



Metro | Agenda

Meeting: Metro Council
Date: Thursday, June 23, 2011
Time: 2 p.m.
Place: Metro Council Chambers

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS
3. HEALTHY FAMILIES LATINO OUTREACH CAMPAIGN **Peck
Edlin**
4. CONSENT AGENDA

- 4.1 Consideration of the Minutes for June 16, 2011
- 4.2 **Resolution No. 11-4268**, For the Purpose of Approving an Intergovernmental Agreement Between Metro, Washington County, and the Cities of Tualatin and Wilsonville For Concept Planning the Urban Growth Boundary Expansion Areas Known as Basalt Creek and West Railroad and Authorizing the CP/Acting COO to Sign the Agreement.
- 4.3 **Resolution No. 11-4270**, For the Purpose of Authorizing the Acting Chief Operating Officer to Issue an Amended Non-System License for Increased Tonnage Authorization to Hoodview Disposal & Recycling, Inc. for Delivery of Putrescible Waste to Canby Transfer & Recycling, Inc. for the Purpose of Transfer to the Riverbend Landfill.
- 4.4 **Resolution No. 11-4271**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Non-System License to Garbarino Disposal & Recycling Service, Inc. for Delivery of Food Waste to the Nature's Needs Facility for Composting During the Washington County Non-Green Feedstock Demonstration Project.
- 4.5 **Resolution No. 11-4272**, For the Purpose of Re-Adopting Metro Code 7.03 (Investment Policy) for Fiscal Year 2011-2012.
- 4.6 **Resolution No. 11-4275**, For the Purpose of Reviewing and Readopting Comprehensive Financial Policies for Metro and Directing Them to be Published in the FY 2011-12 Adopted Budget.

5. ORDINANCES – SECOND READING

- 5.1 **Ordinance No. 11-1253B**, For the Purpose of Adopting the Annual Budget For Fiscal Year 2011-12, Making Appropriations, Levying Ad Valorem Taxes, Authorizing an Interfund Loan and Declaring Emergency. **Hughes**

Public Hearing

- 5.2 **Ordinance No. 11-1262**, For the Purpose of Amending the FY 2010-11 Budget and Appropriations Schedule and Declaring an Emergency. **Hughes**

Public Hearing

6. RESOLUTIONS

- 6.1 **Resolution No. 11-4274**, For the Purpose of Adopting the Capital Improvement Plan for Fiscal Years 2011-12 through 2015-16. **Hughes**

7. CHIEF OPERATING OFFICER COMMUNICATION

8. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for June 23, 2011 Metro Council meeting

Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 11 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> 2 p.m. Thursday, June 23 (Live)	Portland Channel 11 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 <i>Date:</i> 8:30 p.m. Sunday, June 26 <i>Date:</i> 2 p.m. Monday, June 20
Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 <i>Date:</i> 2 p.m. Monday, June 27	Washington County Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> 11 p.m. Saturday, June 25 <i>Date:</i> 11 p.m. Sunday, June 26 <i>Date:</i> 6 a.m. Tuesday, June 28 <i>Date:</i> 4 p.m. Wednesday, June 29
Oregon City, Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.	West Linn Channel 30 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site 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. For questions about the agenda, call the Metro 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 Clerk of the Council to be included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 503-797-1804 or 503-797-1540 (Council Office).

Agenda Item Number 3.0

Healthy Families Latino Outreach Campaign

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

Agenda Item Number 4.1

Consideration of the Minutes for June 16, 2011

Consent Agenda

Metro Council Meeting
Thursday, June 23, 2011
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Resolution No. 11-4268, For the Purpose of Approving an Intergovernmental Agreement Between Metro, Washington County, and the Cