallis Oregon.

WRI has had no violations related to public health, safety or environmental regulations in the past three years. In 2007, WRI was issued a Metro Notice of Violation (NOV-182-07) for exceeding a tonnage authorization in Non-System License No. N-005-05(3). However, WRI took action and abated the violation to prevent recurrence. This violation is not related to the activities performed at PRC. PRC accepts a different waste stream and, based on communication with the DEQ, the facility operates in compliance with all federal, state, and local requirements, rules and regulations and has had no violations related to public health, safety or environmental regulations in the past three years.

- (3) *The adequacy of operational practices and management controls at the non-system facility;*

PRC will accept and compost the mixed food waste as part of a pilot study under authority of a Solid Waste Letter of Authorization issued by the Oregon DEQ. The DEQ pilot study authorization is valid until February 11, 2010; however PRC has an option to extend the pilot study for an additional 6 months.

The PRC food waste pilot study area will be operational and ready to accept mixed food waste on November 16, 2009. The main goal of the PRC composting pilot study is to demonstrate that the PRC facility can receive and compost mixed food waste from a variety of sources without creating off-site odor nuisances, without attracting vectors, and will result in a pathogen-free product. The area designated for

the mixed food waste compost pilot study is located near the middle of the property and includes an area approximately 500' x 200' (2.3 acres).

PRC is an existing yard debris composting facility - operating since the early 1990's - that encompasses approximately 39 acres. More detailed information on the PRC composting pilot study is contained in the *Compost Facility Pilot Study Design and Operations Manual* prepared by Vector Engineering, Inc. (**Attachment 1**)

PRC will receive mixed food waste at the existing PRC scale house. All weights will be recorded. Loads will be inspected for contaminants at the scale house and again as they are unloaded. An existing paved tipping area will be dedicated to the mixed food waste. The mixed food waste is then mixed with processed yard trimmings to get an optimal carbon-nitrogen ratio. This mixture of materials is then used to construct compost piles in approximate dimensions of 8' high by 15' wide by 80' long. Each pile will contain about 200 cubic yards of compost with about 50 tons of that consisting of mixed food waste.

PRC is proposing to use an aerated static pile ("ASP") technology for the pilot project. As soon as the compost piles are constructed they are put on negative air suction to prevent the piles from going anaerobic. The piles will also be covered with perforated plastic tarps to help maintain moisture levels and shed stormwater. During composting, air is drawn through the piles which sit atop perforated pipes attached to blowers that provide the aeration. After approximately 25-35 days the piles will be turned once, put back on negative air, covered and composted for an additional 20-30 days.

Temperature in the piles will be monitored to assure compliance with the DEQ pathogen reduction standards. The piles will achieve temperatures in excess of 131 degrees Fahrenheit for a minimum of three consecutive days. Compost samples will be sent to a lab for verification of pathogen reduction. This will test for fecal coliform and/or Salmonella. Materials that do not meet the pathogen standards must be composted again or disposed.

The primary stormwater management technique in the rainy season (October through May) will be the covered ASP process. This will ensure that only incidental stormwater comes into contact with materials containing mixed food waste. Stormwater will be monitored by the site's existing DEQ stormwater permit. DEQ staff has deemed the operational practices and management controls to be adequate. When the pilot study is complete, PRC intends to apply for a Metro designated facility agreement once the DEQ issues PRC a permanent permit to compost mixed food waste. Metro staff will monitor the progress and results of the food waste pilot study throughout completion.

If the mixed food waste delivered to the non-system facility does not meet the facility's acceptance criteria or the non-system facility fails to process and compost the material, then the provisions in the proposed non-system license will require the licensee to pay Metro the Regional System Fee and Excise Tax on each ton of waste delivered to the non-system facility that is ultimately disposed.

(4) *The expected impact on the region's recycling and waste reduction efforts;*

Approval of the proposed NSL is likely to have a positive impact on the region's recycling and waste reduction efforts even though some of the waste subject to the proposed license is currently being delivered to the Cedar Grove composting facility in Washington. However, if the food waste pilot project is successful, and PRC obtains a Metro designated facility agreement to accept mixed food waste from the region for composting, it would result in additional organics processing capacity for the region, providing a benefit to the regional organics recovery program.

- (5) *The consistency of the designation with Metro's existing contractual arrangements;*

The waste subject to the proposed license will be delivered to a composting facility rather than disposed at a general-purpose landfill. Thus, approval of the requested license does not implicate Metro's disposal contract or any other of its existing contractual arrangements.

- (6) *The record of the applicant regarding compliance with Metro ordinances and agreements or assistance to Metro in Metro ordinance enforcement and with federal, state and local requirements including, but not limited to, public health, safety and environmental rules and regulations; and*

Allied Waste of Clackamas & Washington Counties is a solid waste hauler and has not received any written warnings or citations from Metro. WRI has had no violations related to public health, safety or environmental regulations in the past three years, is in compliance with Metro ordinances and it very cooperative with Metro regarding ordinance enforcement.

- (7) *Such other factors as the Chief Operating Officer deems appropriate for purposes of making such determination.*

The Benton County Solid Waste Advisory Council ("SWAC") met on August 25, 2009 to discuss the PRC food waste composting pilot study. According to Benton County staff, the SWAC members are very enthusiastic about the food waste composting pilot and are looking forward to a more permanent program pending outcome of the study in 2010.

If the PRC food waste pilot study is successful, it would result in additional organics transfer and processing capacity for the region, providing a benefit to the regional organics recovery program. In addition, mixed food waste collected for composting from the Metro region is currently transported 167 miles to the Cedar Grove composting facility in Maple Valley, Washington. In contrast, the PRC composting facility is located only 55 miles from the Metro region near Corvallis, Oregon.

Conclusion

The Chief Operating Officer finds that the NSL application satisfies the requirements of Metro Code Section 5.05.035, License to Use Non-System Facility.

3. Anticipated Effects

The effect of Resolution No. 09-4081 will be to issue an NSL for delivery of up to 12,000 tons per calendar year of source-separated, pre-and post-consumer food waste to the PRC facility.

4. Budget Impacts

The waste delivered under authority of the proposed NSL is exempt from regional system fee and excise tax. Therefore, the budget impact, to the extent that it is discernable for 12,000 tons annually, has already been factored into the budget.

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Resolution No. 09-4081, and issuance of an NSL substantially similar to the NSL attached to the Resolution as Exhibit A.

BM:bjl
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COMPOST FACILITY PILOT STUDY DESIGN AND OPERATIONS MANUAL

For DEQ Solid Waste Letter of Authorization (SWLA)

PROCESSING AND RECOVERY CENTER

Benton County, Oregon

Prepared for

Valley Landfills, Inc.

July 2009

Prepared by

VECTOR
ENGINEERING, INC.

143 E Spring Hill Drive, Grass Valley, CA 95945

PRC COMPOSTING PROJECT

Purpose

This plan is being submitted as part of an application for the Processing and Recovery Center (PRC) requesting a DEQ Solid Waste Letter Authorization (SWLA) approval to conduct a pilot study that adds Type III feedstock (food waste that includes meats and cheeses) as an acceptable feedstock to the existing composting operation. Within 6 months to one year after the pilot study, the PRC proposes to apply for a "Full" compost permit incorporating Type III material as an acceptable feedstock to replace its existing composting permit at the site.

The main goal of the PRC Composting Pilot Project is to demonstrate that the PRC can receive and compost Type III feedstock from a variety of sources without creating off-site odor nuisances, without attracting vectors, and result in a pathogen-free product. The pilot will also demonstrate that Type III material can be received and composted at the PRC without generating food-waste leachate. The PRC will be demonstrating an aerated static pile (ASP) technology.

Facility Description

The PRC site currently encompasses approximately 38.8 acres and is located at 29969 Camp Adair Road, on the north side of the road, approximately 1 mile east of Highway 99W in Section 17, Township 103, Range 4W of the Willamette Meridian. The site is jurisdictionally located in an unincorporated area of Benton County and is adjacent to property owned by the City of Adair Village. In fact, part of the current PRC operations occurs on property leased from the City of Adair Village.

The north 12.4 acres of the site is leased from the City of Adair Village, and the south 26.4 acres are owned by Valley Landfills, Inc. The PRC has been composting yard debris at this location since the early 1990's. The site received an industrial plan review from the County in 1990 at which time it received approval to establish a processing and recovery area. In 1999 the site obtained a Land Use Compatibility Statement (LUCS) from the County for this operation, and then used this LUCS to obtain a DEQ Composting Permit. In addition to composting yard waste, the site has also processed wood waste for use as hog fuel. The site also has a stormwater general National Pollutant Discharge Elimination System (NPDES) permit.

The PRC and its sister companies are being asked to receive and process Type III feedstock from a variety of sources. In the new proposed program, various haulers may

deliver Type III feedstock to the PRC in addition to the yard debris. Although volumes are uncertain at this point, the facility expects it will initially receive 5 to 10 tons per day of Type III feedstock (100-200 tons per month), which may ramp up to 50 tons per day, or 1000 tons per month, during the course of the pilot. The area designated for the food waste pilot project composting is located near the middle of the property and encompass an area approximately 500' x 200' (2.3 acres), plus the receiving and mixing area (see attached Plan).

Site Operations Plan

Receiving. All Type III feedstock materials will be received at the existing PRC scalehouse. All weights will be recorded as received. Each load will be inspected for contaminants (e.g. plastic materials) at the scalehouse and again as it is unloaded. Ideally most of the contamination will be removed prior to being received at the PRC. PRC staff (or their contractors) will provide additional contaminant removal, predominantly through manual sorting at the tipping area. Additional contaminant removal will take place during screening. Plastic removal devices (e.g. air-separators) may be used to provide additional contaminant removal. All contaminants will be disposed of at the Coffin Butte landfill.

Tipping Area. For the pilot operation, a separate, dedicated tipping area for Type III materials will be developed. The tipping area will be conducted on an existing paved surface. Surplus quantities of high carbon material (processed yard trimmings and/or compost "overs") will be stockpiled near the tipping area to provide a receiving area for the Type III material. A tipping pad of processed yard trimmings will be maintained on a daily basis. At the end of every day that Type III feedstocks are collected, the new piles containing Type III feedstocks will be covered with additional stockpiled processed yard trimmings. Covering the material will serve several purposes. First, it will reduce potential vector attraction (flies, birds, rodents, etc.). Secondly, receiving the food scrap on a bed of high carbon materials will serve to absorb any of the potential free liquid that may be generated. Any additional free liquid that is not immediately absorbed will be absorbed daily using fine sawdust or other absorbent. Materials with absorbed liquids will be added to an active compost pile. Finally, covering the pile with additional processed yard trimmings will help initiate the composting process and provide odor control.

Mixing. Once the Type III feedstocks are received and combined with the processed yard trimmings, they may be further mixed using a front-end loader, a mixing truck or by another method. Additional bulking agent (processed yard trimmings or compost overs) may be added to provide additional porosity. In general a mixture of approximately one

part Type III feedstock to three parts yard debris by volume is expected to provide the optimum mixture.

Composting. The PRC is proposing to use an aerated static pile (ASP) technology for the pilot project. ASP systems have been used successfully to compost all Types of feedstocks for many years. Numerous facilities in Washington and California use the ASP composting technology. There are several benefits to using the ASP technology for Type III feedstock. First, the ASP system allows for emissions from the composting process to be captured and controlled, either by a special membrane or by a biofilter. ASP systems also typically require a smaller footprint than windrow composting. A reduced footprint allows for reduced volumes of potential stormwater runoff that would need to be controlled.

The PRC is continuing to investigate ASP technology options. At this point, the details of the specific system have not been finalized, as this is part of the objective of the pilot study. The process is currently envisioned as follows:

1. Compost piles will be constructed in approximate dimensions of 8' high by 15' wide by 80' long. Each pile will contain approximately 200 cubic yards (cy) of compost, which we estimate will contain approximately 50 tons of food scrap material.
2. At the end of each day that Type III feedstock is received, it will be mixed with processed yard trimmings, compost overs, or wood chips to provide the proper C:N ratio and porosity. The mixed material will immediately be placed in a compost pile location over an aeration pipe.
3. The aeration pipes will be thick-walled HDPE perforated pipes laid on the existing base grade. Each pile will have two 40' long pipe sections that are loosely coupled together in the middle. For the pilot, a simple system consisting of on-grade pipes leading to small blowers will provide aeration. The blowers will be on a timer and may be able to use a temperature feedback system (initially manual feedback) to control airflow to maximize composting conditions.
4. As soon as the compost piles are constructed they will be put on air suction to prevent the piles from going anaerobic. The piles will also be covered with perforated plastic tarps. The tarps served to maintain the moisture that exists within the piles, and also to shed stormwater.
5. After approximately 25-35 days the piles will be turned once, put back on negative air, covered, and composted for an additional 20-30 days.
6. After this second phase, the material will be moved to a non-covered static curing pile.

Curing. The compost piles containing Type III feedstock may be moved to a dedicated area for curing, or they may be cured in place. In general the curing process may last between one and three months.

Screening. After curing, the composted material may be screened to meet market specifications. The existing PRC screening equipment will be used. "Overs" from the screening may be used to "re-inoculate" new batches of compost feedstock. Any waste generated during the screening phase will be disposed in the Coffin Butte landfill.

Monitoring and testing. Temperature in the composting piles will be monitored to assure compliance with the pathogen reduction standards contained in 40 CFR Part 503. In addition to temperature monitoring, pathogens will be analyzed via lab testing prior to any material being moved off-site. Temperatures will be monitored daily either using hand-held temperature probes or embedded temperature sensors. Either way, temperatures will be recorded at least once per day. The operators will assure that the piles will achieve temperatures in excess of 55° C (131° F) for a minimum of three consecutive days. A composite sample from each "batch" of compost will be sent to a lab for verification of pathogen reduction. This will include a test for fecal coliform, consistent with 40 CFR part 503 regulations (The density of fecal coliform will be less than 1,000 MPN of fecal coliform per gram of total solids on a dry weight basis). All lab results will be kept onsite at the facility administration office (at the nearby Coffin Butte Landfill) for review by regulatory agencies.

Compost Pilot Study Layout. At the high-end estimate of 1,000 tons of Type III feedstock per month of the pilot program, the flow-through volume may be as much as 4,000 cubic yards of compost per month. Thus a compost process time of approximately 60 days would require a compost storage volume of approximately 8,000 cubic yards, after which time the compost piles would sequentially be moved to a curing and screening area. The proposed pilot area of 500' x 200' would allow two flanks of compost rows, with each flank containing up to 25 compost piles containing 225 cubic yards of compost each (see attached Plan). This would be more than enough space to manage 8,000 cubic yards, and allow the compost piles to be sequentially turned one time during their compost cycle.

Each flank of compost piles would have its base grade slope to the middle of the pilot study area. The middle would drain north to an existing culvert that runs through a clay road dam at the north end of the pilot area. A stormwater settling basin would be located just in front of the culvert to allow debris to settle out. During the winter months,

the settling basin would be cleaned out by an excavator or loader, with the debris incorporated into the fresh compost piles.

The main suction line(s) for the aeration system would run along the central flow line, with laterals coming off the main line(s) to feed each separate compost pile. Laterals not being used would be disconnected from the headers, and the header connections capped. The blower will discharge the suction air through a biofilter on the north side of the clay road. The biofilter will consist of coarse finished compost and "overs" contained within an Ecology-block bunker. The life of a biofilter is expected to be approximately 2 years before the material needs to be changed out.

Condensate will form in the header suction lines as they draw moist air through the compost piles and the air cools on its way to the biofilter. A condensate drop-out will be designed into the suction lines at the point that they cross the clay road. The condensate will be collected in a 500-gallon poly-tank and applied to the fresh compost piles.

Schedule. The PRC Composting Pilot project will commence in July 2009 and will conclude Spring 2010. During that period several aspects of the proposed program are expected to come into focus, including feedstock sources, types, aeration and equipment management, and market acceptance of the final product. Experience with the pilot program will allow application for a full composting permit to allow Type III feedstock.

Vector control. During the pilot study, vectors are not expected to be a problem. This is predominantly due to the relatively small amount of Type III feedstock being accepted and the ASP composting technology which promotes a quick start to the compost process and generates enough heat to deter vectors. Other sites in Washington and California have demonstrated the effectiveness of the ASP method in deterring vectors. However, should vectors (birds, insects, rodents, etc) become a problem additional Best Management Practices Approaches will be utilized, such as minimizing standing water to deter fly breeding, covering Type III feedstock expeditiously (upon receipt) to avoid attracting flies; and using traps to deter rodents.

Odor Minimization. A site specific odor control and mitigation plan will be developed for the Type III feedstock composting pilot project and will be the basis for a more detailed odor control plan for the entire compost site. The focus of the odor control plan will be a written protocol for handling odor events, preventing, mitigating and treating odors as necessary. The odor control plan will use an iterative Best Management Practices approach. The ASP system itself will be the primary BMP for odor control because of its active and continual aeration control of the compost piles, as has been demonstrated at other sites. Additional odor minimization techniques include rapid

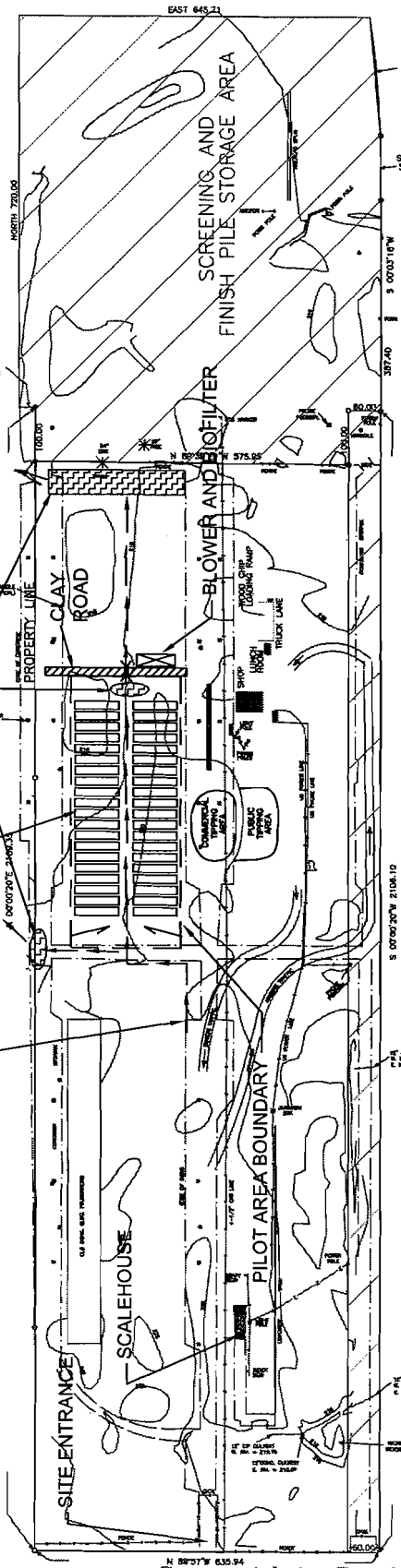
incorporation of feedstocks with bulking agents; building initial piles on top of wood overs to increase airflow; removing standing water to avoid generating odors; receiving Type III feedstock onto a bed of wood chips to absorb free liquids; assuring the compost is thoroughly composted before moving to curing; and assuring an adequate ratio of bulking agent to Type III feedstock.

Stormwater Management. The primary stormwater management technique in the wet season (October through May) will be the covered ASP process. This will ensure that only incidental stormwater comes into contact with materials containing Type III feedstock, which will readily be absorbed. The bulk of the rainwater will run off of the tarps. Type III feedstock materials destined for composting will be mixed with high carbon materials, such as processed yard trimmings, on the day that they are received. The mixed materials will be rapidly incorporated into the composting system. Other improvements to the PRC stormwater management system will include a settling ponds; strategic berms/wattles/compost filter berms to minimize run-on to the pilot study area; good housekeeping measures to minimize floating trash; and regular scraping or sweeping of the site to minimize stray particulates that could be entrained in stormwater. Stormwater will continue to be monitored by the site' s existing general NPDES permit.

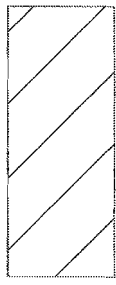
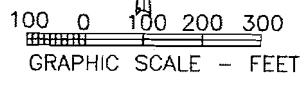
TARPEd COMPOST PILES (TYP)

STORMWATER FLOW PATTERNS (TYP)

STORMWATER SETTLING BASINS



Camp Adair Road



LEASED AREA

		VALLEY LANDFILLS, INC. 1000 N. 10th Street BENTON COUNTY, OREGON		DRAWING NO. 1
PROJECT NO. TYPE_III_FEEDSTOCK_PILOT		PRC		PROJECT NO.
DATE 01/15/2010	DRAWN BY J. B. BROWN	CHECKED BY J. B. BROWN	SCALE AS SHOWN	SHEET NO. 1 OF 1

MEASURES ONE INCH ON ORIGINAL DRAWING.

Agenda Item Number 4.3

Resolution No. 09-4083, For the Purpose of Confirming the Appointments of Greg Madden and Elizabeth Patte to the Metro Central Station Community Enhancement Committee.

Consent Agenda

Metro Council Meeting
Thursday, November 5, 2009
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE) RESOLUTION NO. 09-4083
APPOINTMENT OF GREG MADDEN AND)
ELIZABETH PATTE TO THE METRO) Introduced by Councilor Rex Burkholder
CENTRAL STATION COMMUNITY)
ENHANCEMENT COMMITTEE (MCSCEC))

WHEREAS, Metro Code Chapter 2.19.030, "Membership of the Advisory Committees," states that all members and alternate members of all Metro Advisory Committees shall be appointed by the Council President and shall be subject to confirmation by the Council; and

WHEREAS, Metro Code Chapter 2.19.120, "Metro Central Station Community Enhancement Committee (MCSCEC)," provides for the (MCSCEC); and

WHEREAS, Metro Code Chapter 2.19.120(b)(1) sets forth representation criteria for Committee membership; and; now therefore

WHEREAS, a vacancy has occurred in representation of the Northwest Industrial Neighborhood Association and the environmental community on the MCSCEC; and

WHEREAS, the Northwest Industrial Neighborhood Association and Forest Park Conservancy submitted nominations to Metro Councilor Rex Burkholder; and

WHEREAS, Councilor Rex Burkholder has appointed Greg Madden, a representative of the Northwest Industrial Neighborhood Association and Elizabeth Patte, a representative of the environmental community subject to confirmation by the Metro Council;

BE IT RESOLVED that the Metro Council confirms the appointment of Greg Madden and Elizabeth Patte to Metro's MCSCEC.

ADOPTED by the Metro Council this 5th day of November 2009.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 09-4083 FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF GREG MADDEN AND ELIZABETH PATTE TO THE METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

Date: November 5, 2009

Prepared by: Karen Blauer

BACKGROUND

The seven-member Metro Central Station Community Enhancement Committee (MCSCEC) is charged with making recommendations to the Metro Council regarding policies and the administration of the rehabilitation and enhancement program for the Northwest and North Portland Area, including recommending projects for funding.

Metro Code Chapter 2.19.120, "Metro Central Station Community Enhancement Committee (MCSCEC)," provides for the MCSCEC and subsection 2.19.120(b)(1) sets forth Committee membership and representation criteria. Two vacancies have occurred in the Metro Central Station Community Enhancement Committee (hereinafter referred to as MCSCEC) membership. The vacancies in the MCSCEC membership currently exist due to the end of a term for members representing the Northwest Industrial Neighborhood Association and the environmental community.

The Northwest Industrial Neighborhood Association (NINA) nominated Greg Madden as its representative (see attachment 1). Mr. Madden's involvement in the community includes serving on the boards of NINA and Neighbors West/Northwest, and on several committees including the Con-Way Master Plan and Balch Creek Consolidation Project. He is President of Madden Fabrication a small business located in Northwest Portland, and has worked with several City of Portland bureaus in prototyping and support services. He is a member of the Beaverton Chamber of Commerce. Mr. Madden has expressed a desire to bring his civic interests and relevant professional work experience to the MCSCEC (see attachment 2).

The Forest Park Conservancy nominated Elizabeth Patte as a representative of the environmental community's interests in the Metro Central grant target area (see attachment 3). No other nominations were received from environmental organizations with an expressed interest in the target area. Ms. Patte is a freelance writer, working primarily with local nonprofits. Through both employment and volunteering, she has gained an extensive understanding and knowledge of the neighborhoods' natural areas and the organizations working within it. Her volunteer commitments have included Forest Park Conservancy and Friendly House, as well as the board of the Northwest District Association. Currently she is on NWDA's Health and Environment Committee. She has expressed a desire to work in a collaborative committee setting and to make a positive contribution to the MCSCEC overall decision-making process (see attachment 4).

ANALYSIS/INFORMATION

1. Known Opposition. There is no known opposition to the appointments of Greg Madden and Elizabeth Patte to the MCSCEC.
2. Legal Antecedents. Chapter 2.19 of the Metro Code Relating to Advisory Committees; Section 2.19.120 provides for a Metro Central Station Community Enhancement Committee (MCSCEC) and sets forth guidelines for representation.
3. Anticipated Effects. Adoption of this resolution would confirm the appointments of Greg Madden and Elizabeth Patte to the MCSCEC.
4. Budget Impacts. There are no known costs associated with implementation of this legislation.

RECOMMENDED ACTION

David Bragdon, Council President, and Councilor Rex Burkholder, chair of the enhancement committee, recommend adoption of this resolution to confirm the appointments of Greg Madden and Elizabeth Patte to serve on the Metro Central Station Community Enhancement Committee.

KB:sm

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Northwest Industrial Neighborhood Association

2257 NW Raleigh Street

Portland, OR 97210

503-823-4288

www.ninapdx.org

Att. 1

October 27, 2009

Councilor Rex Burkholder (District 5)

Metro

600 NE Grand Avenue

Portland, OR 97232

Dear Councilor Burkholder:

In October 2009, the board of directors of the Northwest Industrial Neighborhood Association nominated Greg Madden to represent our organization to the Metro Central Enhancement Committee. I have submitted his application to you electronically.

Greg is an excellent candidate – conscientious, analytical and dedicated to our community. I know he will contribute valuable ideas to your process.

If I can assist you further, please let me know.

Sincerely,

Pamela Ake

President

Northwest Industrial Neighborhood Association



METRO CENTRAL ENHANCEMENT COMMITTEE
APPOINTMENT INTEREST FORM

COMMENTS (THIS SECTION TO BE FILLED OUT BY NOMINATION COMMITTEE ONLY):

NAME GREG MADDEN DATE 10/20/09

HOME ADDRESS: 16567 NW SHELTERED NOOK RD PORTLAND OR 97231
STREET CITY STATE ZIP

BUSINESS ADDRESS: 2550 NW 25TH PL PORTLAND OR 97210
STREET CITY STATE ZIP

HOME PHONE: 503-539-9391 BUSINESS PHONE: 503-226-3968

E-MAIL: GMADDEN@MADFAB.COM

FAX: 503-242-2446 NEIGHBORHOOD NORTHWEST INDUSTRIAL

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: MALE ETHNIC ORIGIN WHITE/CAUCASION

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

SCHOOL (INCLUDE HIGH SCHOOL) LOCATION MAJOR OR DEGREE
SUNSET HIGH SCHOOL BEAVERTON, OR
PORTLAND STATE UNIV PORTLAND, OR BSEE

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDING ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT):

NINA BOARD, NWNW BOARD, NINA EMERGENCY PLANNING COMMITTEE CHAIR, SMALL GRANT MEMBER FOR NWNW, AWS, NOMMA, BEAVERTON CHAMBER MEMBER, CONWAY MASTER PLAN COMMITTEE MEMBER REPRESENTING NINA, BALCH CREEK CONSOLIDATION PROJECT QUALIFICATION COMMITTEE MEMBER FOR THE FOR THE EVALUATION OF ENGINEERING RFO'S. APPLIED FOR AND SUCCESSFULLY AWARDED GRANTS FOR THE BUSINESS EMERGENCY PLANNING SUMMITS HELD ANNUALLY BY NINA. THE GRANTS INCLUDED BOTH THE ONI SMALL GRANT AND APNBA SUMMER ACTIVITY GRANT.

HAVE YOU VOLUNTEERED FOR ANY MINORITY ORGANIZATIONS? NO

EXPERIENCE, SKILLS OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

MY NINA AND NWNW BOARD INVOLVEMENT SEEMS THE MOST RELEVANT TO THIS COMMITTEE'S WORK, BUT ALSO MY INVOLVEMENT IN MY COMMUNITY AND AS A SMALL BUSINESS OWNER IN PORTLAND GIVES ME KNOWLEDGE THAT I BELIEVE WOULD BE USEFUL. I ALSO HAVE AN ENGINEERING DEGREE WHICH I FIND HELPFUL IN EVALUATING ISSUES AND CONCERNS USING A RATIONAL AND LOGICAL APPROACH. IN MY BUSINESS I HAVE WORKED WITH SEVERAL CITY BUREAUS IN PROTOTYPING AND SUPPORT SERVICES. I AM FAMILIAR WITH HOW THE CITY GOVERNMENT WORKS THRU THE YEARS I'VE BEEN INVOLVED WITH THE ABOVE ACTIVITIES.

OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

I AM IMPRESSED WITH WHAT I HAVE HEARD ABOUT THE PROFESSIONALISM AND ORGANIZATION THIS COMMITTEE MAINTAINS FOR THE APPOINTED MEMBER'S TIME AND COMMITMENT, WHILE ALSO MAKING THE PROCESS ENJOYABLE AND FUN. I WOULD BE PROUD TO ADD IT TO MY LIST OF COMMUNITY ACTIVITIES I AM INVOLVED WITH.

DATE

The Forest Park Conservancy



October 22, 2009

Councilor Rex Burkholder (District 5)
Metro
600 NE Grand Avenue
Portland, OR 97232

Dear Councilor Burkholder:

The Forest Park Conservancy is pleased to nominate Elizabeth Patte to represent the environmental interests to the Metro Central Enhancement Committee. I have submitted her application to you electronically.

Elizabeth is an excellent candidate for this position. She is well-versed in the issues associated with the varied and evolving ecosystem in the Metro Central target area. As a former board member of the Conservancy, she researched and gathered information that she compiled in a written history of Forest Park. This prized piece, which can be found on the Conservancy's website, is an accessible, entertaining and thorough overview about the Park, highlighting the vision, persistence and civic leadership that led to its creation and continues to sustain preservation and restoration efforts.

I am confident Elizabeth will make an excellent contribution to Metro's process.

If I can assist you further, please let me know.

Sincerely,

Michelle Bussard,
Executive Director, Forest Park Conservancy



METRO CENTRAL ENHANCEMENT COMMITTEE
APPOINTMENT INTEREST FORM

COMMENTS (THIS SECTION TO BE FILLED OUT BY NOMINATION COMMITTEE ONLY):

NAME: ELIZABETH M. PATTE DATE: 10-22-09

HOME ADDRESS: 3204 NW WILSON ST. PORTLAND OREGON 97210
STREET CITY STATE ZIP

BUSINESS ADDRESS: N/A
STREET CITY STATE ZIP

HOME PHONE: 503-227-4785 BUSINESS PHONE: N/A
E-MAIL: EDPATTE@HEVANET.COM
FAX NEIGHBORHOOD: NORTHWEST DISTRICT
(WILLAMETTE HEIGHTS)

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: F ETHNIC ORIGIN: CAUC

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

Table with 3 columns: SCHOOL (INCLUDE HIGH SCHOOL), LOCATION, MAJOR OR DEGREE. Rows include: THE DONOHO SCHOOL (ANNISTON, AL), VANDERBILT UNIVERSITY (NASHVILLE, TN), THE CORCORAN SCHOOL OF ART (WASHINGTON, D.C.), and VARIOUS PROFESSIONAL WORKSHOPS (WASHINGTON, D.C.).

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDING ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT):

PORTLAND EMPLOYMENT: FREE-LANCE WRITER, WORKING PRIMARILY W/LOCAL NON-PROFITS. PAST CONTRACTS WITH FRIENDS OF FOREST PARK /FOREST PARK CONSERVANCY; THREE RIVERS LAND CONSERVANCY; FRIENDLY HOUSE. I AM NOT CURRENTLY UNDER CONTRACT. PORTLAND VOLUNTEER ACTIVITIES: FOREST PARK CONSERVANCY; FRIENDLY HOUSE; SERVED ON NWDA BOARD & VARIOUS COMMITTEES – CURRENTLY ACTIVE WITH NWDA HEALTH AND ENVIRONMENT CMTE. ACTIVE WITH SEVERAL OTHER NON-PORTLAND NON-PROFITS. (I’VE WRITTEN, RESEARCHED, AND/OR EDITED GRANTS IN MOST OF THESE EMPLOYMENT AND VOLUNTEER POSITIONS)

PAST EMPLOYMENT: EDITOR, COMMUNICATIONS SPECIALIST, NORTH CAROLINA ASSOCIATION OF COUNTIES

HAVE YOU VOLUNTEERED FOR ANY MINORITY ORGANIZATIONS?

YES; TAUGHT INNER-CITY WASHINGTON D.C. PUBLIC SCHOOL CHILDREN AT THE NATIONAL CENTER FOR THERAPEUTIC RIDING IN D.C.

EXPERIENCE, SKILLS OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

THROUGH BOTH EMPLOYMENT AND VOLUNTEERING, I HAVE BECOME FAMILIAR WITH MANY OF THE NEEDS IN THE COMMUNITY, AND WITH MANY OF THE ORGANIZATIONS AND INDIVIDUALS THAT ARE HELPING TO MEET THOSE NEEDS. I HAVE EXPERIENCE WITH GRANTS, ENJOY WORKING IN A COLLABORATIVE COMMITTEE SETTING, AND CURRENTLY HAVE THE TIME TO GIVE.

OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

I CAN THINK OF FEW MORE REWARDING WAYS TO SERVE THAN TO HELP GUIDE FUNDING TO THE ORGANIZATIONS THAT ARE TIRELESSLY WORKING TO MAKE OUR NEIGHBORHOODS BETTER PLACES TO LIVE FOR ALL. I UNDERSTAND THAT I WAS NOMINATED TO SERVE AS THE COMMITTEE MEMBER REPRESENTING THE ENVIRONMENTAL COMMUNITY, AND BELIEVE THAT MY KNOWLEDGE OF THE TARGET NEIGHBORHOODS’ NATURAL AREAS AND OF THE ORGANIZATIONS WORKING WITHIN THE ENHANCEMENT AREA WILL BE A POSITIVE CONTRIBUTION TO THE COMMITTEE’S OVERALL DECISION-MAKING.

10-23-09

DATE

Agenda Item Number 5.1

Ordinance No. 09-1222, For the Purpose of Amending Metro Code Title II, Administration and Procedures, to Revise the Purpose and Membership of the Solid Waste Advisory Committee.

PRESIDENT BRAGDON
ORDINANCES – FIRST READING

Metro Council Meeting
Thursday, November 5, 2009
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO) ORDINANCE NO. 09-1222
CODE SECTION 2.19.130 TO REVISE THE)
PURPOSE AND MEMBERSHIP OF THE SOLID) Introduced by Council President David
WASTE ADVISORY COMMITTEE) Bragdon

WHEREAS, Metro Code Chapter 2.19 provides the authority for the Metro Council to establish advisory committees, including the purpose, authority and membership of those committees; and

WHEREAS, the Metro Council established the Solid Waste Advisory Committee to provide advice regarding regional solid waste management and planning; and

WHEREAS, the Metro Council wishes to improve the consistency and impact of policy-making advice it receives on recycling and solid waste matters; and

WHEREAS, the Metro Council may determine it necessary to revise the purpose, authority and membership of an advisory committee in order for that committee to more effectively fulfill its function; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Amendment. Metro Code Section 2.19.130, "Metro Solid Waste Advisory Committee" ("SWAC") is repealed and replaced with language in the form attached hereto as Exhibit "A."

ADOPTED by the Metro Council this 12th day of November, 2009.

David Bragdon, Council President

Attest:

Approved as to Form:

Anthony Andersen, Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit A to Ordinance No. 09-1222
Metro Code Title II, Chapter 2.19.130

2.19.130 Metro Solid Waste Advisory Committee (SWAC)

(a) Purpose. The purpose of the Metro Solid Waste Advisory Committee (SWAC) is to develop policy options that, if implemented, would serve the public interest by reducing the amount and toxicity of waste generated and disposed, or enhancing the effectiveness and sustainability of the system through which the region's solid waste is managed. For the purpose of this Section, the term sustainability is as defined in Metro Council Resolution No. 08-3931.

(b) Membership. Members are categorized as follows:

(1) Regular Voting Members:

Jurisdictions with a population under 50,000	3
Jurisdictions with a population between 50,000 and 500,000	3
Jurisdiction with a population over 500,000	1
Total Local Government Members:	7

(2) Non-Voting Members:

Oregon Department of Environmental Quality	1
Non Governmental	1
Solid Waste Industry	3
Chair, Metro	1
Total Non-Voting Members:	6

TOTAL MEMBERS 13

(c) Appointment of Members.

- (1) Local government members shall be nominated by a jurisdiction's presiding executive, appointed by the Metro Council President, and subject to confirmation by the Metro Council. In making the local government

appointments, the Metro Council President will seek members directly involved in solid waste regulation or oversight and those involved in resource conservation.

- (2) The Oregon Department of Environmental Quality (DEQ) member shall be nominated by DEQ's presiding executive, appointed by the Metro Council President, and subject to confirmation by the Metro Council.
- (3) The Metro member shall be nominated by the Chief Operating Officer, appointed by the Metro Council President, and subject to confirmation by the Metro Council. The Chief Operating Officer also shall nominate an alternate Metro member who can serve when the confirmed member is unavailable.
- (4) The remaining non-voting members shall be nominated through a public application process, appointed by the Metro Council President, and subject to confirmation by the Metro Council.

(f) Membership.

(1) Terms of Office.

- (a) The local government members shall serve for a term of two (2) years. A member may be reappointed for additional terms through the process set forth above.
- (b) The DEQ member shall serve until a replacement is nominated by the DEQ executive.
- (c) The Metro member shall serve until a replacement is nominated by the Chief Operating Officer.
- (d) The remaining non-voting members shall serve for a term of two (2) years. A non-voting member in this category may serve for a second consecutive two (2) year term.

(2) Meetings. SWAC shall meet on a schedule determined by the Chairperson, with no fewer than two meetings per calendar year. The Chairperson shall schedule additional meetings as needed to respond to requests from the Metro Council for analysis of particular issues.

(3) Attendance. Members should be present at and participate in all regular meetings. Members who are absent for more than one regular meeting in a calendar year may be asked by the Council President to resign.

- (4) Local government. For the members from jurisdictions with a population under 50,000, the Metro Council shall confirm at least one member each from a community west and east of the Willamette River. A County's population includes only those residents of the County's unincorporated areas.
- (5) Solid Waste Industry. Solid Waste Industry members shall include companies involved in the collection, transfer, processing, disposal, or recycling of Solid Waste generated in the Metro Region.
- (6) Non Governmental. The Non Governmental member shall be from a non-profit organization whose mission related to advancing sustainability in the Metro Region.

(g) Chair. The Chairperson of SWAC shall be the Metro member or, in the Metro's member's absence, the Metro alternate member.

(h) Reports to Council. SWAC shall include a summary of the minority opinions of voting and non-voting members when describing the policy options that it recommends to the Metro Council for consideration.

(i) Subcommittees. SWAC may establish subcommittees of a limited and defined duration. Membership composition shall be determined by SWAC and may include individuals who are not members of the Committee. All such subcommittees shall report to SWAC.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 09-1222, FOR THE PURPOSE OF AMENDING METRO CODE TITLE II, ADMINISTRATION AND PROCEDURES, TO REVISE THE PURPOSE AND MEMBERSHIP OF THE SOLID WASTE ADVISORY COMMITTEE

Date: November 5, 2009

Prepared by: Matt Korot
503-797-1760

BACKGROUND

The Solid Waste Advisory Committee (SWAC) has historically provided the Metro Council and Metro staff with advice on solid waste policy, plans and programs. In late 2008, following an intense multi-year period of policy-making, Council President Bragdon asked SWAC members and Metro staff to reconsider the function and membership of SWAC in order to help improve the quality and consistency of policy options that come before Councilors. Council President Bragdon expressed concern that SWAC's composition and practices diluted its credibility and impact with the Council because the assortment of private companies casting votes made it difficult for the Council to discern the public interest in SWAC's recommendations. Council President Bragdon observed that, in his opinion, SWAC inhabited an unworkable "gray area" between being an industry lobby group and a neutral policy-advisory group, and that structural change was needed to make it one or the other. Achieving this clarity ultimately would benefit both public and private sector participants by strengthening their collective voice with Council.

After soliciting input from SWAC members, Council President Bragdon directed staff to develop and vet recommendations for a new approach for providing input on policy matters to Council. The proposed code revisions reflect these recommendations. Council President Bragdon also directed staff to meet needs identified by SWAC members for a forum for ongoing dialogue between Metro staff, industry, local governments and other stakeholders, and means through which Metro and its stakeholders can continue to collaborate on the implementation of regional programs. These needs will be met through quarterly discussion roundtables and ad hoc work groups that were described to Council at its work session on June 30, 2008. The first roundtable met in October 2009.

As delineated in the proposed code amendments, the revised SWAC would become more explicitly a policy-oriented group, but no longer give direct policy recommendations to Council. Instead, it would develop multiple options for Council consideration. The committee's membership would shrink from 27 to 13 members, allowing it to serve more effectively as a working group. While its membership would continue to include both public sector and private sector representatives, voting would be limited to local government members. This structure would allow for a variety of perspectives to be integrated into the development of policy alternatives, while ensuring that the options forwarded to Council reflect the opinion of members who represent organizations charged with serving the public interest. The code revisions include a provision to ensure that Council continues to be informed of minority opinions from both voting and non-voting members.

There are three other key elements of the proposed revisions to SWAC's membership. First, industry views on solid waste and recycling matters would be solicited through regular outreach efforts and working groups on specific topics. Although private companies would no longer have official voting power on SWAC, the opinions of private companies and trade associations would be gathered through

more appropriate means than having them vote on public policy issues. Second, responsibility for chairing the committee is transferred from a Metro Councilor to a Metro staff person. While timely consultation with the Council will be a key factor in SWAC’s effectiveness as an advisory group, staff has not identified a compelling reason for the committee to continue to be chaired by a Councilor. Third, recognizing that sustainability provides the underpinning for much of the policy work in the region, the membership provisions of the proposed code specifically call for resource conservation expertise among the local government members and reserve a spot for a non-governmental sustainability expert.

The local government representatives will be drawn from three membership categories based on population. The Metro region’s jurisdictions are listed by these categories in the table below.

<i>Jurisdiction</i>	<i>2008 Population¹</i>	<i>Membership Category</i>
Barlow	140	Under 50,000
Rivergrove	350	
Johnson City	675	
Durham	1,395	
Banks	1,435	
North Plains	1,905	
King City	2,775	
Estacada	2,820	
Wood Village	3,100	
Molalla	7,590	
Sandy	8,005	
Fairview	9,735	
Damascus	9,975	
Cornelius	10,955	
Happy Valley	11,455	
Gladstone	12,215	
Multnomah County Uninc.	12,268	
Troutdale	15,465	
Sherwood	16,420	
Wilsonville	17,940	
Milwaukie	20,915	
Forest Grove	21,465	
West Linn	24,400	
Tualatin	26,040	
Oregon City	30,405	
Lake Oswego	36,590	
Tigard	47,150	
Beaverton	86,205	50,000 to 500,000
Hillsboro	89,285	
Gresham	100,655	
Clackamas County Uninc.	178,176	
Washington County Uninc.	214,055	
Portland	575,931	Over 500,000
¹ Derived from 2008 Oregon Population Report, Population Research Center, PSU.		

ANALYSIS/INFORMATION

1. Known Opposition

Most of the solid waste industry representatives currently on SWAC oppose the membership and voting provisions of the proposed revisions, because they perceive it as a diminution of their role in the development of Metro policies.

2. Legal Antecedents

Metro Code, as referenced above.

3. Anticipated Effects

Revisions to the purpose and membership of SWAC in the manner provided by the Metro Code.

4. Budget Impacts

Staff time to manage and provide administrative support to SWAC. The combined commitment to SWAC, the quarterly roundtables and periodic work groups should be roughly equivalent to that expended for SWAC support in the past.

RECOMMENDED ACTION

Metro Council adoption of Ordinance No. 09-1222.

Agenda Item Number 5.2

Ordinance No. 09-1223, For the Purpose of Amending Metro Code Chapter 5.02 to Adopt Solid Waste Rate Setting Procedures, and Amending Metro Code Chapter 2.19 to Repeal the Solid Waste Rate Review Committee.

PRESIDENT BRAGDON
ORDINANCES – FIRST READING

Metro Council Meeting
Thursday, November 5, 2009
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 09-1223
CODE CHAPTER 5.02 TO ADOPT SOLID)	
WASTE RATE SETTING PROCEDURES, AND)	
AMENDING METRO CODE CHAPTER 2.19 TO)	
REPEAL THE SOLID WASTE RATE REVIEW	)	Introduced by Council President David
COMMITTEE	)	Bragdon

WHEREAS, The public interest is served by setting forth in specific form the processes by which Metro develops, reviews and adopts solid waste fees and charges; and

WHEREAS, The authority, responsibilities and membership of the Rate Review Committee as adopted by Metro Ordinance No. 91-436A no longer meet Metro’s needs; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Amendment. Metro Code Chapter 5.02 shall be amended in the form attached hereto as Exhibit “A.”

Section 2. Metro Code Amendment. Metro Code Section 2.19.170, “Rate Review Committee (RRC),” is repealed.

ADOPTED by the Metro Council this 12th day of November, 2009.

David Bragdon, Council President

Attest:

Approved as to Form:

Anthony Andersen, Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit "A" to Ordinance No. 09-1223

METRO CODE - TITLE V SOLID WASTE
CHAPTER 5.02 DISPOSAL CHARGES AND USER FEES

5.02.020 Establishment of Disposal Fees and Charges; Procedures

(a) Purpose. The purpose of this section is to establish a consistent, predictable, open and transparent framework for the adoption of solid waste disposal fees and charges by Metro.

(b) Definitions. As used in this subsection, "rates" means any of Metro's solid waste fees or charges as set forth in Metro Code section 5.02.025 or 5.02.045. "Rate year" means a period of 365 consecutive days (366 leap year days) commencing from the date on which a rate becomes effective.

(c) Frequency. The Council shall consider rates annually and adopt changes as needed.

(d) Rate-Making Requirements; Independent Review. Each year the Chief Operating Officer shall prepare rates for consideration by the Council. Rates shall be regarded as provisional until transmitted to the Council pursuant to paragraph (e) of this section. In preparing provisional rates the Chief Operating Officer shall:

- (1) Consider all sources and uses of funds that affect the Solid Waste Revenue Fund budget during the next rate year.
- (2) Follow generally accepted practices for selection of methodologies, assumptions, requirements, and other technical factors that determine the rates.
- (3) Incorporate rate criteria and policies adopted by resolution of the Council pursuant to paragraph (g) of this section.
- (4) Submit the provisional rates to review by at least one independent expert. The reviewer shall test the provisional rates for accuracy, adequacy, the reasonableness of underlying assumptions, compliance with applicable law and requirements, consistency with adopted criteria of the Council, and any other criteria specified by the Chief Operating Officer or recommended by the reviewer under generally accepted professional or best practices for rate review. The Chief Operating Officer shall provide the reviewer with access to the rate model, data, assumptions, criteria, and any other information that the Chief

Operating Officer used to calculate the provisional rates. At the conclusion of his work, the reviewer shall deliver a written report to the Chief Operating Officer documenting the reviewer's findings, exceptions and recommendations.

- (5) Perform any other forms of due diligence that the Chief Operating Officer finds necessary to meet the purpose of this section.

(e) Transmittal of Proposed Rates to the Council. Each year the Chief Operating Officer shall transmit to the Metro Council in ordinance form a set of proposed rates for consideration. Transmittal of the rates shall coincide with transmittal of the proposed budget by the Budget Officer. At the same time that he transmits the rates, the Chief Operating Officer shall transmit to the Metro Council:

- (1) A report that documents the methodologies, data, assumptions, adopted criteria and the other factors that the Chief Operating Officer used to calculate the proposed rates including his response to the recommendations of the independent review; and
- (2) The report of the independent review prepared pursuant to paragraph (d)(3) of this section.

(f) Public Review and Comment. The Council shall open public hearings on the proposed rates on a time line designed to coincide with public hearings on the proposed annual budget.

(g) Periodic Review of Rate Criteria and Policies. From time to time the Council shall undertake a review of its adopted rate criteria and policies. The purpose of these reviews shall be to assure that adopted criteria and policies reflect the purpose of this section, meet Metro's needs, support Metro's management of the regional solid waste system, and address any findings of the Council that result from the periodic review. The Chief Operating Officer shall initiate the first such periodic review on a time line designed to facilitate consideration by the Council before December 31, 2010. The Chief Operating Officer shall initiate subsequent periodic reviews no less frequently than every three years thereafter. The Council may initiate, or the Chief Operating Officer may propose to initiate, a review of rate criteria or policies at any time.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 09-1223 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02 TO ADOPT SOLID WASTE RATE-SETTING PROCEDURES, AND AMENDING METRO CODE CHAPTER 2.19 TO REPEAL THE SOLID WASTE RATE REVIEW COMMITTEE

Date: November 5, 2009

Prepared by: Douglas Anderson (x1788)

BACKGROUND

It has become increasingly apparent over the last few years that Metro's approach to setting solid waste rates no longer fully meets the needs of Metro, local governments, and solid waste stakeholders. It is also no longer fully aligned with best practices for setting municipal utility rates. Historically the process has focused on technical and fiscal issues almost to the exclusion of the policy environment in which the rates operate. A considerable amount of time is currently spent on technical analysis and committee review at the beginning of the process. As a result, at the end of the process the public has limited opportunities for input, and Metro Council has little time to consider options.

The changes within Ordinance No. 09-1223 are intended to get the best and most complete information before the Metro Council each year, to improve the efficiency of the process, and to implement contemporary best practices for setting solid waste rates. Adoption of the ordinance would establish for the first time a rate setting framework in Metro code (see Exhibit "A" of the ordinance). This alone will improve the transparency and consistency of the process from year to year.

There are three main changes within this framework:

1. Creating a formal process to review and develop policy objectives for the rates. This "periodic review" would provide a forum for the full range of rate-related interests to be heard and discussed. It would be managed by the Chief Operating Officer, who would bring its findings and recommendations to the Metro Council for consideration. Ideally, it would be held off the annual rate setting cycle to allow focus on the issues. A periodic review would address questions such as: the appropriate tradeoff between high rates as recycling incentives and low rates that minimize ratepayer costs; the role of Metro's rates in the economics of the public-private-disposal system; the design of rates that support long-run environmental sustainability; appropriate self haul charges; and so forth.

At the end of the review, the council would adopt by resolution the rate criteria and policies that it found to be in the public interest. These resolutions would become explicit design factors in subsequent rate setting cycles. Staff has recommended that the first review take place in late 2010, in time for development of the 2011-2012 rates; and every three years thereafter (or more frequently as needed).

2. Improving the effectiveness of the public review and comment period during each annual rate cycle. The framework requires the Chief Operating Officer to develop proposed rates in conjunction with the budget. The idea would be to streamline the technical work so the rates can be released at the same time as the proposed budget, and to hold public hearings on the same time line. This would free up at least a month for the Metro Council, interested parties and the general public to review and comment on the proposed rates. It would provide the Council with enough time to consider the

impact of rate changes on the budget, the impact of budget changes on the rates, and the time to act on either.

3. **Dissolving the Rate Review Committee.** The independent technical review function, currently assigned to the committee, would be performed by an independent expert under contract to the Chief Operating Officer. The consultant's report would be released at the same time as the proposed rates and would be available for review during the public review and comment period described above.

The Metro Council and stakeholders received a white paper on these topics, *Setting Metro's Solid Waste Rates: An Assessment* (also available on the Metro web site), that included recommendations and three specific options for the Rate Review Committee. Stakeholders were invited to comment on the recommendations, and staff offered to meet directly with any person or group. This initiative was also presented with discussion at the Quarterly Solid Waste Stakeholder Roundtable on October 19, 2009.

ANALYSIS/INFORMATION

1. **Known Opposition** Reactions to this initiative by Rate Review Committee members, local governments, and affected members of the solid waste industry have been mixed but generally positive. The mixed reaction comes from leaving the certainty of a known system for a new one. Stakeholders generally support the new process, in particular the move toward a periodic review of rate policies. The alignment of rate hearings with budget hearings, and providing more time for public review and comment each year is well-received. Some stakeholders expressed concerns whether Metro would commit to the new process and follow through, so these stakeholders saw formal adoption of the rate setting framework as a key to institutionalizing these practices.

A number of commenters suggested that, rather than do away with the committee immediately, its current members be invited back to one more session with the express purpose of extracting its collective wisdom, in advance of the first periodic review cycle that would be held in late 2010.

2. **Legal Antecedents** Metro is not required by law to adopt its rate setting framework. However, this is a best practice to support transparency, consistency and continuity of the process over time. Because the authority, responsibilities and membership of the Rate Review Committee is currently set forth in Metro Code, repeal requires an ordinance of the council.
3. **Anticipated Effects** are described in Background above.
4. **Budget Impacts** Staff estimates the net budget impact to be \$5,000 per year or less. The amount of staff time spent on the technical work will remain at about the same level. Staff time formerly spent managing the Rate Review Committee will be converted to procuring the independent consultant and managing the annual and the periodic reviews. There will be savings on materials and services from eliminating the Rate Review Committee, but this will be partly offset by the cost of running the periodic reviews. The main new expense will be the contract for independent review, which will depend on the scope of work. However, this work should not exceed \$10,000 per year, and most likely considerably less than that.

RECOMMENDED ACTION

The Council President recommends adoption of Ordinance No. 09-1223.

Agenda Item Number 6.1

**EXECUTIVE SESSION TO CONDUCT DELIBERATIONS WITH
PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY
TRANSACTIONS**

RESOLUTIONS

Metro Council Meeting
Thursday, November 5, 2009
Metro Council Chamber

Agenda Item Number 6.2

Resolution No. 09-4084, For the Purpose of Amending the Natural Areas Acquisition Refinement Plan for the Columbia Slough Target Area and Approving the Expenditure of Natural Areas Bond Measure Funds for Trail Construction at Blue Lake Regional Park.

RESOLUTIONS

Metro Council Meeting
Thursday, November 5, 2009
Metro Council Chamber

BEFORE THE METRO COUNCIL

AMENDING THE NATURAL AREAS	)	RESOLUTION NO. 09- 4084
ACQUISITION REFINEMENT PLAN FOR THE)	
COLUMBIA SLOUGH TARGET AREA AND	)	Introduced by Chief Operating Officer
APPROVING THE EXPENDITURE OF	)	Michael J. Jordan, with the concurrence of
NATURAL AREAS BOND MEASURE FUNDS	)	Council President David Bragdon
FOR TRAIL CONSTRUCTION AT BLUE LAKE)	
REGIONAL PARK)	

WHEREAS, at the election held on November 7, 2006, the voters approved Ballot Measure 26-80, authorizing Metro to issue \$227.4 million of general obligation bonds to fund natural area acquisition and water quality protection (the” 2006 Natural Areas Bond Measure” or “Measure”); and

WHEREAS, on March 1, 2007, the Council approved Resolution No. 07-3766A, “Authorizing the Chief Operating Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” authorizing the Metro Chief Operating Officer to acquire properties identified on a Council-approved target area “confidential refinement map;” and

WHEREAS, the Columbia Slough Target Area was identified in the Measure as one of 27 regional target areas for land acquisition; and

WHEREAS, as provided in the 2006 Natural Areas Bond Measure, Metro undertook a public refinement process to establish specific acquisition strategies, goals, objectives, and a confidential tax-lot specific acquisition target area map for each of the 27 target areas; and

WHEREAS, on September 6, 2007, Metro approved Resolution No. 07-3840, “Approving the Natural Areas Acquisition Refinement Plan for the Columbia Slough Target Area,” which included approval of a confidential refinement map for the Columbia Slough Target Area; and

WHEREAS, Metro staff has identified properties meeting the objectives identified in the Columbia Slough Refinement Plan that were not identified on the refinement map, including properties that will help close critical trail gaps and properties that will expand habitat buffers around the Blue Heron Wetlands area; and

WHEREAS, the Metro Council has reviewed the proposed amendments to the Columbia Slough Target Area Refinement Plan and has determined that such amendments are consistent with the goals and objectives of the 2006 Natural Areas Bond Measure; and

WHEREAS, Metro staff has also identified an opportunity to secure federal funding to construct a key missing gap of the 40-Mile Loop Trail within the Columbia Slough Target Area at Blue Lake Regional Park, and connecting to the Gresham to Fairview Trail, by expending not more than \$135,000 in Bond Measure funds towards such project; and

WHEREAS, such expenditure of funds is consistent with the 2006 Natural Areas Bond Measure provision that permits the use of bond proceeds for the construction of “limited improvements . . . in target areas to provide public access, use and enjoyment of these sites in the future;” now therefore

BE IT RESOLVED that the Metro Council hereby:

1. Adopts the confidential tax-lot specific map reviewed by the Council in Executive Session on November 5, 2009, and signed by Council President David Bragdon on that date, which map shall replace the confidential map adopted with the approval of Resolution No. 07-3840 on September 6, 2007;

2. Authorizes the Chief Operating Officer to implement the Columbia Slough Target Area Refinement Plan and to acquire properties in the Columbia Slough Target Area consistent with the Council-approved Acquisition Parameters and Due Diligence Guidelines of the Natural Areas Implementation Work Plan; and

3. Authorizes the Chief Operating Officer to contribute, from proceeds of the 2006 Natural Areas Bond, matching funds not to exceed \$135,000 towards the construction of a segment of the 40-Mile Loop Trail within the Columbia Slough Target Area in the vicinity of Blue Lake Regional Park.

ADOPTED by the Metro Council this _____ day of _____ 2009.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

BEFORE THE METRO COUNCIL

APPROVING THE NATURAL AREAS ACQUISITION
REFINEMENT PLAN FOR THE COLUMBIA SLOUGH
TARGET AREA

RESOLUTION NO. 07-3840

Introduced by Chief Operating Officer
Michael J. Jordan, with the
concurrence of Council President
David Bragdon

WHEREAS, on March 9, 2006, the Metro Council adopted Resolution No. 06-3672B “For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection,” recommending submission for voter approval a general obligation bond to preserve and protect natural areas, clean water, and fish and wildlife (the “2006 Natural Areas Bond Measure” or “Measure”); and

WHEREAS, at the election held on November 7, 2006, the voters approved Ballot Measure 26-80, the 2006 Natural Areas Bond Measure; and

WHEREAS, the Columbia Slough Target Area was identified in the Measure as one of 27 regional target areas for land acquisition; and

WHEREAS, as provided in the 2006 Natural Areas Bond Measure, Metro has undertaken a public refinement process to establish specific acquisition strategies, goals, objectives, and a confidential tax-lot specific acquisition target area map for each of the 27 target areas; and

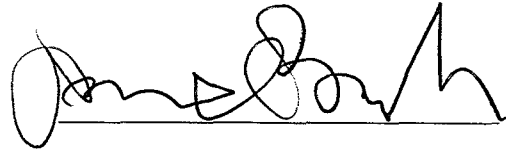
WHEREAS, Metro’s refinement process included the compilation of available information about each target area; biological field visits and expert analysis of maps; interviews with key stakeholders including natural resource experts, property owners, representatives from state and local government agencies, and advocates from water quality, fish, and wildlife preservation interest groups; and eight public open houses at sites throughout the region and a “virtual” open house available via the internet, at which draft refinement plans were made available for public review and participants could share their target area priorities either in-person or electronically; and

WHEREAS, on March 1, 2007, the Council approved Resolution No. 07-3766A, “Authorizing the Chief Operating Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” authorizing the Metro Chief Operating Officer to acquire properties identified on a Council-approved target area “confidential refinement map;” and

WHEREAS, the Council has reviewed the draft refinement plans and considered information it has received from citizens, scientists, advocates, and state and local governments; now, therefore

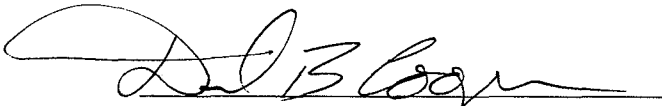
BE IT RESOLVED that the Metro Council adopts the Columbia Slough Refinement Plan attached hereto as Exhibit A, including the confidential tax-lot specific map reviewed by the Council in Executive Session on September 4, 2007, and signed by Council President David Bragdon on that date, and hereby authorizes the Chief Operating Officer to acquire properties in the Columbia Slough Target Area consistent with the Council-approved Acquisition Parameters and Due Diligence Guidelines of the Natural Areas Implementation Work Plan.

ADOPTED by the Metro Council this 6th day of September 2007.



David Bragdon, Council President

Approved as to Form:



Daniel B. Cooper, Metro Attorney

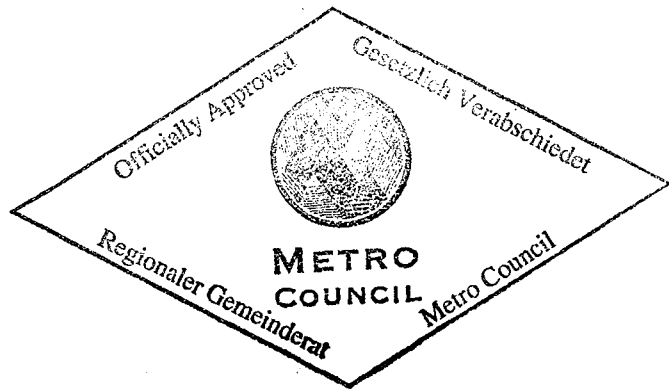


EXHIBIT A TO RESOLUTION NO. 07-3840

2006 NATURAL AREAS ACQUISITION PROGRAM COLUMBIA SLOUGH TARGET AREA REFINEMENT PLAN

Background

The Columbia Slough is one of very few areas in North and Northeast Portland with the potential for restoring fish and wildlife habitat. There is a base of existing habitat including: Big Four Corners, Prison Pond, Little Four Corners, Smith and Bybee Wetlands, Wapato Slough and Vanport Wetlands.

The 2006 Natural Areas bond measure stated:

The Columbia Slough is one of very few areas in North and Northeast Portland with the potential for restoring fish and wildlife habitat. Acquisition along the slough will improve water quality in its critical reaches, provide trail connections to existing recreation and wildlife corridors and help complete an important section of the 40-Mile Loop Trail.

Science information indicates that natural vegetation along the Columbia Slough lowers the water temperature and improves water quality as well as protects fish and wildlife habitat. The slough provides habitat for native Chinook, coho and steelhead. Three species of freshwater mussels, increasingly rare in Oregon, inhabit several reaches throughout the slough. Mammals such as deer, beaver, river otter and Western painted turtles are more common in the slough, and about 175 bird species have been documented in the slough.

Efforts are underway to close gaps in the Columbia Slough segment of the 40-Mile Loop Trail, develop neighborhood connections to local and regional trails and increase access for paddlers on the slough.

Target Area Description

The Columbia Slough is a 19-mile long remnant of lakes, wetlands and slow-moving channels in the southern floodplain of the Columbia River. It stretches from its origin at the 102-acre Fairview Lake and the headwaters of Fairview Creek near Grant Butte in Gresham westward to the 2,000-acre Smith and Bybee Wetlands Natural Area and to its confluence with the Willamette River.

The lower slough is free-flowing, but most of the slough is contained within a system of levees and floodgates and is managed by local drainage districts. Historically, the slough absorbed flood waters from the Columbia River, but in the early 1920s levees were constructed to prevent seasonal flooding and the waterway was transformed into the channeled and highly managed system now known as the Columbia Slough.

Today, the nearly 40,000 acres of lands that drain to the Columbia Slough are heavily urbanized containing 24,000 homes and 4,500 businesses including commercial and industrial uses, the Portland International Airport and several golf courses. With development and altered water circulation, the Columbia Slough experienced serious water quality decline. However, since the elimination of Combined Sewer Overflows in 2000, and watershed-wide restoration efforts, the slough is cleaner today than it has been in more than 100 years.

In spite of its urbanized character, the Columbia Slough contains surprising wildlife and plant diversity.

Refinement Process

During the refinement process, Metro staff compiled available information about the Columbia Slough target area, analyzed maps and conducted biological field visits. Individuals were interviewed

EXHIBIT A TO RESOLUTION NO. 07-3840

representing various governmental agencies, property owners, interested friends groups and natural resource experts. The key concerns expressed during the interviews are summarized in Attachment 1.

Public open houses to discuss the proposed Refinement Plan were held on June 20, 2007 at the St. Johns Community Center and on June 21 at Gresham City Hall, two of eight such open houses held throughout the region. Notices of the open houses were mailed to area residents and other interested citizens. Metro also conducted a “virtual” open house by making target area informational materials, including maps, available “online” via the internet and allowing participants to share their target area priorities electronically. A total of 527 people attended the regional open houses, and the online open house had 6,363 visits from 3,419 unique visitors. More than target area 700 surveys were submitted either in person or online. Sixty-nine people completed the Columbia Slough survey. A copy of the survey questionnaire is included as Attachment 2. The map associated with the questionnaire for this target area is included as Attachment 3, and complete survey results are included as Attachment 4.

Findings

- Although the Columbia Slough has been altered through a system of levees and floodgates and the surrounding area has been heavily urbanized, the Slough remains regionally significant in terms of wildlife, plant diversity and water quality.

Water Quality

- Water quality of the Slough has improved since 2000, with the elimination of the Combined Sewer Overflows.
- Natural vegetation along the Slough lowers the water temperature and improves water quality, as well as protects fish and wildlife habitat.
- Water quality in the Columbia Slough is impaired in several respects, most notably temperature. Restoration and revegetation of the riparian zone, particularly on the south bank, can provide shade and improve the temperature regime of the slough, as well as help reduce sediment load from runoff.

Habitat

- The Columbia Slough is one of the few areas in North and Northeast Portland with the potential for restoring fish and wildlife habitat.
- The Slough provides habitat for numerous birds, such as heron, threatened bald eagles, endangered peregrine falcons, the streaked horned lark, migratory waterfowl, shorebirds and songbirds, including two sensitive species – the little willow flycatcher and the slender-billed nuthatch.
- The free-flowing Columbia Slough, with its alcoves, backwaters, wetlands and sandy beaches, provides habitat to native Chinook, Coho and steelhead.
- Three species of freshwater mussels, increasingly rare in Oregon, inhabit several reaches throughout the Slough.
- Beaver, river otter and Western painted turtles (listed sensitive-critical by Oregon Department of Fish and Wildlife) are found in the Columbia Slough.
- Significant existing habitat areas that have been identified through the refinement process include: Big 4 Corners, Prison Pond, Little Four Corners, Smith and Bybee Wetlands, Wapato Slough and Vanport Peninsula.

EXHIBIT A TO RESOLUTION NO. 07-3840

- Limited opportunities exist to provide additional core habitats. With the exception of golf courses and lands associated with the Portland Airport, much of the existing land is fully developed and not available for habitat. Any habitat restoration efforts on golf courses should be focused only in areas of the golf course directly adjacent to the slough riparian zone.
- Some core areas, particularly Big Four Corners, could be expanded with additional acquisitions. Further expansion would increase the habitat value of the sites and may present the best restoration opportunity in the target area.
- Several small areas, e.g., Prison Ponds and Little Four Corners, could serve as core habitat areas if they were expanded by acquisitions.
- Core habitats are absent from the middle slough. Establishment of additional core habitat in this area would benefit wildlife using the slough as a travel corridor.

Wildlife Corridors

- Travel corridors to connect the core habitats are highly desirable and increase the value of the core habitats. The slough's riparian zone is highly constrained due to extensive urbanization and it presents a severe challenge to creating a viable wildlife corridor.
- Portland's Bureau of Environmental Services has revegetated numerous portions of the slough's banks in partnership with public and private landowners.
- Several extensive sections of the slough's banks are levees maintained by the drainage districts. As such, these levees must be left open and they provide limited habitat value. Sections of the slough bank across from the levees have even greater value if vegetated for wildlife use.

Recreation

- The Columbia Slough offers regional recreational opportunities in terms of bicycle/pedestrian and water trails.
- Identified trail gaps include:
 - Extending the completed section of the Columbia Slough Trail from I-5 east towards NE 33rd Avenue then north to the existing 40-Mile Loop along Marine Drive at Bridgeton Road.
 - Completing the "Bridgeton Gap" in this section of the 40-Mile Loop (along Marine Drive) from I-5 to Bridgeton Road.
 - Extending the Columbia Slough Trail from west of NE 33rd Avenue to 158th Avenue, and from 185th east to connect with the future Gresham-Fairview Trail. In many sections, this route runs along top of a levee on the north side of the Slough.
 - Securing remaining gaps in the 40-Mile Loop along Marine Drive. This includes one east of I-205, and another connecting the Columbia Slough Trail to Blue Lake Regional Park and the future Gresham-Fairview Trail.
- Some areas of the Columbia Slough Trail do not have identified alignment, which may hamper the capacity to acquire property to help close those gaps.
- Potential connections to neighborhoods include connecting Metro's Smith and Bybee Wetlands Natural Area to the St. Johns neighborhood and providing a connection to the Peninsula Crossing Trail (at N. Portland Road).

EXHIBIT A TO RESOLUTION NO. 07-3840

Impact of Development Surrounding the Slough

- There is significant industrial use surrounding the Slough, including the Port of Portland's airport, which is one of the largest owners/land uses along the Slough. The Slough's watershed has been heavily impacted by this development.
- A need exists to cooperate with industrial landowners along the Slough, including the Port of Portland, to create appropriate transitions and buffer between developed land, trails and natural areas.
- There is little undeveloped land in the slough area, making acquisition challenging. The largest blocks of available, undeveloped properties consist of golf courses. There is a need to reconcile the public's desire to maintain golf courses as open space and the complexity and extent of restoration required to restore these sites to a natural state. Any habitat restoration efforts on golf courses should be focused only in areas of the golf course directly adjacent to the slough riparian zone.
- In addition to fee acquisitions, easements, dedications and donations, other voluntary property-owner agreements should be pursued in order to stretch the impact of the regional dollars spent.
- The Port of Portland's airport expansion may impact habitat along the Slough, due to FAA guidelines, which mandate avoiding the creation of new hazards within a 2-mile radius of the airport. However, because of the proposed expansion, the Port of Portland may be a potential partner, as it looks to create mitigation sites. Other potential partnerships are with the Multnomah County Drainage District and Columbia Slough Watershed Council.

Survey Results

- Sixty-nine people completed surveys about the Columbia Slough. Additional commentary was provided orally at the open house, which was consistent with the written responses. In rank order, the public priorities were:
 1. *Map area B* – Extend the completed section of the Columbia Slough Trail from I-5 east towards NE 33rd Avenue then north to the existing 40-Mile Loop along Marine Drive at Bridgeton Road.
 2. *Map area C* – Complete the “Bridgeton Gap” in this section of the 40-Mile Loop (along Marine Drive) from I-5 to Bridgeton Road.
 3. *Map area A* – Connect Metro's Smith and Bybee Wetlands Natural Area to the St. Johns neighborhood and provide a connection to the Peninsula Crossing Trail (at N. Portland Road).
 4. *Map area D* – Extend the Columbia Slough Trail from west of NE 33rd Avenue to 158th Avenue. In many sections, this route runs along top of a levee on the north side of the slough.
 5. *Map area E* – Secure remaining gaps in the 40-Mile Loop along Marine Drive. This includes one east of I-205, and another connecting the Columbia Slough Trail to Blue Lake Regional Park and the future Gresham-Fairview Trail.

Goal

Protect and enhance habitat and linkages along the Columbia Slough.

EXHIBIT A TO RESOLUTION NO. 07-3840

Objectives

A target area map showing the tiered objectives described below is included as Attachment 5.

Tier I Objectives

- Expand resource protection along the slough and at existing habitat areas, including Whitaker Ponds, Big Four Corners, Prison Pond, Little Four Corners, Smith and Bybee Wetlands Natural Area, Wapato Slough and Vanport Wetlands.
- Acquire property to create community connections between the St. Johns and Bridgeton neighborhoods and the Columbia Slough Trail and 40-Mile Loop Trail.
- Acquire property to close trail gaps in the Columbia Slough Trail and 40-Mile Loop Trail between NE 33rd Avenue and the future Gresham-Fairview Trail.
- Where strategic partnerships can contribute to acquisition and management, acquire other properties along the slough that with restoration will provide additional habitat connections and water quality benefits.

Tier II Objectives

- Create additional water access along the Slough.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3840, APPROVING THE NATURAL AREAS ACQUISITION REFINEMENT PLAN FOR THE COLUMBIA SLOUGH TARGET AREA

Date: September 6, 2007

Prepared by: Jim Desmond
Kathleen Brennan-Hunter

BACKGROUND—REFINEMENT PROCESS

The Natural Areas Bond Measure (Resolution No. 06-3672B, “For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection,” adopted by the Metro Council March 9, 2006) provided that Metro would undertake a “Refinement Process” to “gather additional information about each individual target area and begin zeroing in on particular parcels that would be valuable to acquire” (Exhibit A to Resolution No. 06-3672B). In addition, the Natural Areas Implementation Work Plan (Resolution No. 07-3766A, “Authorizing the Chief Operating Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” adopted by the Metro Council on March 1, 2007) authorized the Metro Chief Operating Officer to acquire properties without further Council approval if they have been identified on a Council-approved target area “confidential refinement map.” To implement those directives, the Refinement Plans for each target area contain overall target area objectives and confidential tax-lot specific target area maps identifying priority properties for acquisition, enabling Metro staff to begin the acquisition of property and property rights as detailed in the Natural Areas Implementation Work Plan.

Additional background information, target area information, a description of the specifics of the refinement process regarding this target area, and the refinement plan’s findings, goals, and objectives are described in further detail in Exhibit A to this resolution, the Columbia Slough Target Area Refinement Plan.

ANALYSIS/INFORMATION

1. **Known Opposition**

None.

2. **Legal Antecedents**

Resolution No. 06-3672B, “For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection,” adopted on March 9, 2006.

The voters’ approval of Metro’s 2006 Natural Areas Bond Measure at the general election held on November 6, 2006.

Resolution No. 07-3766A “Authorizing the Chief Operating Officer to Purchase Property With Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” adopted by the Metro Council on March 1, 2007, established the Acquisition Parameters and Due Diligence Guidelines for the purchase of properties as part of the 2006 Natural Areas Bond Program.

3. **Anticipated Effects**

Acquisition of natural area properties in the Columbia Slough target area to achieve the goals and purposes of the 2006 Natural Areas Bond Measure.

4. **Budget Impacts**

The FY 2007-08 budget includes budgetary authority to purchase \$35 million in natural area lands, with an additional \$15.4 million in contingency, if necessary. It is estimated, based on historical spending patterns, that this authority will be sufficient to cover the anticipated acquisition activity for this fiscal year. Additional unappropriated fund balance (\$64 million) exists for land acquisition in future years, along with the authority to issue up to an additional \$102 million in General Obligation bonds in support of this program.

RECOMMENDED ACTION

Staff recommends adoption of Resolution No. 07-3840.

Summary of Comments from Stakeholder Interviews for Columbia Slough Target Area

Stakeholder(s) Interviewed

Nancy Hendrickson, City of Portland, Bureau of Environmental Services
Susan Barthel, City of Portland, Bureau of Environmental Services
Ry Thompson, City of Portland, Bureau of Environmental Services
Deb Lev, City of Portland, Bureau of Parks and Recreation
Gregg Everhart, City of Portland, Bureau of Parks and Recreation
Bruce McClelland, Multnomah County Drainage District
Mel Huie, Metro Trails
Elaine Stewart, Metro Scientist
Troy Clark, Friends of Smith and Bybee
Chris Scarzello, City of Portland Planning
Corky Collier, Columbia Corridor Association
Pietro Ferrari, Hacienda CDC
John Gessner, City of Fairview
Larry DeVroy, Port of Portland
Linda Robinson, Citizen advocate
Robb Courtney, City of Gresham Parks
Bob Sallinger and Jim Labbe, Portland Audubon Society
Mel Stout, Walter Valenta, Barbara Walker, Portland Audubon Society

Key Themes Discussed at Stakeholder Interviews

Natural Areas & Water Quality

- Prioritize cold water inputs (Wilkes Creek)
- Restore natural vegetation along Slough
- Reduce eutrication by reducing inputs and stormwater runoff

Habitat

- Buffer established habitat areas (Big 4 Corners; Prison Pond Little 4 Corners; Smith/Bybee Lakes; Vanport / Peninsula)
- The following could be considered rare or unique habitats or plant communities:
 - Painted Turtles (BPA connection from River to Smith/Bybee lakes)
 - Streaked Horn Lark
 - Columbia Sledge Meadows
 - Wapato wetlands present along the slough
 - Fresh water mussels
 - Mud flats and tidal habitat

- The Slough also provides Habitat for:
 - Salmoid refugia (DU DATA, NOAA CRITICAL HABITAT DESIGNATION)
 - Migratory birds (migratory bird corridor between Slough to Rocky Butte)
 - Neotrophs, shorebirds, waterfowl, raptors
 - Ash and Cottonwood; BLHardwood community (NATURAL HERITAGE IDENTIFIED); Pacific willow floodplain; Oak savannah in big four corners; forested wetlands near airport)
 - Bald Eagles (Eagle nests present at Smith / Bybee lakes)
 - Great blue heron nesting colonies (Heron Rookeries present along the slough)

Access/Connectivity

- Connectivity to neighborhoods is lacking (opportunities at Cully, Smith and Bybee Wetlands)
- Additional access to Slough itself would be beneficial (Denver Bridge canoe/kayak launch; West of Fairview Lake)
- Levees are potential barriers for connections along the Slough

Trails

- Noted Gaps:
 - Columbia Slough Trail Gaps (connection to Smith and Bybee, Gresham to Fairview Trail)
 - Bridgeton Gap (40-Mile Loop)
 - Marine Drive Gap

QUESTIONNAIRE

TARGET AREA: COLUMBIA SLOUGH

In November 2006 voters directed the Metro Council to extend a regionwide program and acquire between 3,500 and 4,500 acres of additional natural areas to protect water quality and fish and wildlife habitat and to provide future generations opportunities for greater access to nature. Now it's time for the Metro Council to refine priorities in the 27 regional natural areas and trail corridors targeted for acquisition. Initial estimates are that a minimum of 50 acres of land would be protected within this target area.

The Metro Council wants your ideas and input. We've been talking with scientists, land-use experts, groups and individuals who have special knowledge about the natural resource values and community visions for these areas. With this information Metro has begun to identify the potential strategies and opportunities that will achieve the best results. Now we need to know: Do we have it right? What have we missed? What is most important to you?

2006 NATURAL AREAS BOND DESCRIPTION FOR THIS TARGET AREA

The Columbia Slough is one of very few areas in North and Northeast Portland with the potential for restoring fish and wildlife habitat. Acquisition along the slough will improve water quality in its critical reaches, provide trail connections to existing recreation and wildlife corridors and help complete an important section of the 40-Mile Loop Trail.

QUESTIONS

- The following priorities were identified in the Columbia Slough target area based on scientific information about benefits to water quality, habitat diversity, wildlife connectivity and/or restoration potential and from information provided by key stakeholders in the area. Rank in order of importance to you from 1 to 5, with 1 being the most important and 5 being the least important.**
 - _____ Connecting Metro's Smith and Bybee Wetlands Natural Area to the St. Johns neighborhood and providing a connection to the Peninsula Crossing Trail (at N. Portland Road). **(Map area A)**
 - _____ Extending the completed section of the Columbia Slough Trail from I-5 east towards NE 33rd Avenue then north to the existing 40-Mile Loop along Marine Drive at Bridgeton Road. **(Map area B)**
 - _____ Completing the "Bridgeton Gap" in this section of the 40-Mile Loop (along Marine Drive) from I-5 to Bridgeton Road. **(Map area C)**
 - _____ Extending the Columbia Slough Trail from west of NE 33rd Avenue to 158th Avenue. In many sections, this route runs along top of a levee on the north side of the slough. **(Map area D)**
 - _____ Securing remaining gaps in the 40-Mile Loop along Marine Drive. This includes one east of I-205, and another connecting the Columbia Slough Trail to Blue Lake Regional Park and the future Gresham-Fairview Trail. **(Map area E)**

2. In general, what should be emphasized in the Columbia Slough target area? Rank in order of importance to you from 1 to 4, with 1 being the most important and 4 being the least important.

- _____ Protecting lands along the Columbia Slough, connecting and expanding habitat areas for wildlife.
- _____ Providing additional water access points for canoeing and kayaking.
- _____ Closing gaps in the trail corridor along the Columbia Slough and 40-Mile Loop.
- _____ Connecting the Columbia Slough with neighboring communities and providing people with better access to nature.

3. Are there other priorities that the Metro Council should consider in the Columbia Slough target area? Please be specific.

4. Do you have suggestions about partnerships Metro should pursue or other innovative ways to leverage regional funding and enhance this natural area?

5. Are you interested in participating in Metro's Natural Areas program by selling or donating your property or selling or donating a trail or conservation easement on your property?

Yes No If yes, please be sure to provide your contact information below.

6. Do you have any other comments about this target area?

Please add my name to the Columbia Slough target area mailing list for future information, public meetings and events.

Name _____

Address _____

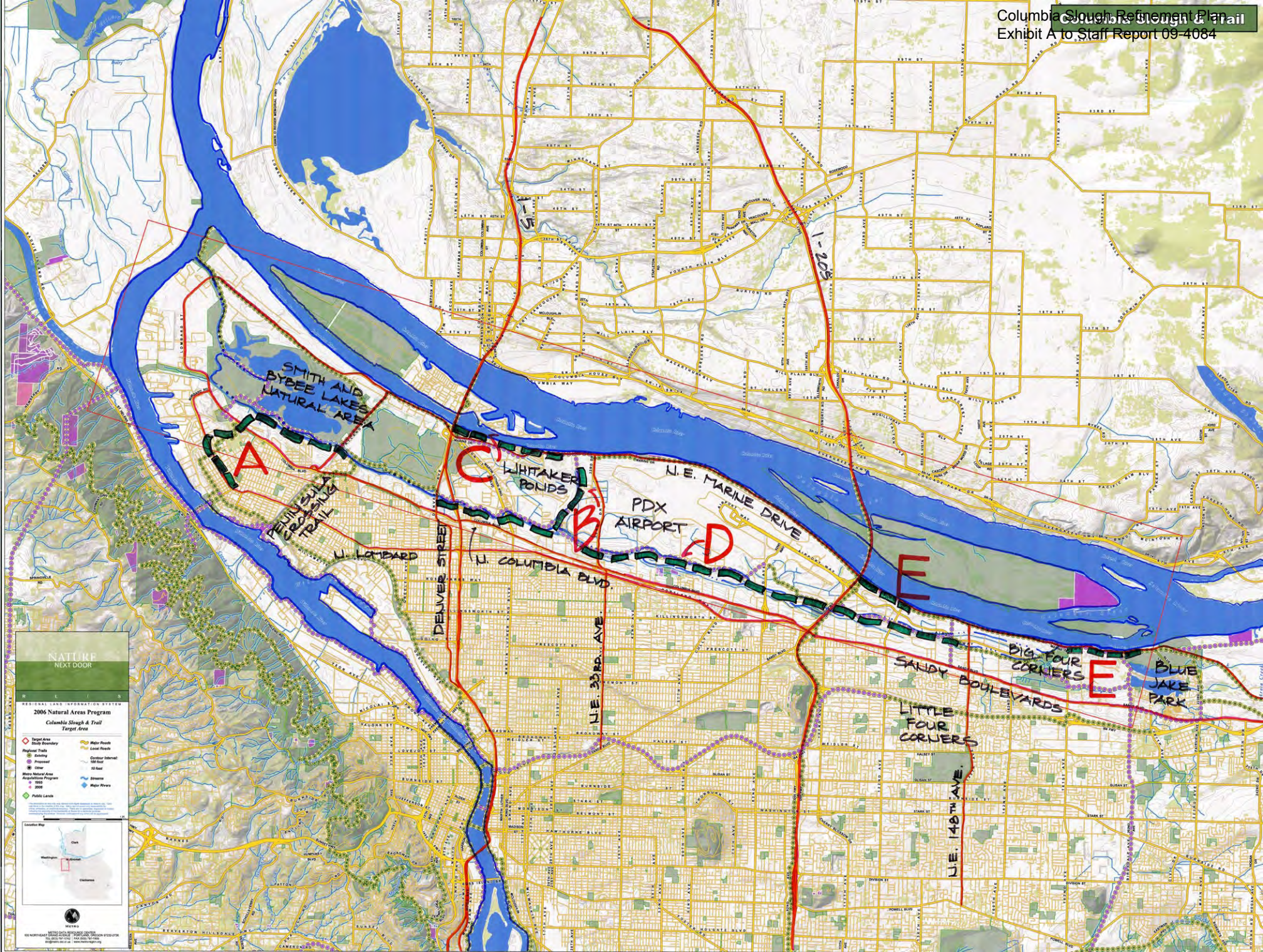
City/State/Zip _____

Phone _____

E-mail _____

**You may complete this questionnaire online at
www.metro-region.org/naturalareas**

or mail it to Metro at
600 NE Grand Avenue, Portland, OR 97232
(503) 797-1741



NATURE NEXT DOOR

REGIONAL LAND INFORMATION SYSTEM

2006 Natural Areas Program
Columbia Slough & Trail Target Area

Legend:

- Target Area Study Boundary
- Regional Trails
- Major Roads
- Public Lands
- Major Roads
- Public Lands
- Major Roads
- Public Lands

Location Map:

Scale: 1 inch = 1 mile

Source: METRO, 2006

Columbia Slough Survey Results

1. The following priorities were identified in the Columbia Slough target area based on scientific information about benefits to water quality, habitat diversity, wildlife connectivity and/or restoration potential and from information provided by key stakeholders in the area. Rank in order of importance to you.

	most important				least important	Rating Average	Response Count
Connecting Metro's Smith and Bybee Wetlands Natural Area to the St. Johns neighborhood and providing a connection to the Peninsula Crossing Trail (at N. Portland Road). (Map area A)	30.2% (16)	11.3% (6)	22.6% (12)	11.3% (6)	24.5% (13)	2.89	53
Extending the completed section of the Columbia Slough Trail from I-5 east towards NE 33rd Avenue then north to the existing 40-Mile Loop along Marine Drive at Bridgeton Road. (Map area B)	25.9% (14)	33.3% (18)	20.4% (11)	20.4% (11)	0.0% (0)	2.35	54
Completing the "Bridgeton Gap" in this section of the 40-Mile Loop (along Marine Drive) from I-5 to Bridgeton Road. (Map area C)	34.4% (21)	21.3% (13)	21.3% (13)	14.8% (9)	8.2% (5)	2.41	61
Extending the Columbia Slough Trail from west of NE 33rd Avenue to 158th Avenue. In many sections, this route runs along top of a levee on the north side of the slough. (Map area D)	8.8% (5)	19.3% (11)	19.3% (11)	33.3% (19)	19.3% (11)	3.35	57
Securing remaining gaps in the 40-Mile Loop along Marine Drive. This includes one east of I-205, and another connecting the Columbia Slough Trail to Blue Lake Regional Park and the future Gresham-Fairview Trail. (Map area E)	15.1% (8)	13.2% (7)	15.1% (8)	13.2% (7)	43.4% (23)	3.57	53
						<i>answered question</i>	65
						<i>skipped question</i>	4

2. In general, what should be emphasized in the Columbia Slough target area? Rank in order of importance to you.

	most important		least important		Rating Average	Response Count
Protecting lands along the Columbia Slough and connecting and expanding habitat areas for wildlife.	45.0% (27)	30.0% (18)	11.7% (7)	13.3% (8)	1.93	60
Providing additional water access points for canoeing and kayaking.	5.4% (3)	16.1% (9)	26.8% (15)	51.8% (29)	3.25	56
Closing gaps in the trail corridor along the Columbia Slough and 40-Mile Loop.	47.7% (31)	24.6% (16)	18.5% (12)	9.2% (6)	1.89	65
Connecting the Columbia Slough with neighboring communities and providing people with better access to nature.	8.8% (5)	29.8% (17)	38.6% (22)	22.8% (13)	2.75	57
					<i>answered question</i>	66
					<i>skipped question</i>	3

3. Are there other priorities that the Metro Council should consider in the Columbia Slough target area? Please be specific.

Pursue expansion of the Big Four Corners site, especially property to the west to expand and buffer the natural areas already protected. Acquire more land in and around Johnson Lake to improve access for both wildlife and people. I'm not sure if the Columbia River Islands are included in this target area, but protection of both the west end of Hayden Island and protection of Government Island should also be high priorities.
Acquire headwaters of Wilkes Creek.
Unplug the slough! Return it to its former glory! Reconnect the east end with the Columbia and let water flow through the entire length. Maybe someday we'll be able to fish there again. It would also be great to improve the portages for unpowered watercraft.
Make the bike travel on the paths as safe as possible, include possible lights on Marine Drive for safer crossing or better alternatives.
Also consider that the Columbia River / Marine Drive Trail should extend to Sandy River. This will connect to Columbia River Gorge Historic Hwy as well as to coast.
ACCESS TO EXPO CENTER PARKING WILL BE NEEDED IN ORDER TO ACCOMODATE VISTORS.
Access to trails, parks/playgrounds and nature spaces for all income people - and their pets.
Not in the slough area specifically but in this north Columbia River section- west side of Hayden Island.
The one thing I noted was that there were no plans to make connections from the trail/slough into NE neighborhoods. There are some really obvious connections like the road to the airport, NE 60th, NE 33rd, etc. It seems a shame to create a trail that people have to drive to when we could easily bike there. Please include budget and emphasis on bike/ped improvements from the neighborhoods to the areas in the Columbia Slough Target area
Be able to bike the area from Bridgeton to NE 33rd on Marine Dr.
Create a bicycle lane on 82nd Ave that connects to the slough trail and allows quick easy access to residents of Central NE Portland (West of I-205).

Purchase property to keep wildlife/wetland areas protected.

Completing trail networks for bikes/peds is essential to surviving the post petroleum economy.

Purchase property to keep it natural for wildlife and wetland protection. Nesting mallards, blue heron, quail, etc.

Supporting access to environmental education sites.

Acquisition of ecologically significant property South of NE Cornfoot Rd on both sides (E&W) of NE Alderwood could be high priority.

Continued restoration of Smith and Bybee.

Headwaters of Wilkes Creek.

Leverage other \$ in community - public and private.

A corridor path the length of the slough would be a tremendous bike connection to residential and industrial areas.

Acquire green space/vacant land especially adjacent to currently owned public land.

Keep as much green space as possible for people to enjoy, trees make oxygen, etc.

1) Access to Whitaker Ponds from Columbia Blvd. 2) Colwood between sloughs.

Trail connections to both Yellow Line (Kenton, Delta Park, Expo Center) and Red Line MAX stations in the area (Cascade and Mt. Hood Avenue).

Support enviro ed programs for adults and kids. From my experience VERY few people know what the slough is, even those in the watershed. Its value as the last vestige of a network of sloughs and the fish and wildlife habitat it provides are definitely not understood by the general public. Although heavily managed and altered from its original state its historic, cultural, and natural value are VERY high and I think the public would embrace learning more about these values.

Riparian restoration with adequate beaver protection is crucial. There have been a number of plantings along the slough over the years that used inadequate beaver protection (plastic sleeves) and these plantings have fared poorly. In some cases the beaver have completely clearcut the areas and the work and money spent are lost. Another point noted in these lost plantings is the need to vary tree species. The beaver prefer cottonwoods and will wipe out a solely cottonwood planting. Mixing in other tree species and using adequate metal planting guards will insure longterm, successful riparian restoration.

Acquisition of trail right-of-way is essential before opportunities are lost forever.

I would like you to consider BLUE HERON MEADOWS AND WETLANDS in your target areas. This property is in a flood plain and is home to numerous BLUE HERONS, EGRETS, EAGLES, HAWKS, AND OTHER MIGRATING BIRDS ALL YEAR LONG. This area is also home to numerous other species of animals. all winter, during our rainy season, it is very wet and flooded at times giving a home to the above mentioned birds, etc. It will be a big loss to Portland area residents to lose this area to homes instead of making it a protected area, such as many others have been. It could be a beautiful park with walking trails etc, forever available to enhance the city. There are becoming fewer and fewer open spaces, with the wildlife having no place to go. Once this property is built upon, it will lost forever.

Protecting existing wetland areas from development - both private and public should be a number one priority. In East Columbia neighborhood there are two large parcels (40 acres) that have been targeted for housing development by the owners. They border the Columbia Slough, are habitat to wildlife and provide important drainage for the area.

Signage for canoe/kayakers.

4. Do you have suggestions about partnerships Metro should pursue or other innovative ways to leverage regional funding and enhance this natural area? If so, please specify.

Work with City of Portland, Mult Co Drainage District and others (including Trust for Public Land) to acquire as much of the Colwood Golf Course as possible in order to retain it as open space, with part of it restored as habitat, some available for passive recreation and some to be developed later for more active recreation. [The golf course is in the Cully Neighborhood, where the City plans to purchase land for active recreation.]

Does restoring salmon spawning grounds get any kind of state or federal funding? I'm sure that improving the portages would have the support of those users, tho they're not too organized.

Port of Portland could help at Aluminum factory site. Also on their large parcel just south and west of Marine Drive at NE 33rd.

Partnership with schools, city day camps, wildlife groups.

Additional emphasis on existing business & industry.

For the Hayden piece - think TNC, Columbia River Keepers, Clark County, Audubon, Columbia Crossing, City of Vancouver, OR and WA State. This is a very important piece of property. Leverage some political pressure from others and some matching resources. This piece of land is important. For the rest of the plan near the Columbia - perhaps some of the industrial businesses should be part of the mix. The pollution (air/noise/etc.) impacts of these industries could use some mitigation and it wouldn't hurt to have them sponsor some of the community access trailheads, etc. Those of us who live in this area have to deal with these impacts. All we see are the higher rates of asthma.

Work with I-5 bridge group to fund Bridgton Connections.

The connection to the Columbia Slough Watershed Council's Action Plan and the City of Portland's Columbia Slough Action Plan is appreciated.

Using experienced staff with BES reveg program to help manage it.

Fund a fundraiser to complete a TRAIL SYSTEM. Closing(?) the gaps make it a joke.

DOC, City, County funds/in kind services, TNC, TPL, and other non-profit funds. Develop agreements to maximize pvt \$.

Partner with the Multnomah Drainage Districts to build trails on existing lands.

Get federal funding.

Property owners along the slough should be encouraged to help in the success of riparian restoration projects. They can help finance or, at the very least, water, weed and care for the plantings on their property. How to get property owners involved through incentives or public acknowledgement is a critical task that needs attention.

Join with active neighborhood associations who are working to maintain the wetlands in their area. East Columbia neighborhood is partnering with Portland Parks and Metro to restore our only park. Private landowners in the neighborhood - Blue Heron Meadows - work to maintain their wetlands and even won an award 2 years ago from the Columbia Slough Watershed Council for stewardship. Wetland areas we work to maintain are now threatened by a housing development being proposed. Adjacent to that proposed development several private landowners are proposing smaller housing developments. Across NE 13th from that development is another large land parcel bordered by the Slough that has been proposed for development several times in the past few years. If Metro were to purchase these lands and work with the existing infrastructure of neighbors in maintaining them it would be a great benefit for the area.

Perhaps contact some of the businesses that are located near the slough for funds or partnership.

5. Do you have any other comments about this target area? If so, please specify.

Look at possible acquisition of properties between Whitaker Ponds and Johnson Lake, to create a larger habitat node in that area. Also create better corridors into and out of that area for both wildlife and (including a better connection to both the I-205 and Marine Drive bike paths. Look at ways to establish a wildlife corridor between the Slough and Rocky Butte. Regarding trails in the Columbia Slough watershed, priority should be given to separating the bike path from the roadway along Marine Drive. It's hard to tell from the map and the descriptions in the first question above exactly where those gaps are, but this hazardous situation needs to be addressed. Linking Smith & Bybee with the Cross Peninsula Trail should also be a priority.

I lead people out to various chunks of the Slough bike path all the time. When people see this area, they're surprised -- nobody knows it's there! Completing the loop will be huge for getting Portland to see the beauty of the Slough.

I can't choose. I want it all. Section E along Marine Drive is decent enough to ride a bike on but the trailhead for Blue Lake Park/Gresham-Fairview trail connecting to the Marine Drive path is necessary.

Both the Columbia River and Slough are severely degraded. Although habitat can be somewhat improved, there is such a large population next to this area, that access for people on and along the water should be a priority.

How does this fit in with plans for expansion of the Portland International Airport? Have you reviewed their Wildlife Hazard Management Plan? It seems that efforts to enhance wildlife habitat near PDX would result in increased wildlife/aircraft conflicts. Just a thought.

PRESENT GREEN SPACE EAST OF NORTH HARBOR MARIOTT SHOULD BE RESTRICTED AS TO HOW MANY "CONDOS" WILL BE ALLOWED TO BE BUILT.

Thanks for all you do.

Bridgeton Gap trail completion I feel is worthwhile for these reasons: recreational bicycling and walking on the trail, access to river views, access from the Bridgeton Neighborhood to light rail transit and to Hayden Island shopping, and promotion of bicycling and walking as transit alternatives.

We appreciate Metro's focus on the Columbia Slough Watershed! A walking path (or sidewalk) from NE Columbia Blvd. to Whitaker Ponds on NE 47th Ave (< 1/4 mile) would provide safe access to a natural area from a Tri-Met bus stop for thousands of visitors.

Bridgeton Trail! Willamette Greenway!

Wilkes Creek protection. Funding for Gresham-Springwater Trail.

Please note, my "wheelchair" is a recumbent tricycle. It is 24" wide! The paths are not always wide enough.

Expand current natural areas

Trail connectivity to Interstate MAX Yellow Line from both Marine Drive and Columbia Slough (now incomplete) segments of the 40-Mile Loop Trail are key to the success of alternate transportation in the N Portland area.

It is an important area with many ecosystems that need careful attention and protection.



SEPTEMBER 2007
NATURE
NEXT DOOR

REGIONAL LAND INFORMATION SYSTEM
2006 Natural Areas Program
Columbia Slough & Trail
Target Area

- Target Area Study Boundary
- Proposed Project
- Existing
- Other
- State Natural Area
- Acquisition Program
- Public Lands
- Major Road
- Local Road
- Contour Interval: 10' / 20'
- 10' Road
- Stream
- Major River

Location Map

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Exhibit B



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

1 inch = 455.29 feet
0 100 200 400 600 800 1,000 Feet
Map Updated 10-29-2009 MC

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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 09-4084, AMENDING THE NATURAL AREAS ACQUISITION REFINEMENT PLAN FOR THE COLUMBIA SLOUGH TARGET AREA AND APPROVING THE EXPENDITURE OF NATURAL AREAS BOND MEASURE FUNDS FOR TRAIL CONSTRUCTION AT BLUE LAKE REGIONAL PARK

Date: November 5, 2009

Prepared by: Kathleen Brennan-Hunter
503-797-1948

BACKGROUND

In September 2007, the Metro Council adopted a Refinement Plan for the Columbia Slough Target and Trail Area (Exhibit A to Resolution No. 07-3840 is attached as Exhibit A, known as “Columbia Slough Refinement Plan”). This plan identifies target area objectives and there are associated confidential tax-lot specific target area maps that identify priorities for acquisition, enabling Metro staff to begin acquisition in the target area.

Since that time Metro staff have convened partners, contacted landowners and implemented the refinement plan. During this outreach, staff has learned new information and opportunities have surfaced that merit acquisition. Staff has identified opportunities meeting the objectives identified in the Columbia Slough Refinement Plan that were not identified on the tax-lot specific target area maps. Staff has also identified an opportunity to complete a significant trail gap by making a limited match to a majority federally funded construction of this gap at Blue Lake Regional Park. This resolution is to (1) update the tax-lot specific target area map in order to include these newly identified properties, described below and (2) approve the limited expenditure of 2006 Natural Areas Bond Measure funds to allow for the construction of a portion of the 40-Mile Loop Trail at Blue Lake Regional Park.

Refined Acquisition Opportunities - Closing Trail Gaps

Several new parcels have been identified as requiring acquisition along the Columbia Slough Trail and Marine Drive Trail which were previously understood to have trail easements in place. It has since been determined through title search that some of the information provided by the City of Portland staff was mistaken; specifically, staff believed that some trail easements already were in place and additional research has proved that not to be the case. To preclude further similar omissions, the refined tax lot-specific acquisition map identifies all property acquisition possibilities along the known trail alignments.

All of the newly identified parcels are described in the approved Tier 1 objective: “Acquire property to create community connections between St John’s and Bridgeton neighborhoods and the Columbia Slough trail and 40-mile loop trail” and in the approved Tier 1 objective: “Acquire property to close trail gaps in the Columbia Slough Trail and 40-mile Loop Trail between NE 33rd Avenue and the future Gresham-Fairview Trail.” No change to the language of the refinement plan goals is required.

Refined Acquisition Opportunities - Expanding Habitat Buffers.

An opportunity for resource protection has been identified to buffer the existing Blue Heron Wetlands.

Blue Heron Wetlands is a 12-acre natural area owned and managed by the Bureau of Environmental Services (“BES”) in North Portland. An adjacent parcel would provide an opportunity to expand the restoration and habitat values of this wetland area. BES is committed to restoration and management of the parcel if successfully acquired. This property was not previously identified because during refinement it was proposed for an extensive subdivision development. At development pricing,

investment to protect this wetland was prohibitive, however the development did not succeed, in part due to the challenges of developing on a wetland, and so there is now an opportunity to acquire it. This new parcel strongly meets the existing Tier 1 objectives: —Expand resources protection along the slough and at existing habitat area, including Whitaker Ponds, Big Four Corners, Prison Pond, Little Four Corners, Smith and Bybee Wetlands Natural Area, Wapato Slough and Vanport Wetlands.”

Closing A Trail Gap—Construction Opportunity.

A trail construction project opportunity has been identified. The availability of matching federal funds to close the 40-Mile Loop Trail gap at Blue Lake Regional Park make this expenditure compelling.

Metro has received FHWA federal transportation funds (Congressional Earmark) for the planning, engineering and construction of a ½ mile segment of the 40-Mile Loop Trail on Metro-owned property and County-owned right-of-way at Blue Lake Regional Park, connecting to the Marine Drive Trail and the Gresham to Fairview Trail, as depicted in Exhibit B. A 10.27% local cash match is required to qualify for these federal funds. The total project budget qualifying for federal funding is just under one million dollars, for a local cash match requirement of just under \$100,000. There are also additional project costs that do not qualify for federal funding including interpretive and regional signage and cultural resources work, which the Bond Measure can fund. The estimated total Bond Measure contribution would be \$135,000

The Blue Lake Regional Park trail project is a key missing gap of the 40-Mile Loop Trail around the metropolitan Portland area. The Project will connect trail work coming from the west and east. Metro, and the cities of Fairview, Gresham and Portland, and the Port of Portland are working on connecting the entire northern segment of the 40-Mile Loop Trail. The Port of Portland has already built a section of the trail around and east of the Troutdale Airport. The city of Fairview is actively working on the trail just east of Blue Lake Regional Park. The city of Gresham is connecting the Gresham / Fairview Trail (a north – south trail) to the west end of Blue Lake Regional Park. Metro, along with Gresham and Portland are planning, designing and acquiring right-of-way for the trail west of Blue Lake Regional Park. The completion of the trail segment at Blue Lake Regional Park would connect over 10 miles of additional trail along or near Marine Drive.

The Bond Measure permits spending bond funds on —limited improvements to lands in target areas to provide public access, use and enjoyment of these sites in the future.” This project is consistent with that requirement.

Staff requests updates to the tax-lot specific target area map in order to include the properties described above. Updated confidential tax-lot specific target area maps will be provided for Council review in executive session. Staff also requests authority to expend not more than \$135,000 of Bond Measure funds towards construction of a limited trail segment of the 40-Mile Loop Trail at Blue Lake Regional Park.

ANALYSIS/INFORMATION

1. Known Opposition

None.

2. Legal Antecedents

Resolution No. 06-3672B, —~~For~~ the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisitions and Water Quality Protection,” was adopted on March 9, 2006.

The voters’ approved Metro’s 2006 Natural Areas Bond Measure at the general election held on November 6, 2006.

Resolution No. 07-3840, —~~Appro~~ving the Natural Areas Acquisition Refinement Plan for the Columbia Slough Target Area,” was adopted on September 6, 2007.

Resolution No. 07-3766A —~~Authorizing~~ the Chief Operating Officer to Purchase Property With Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” was adopted by the Metro Council on March 1, 2007, and established the Acquisition Parameters and Due Diligence Guidelines for the purchase of properties as part of the 2006 Natural Areas Bond Program.

3. Anticipated Effects

Acquisition of natural areas and trail properties in the Columbia Slough target area to achieve goals and purposes of the 2006 Natural Areas Bond will continue with expanded opportunity. In addition, staff will leverage a modest investment of Bond Measure funds to secure federal funding to construct a key remaining gap in the 40-Mile Loop Trail at Blue Lake Regional Park.

4. Budget Impacts

Acquisition and construction opportunities identified in these amendments to the Refinement Plan for the Columbia Slough Target and Trail Area will be funded entirely with funds from the 2006 Natural Area Bond Measure.

RECOMMENDED ACTION

The Chief Operating Officer recommends passage of Resolution No. 09-4084.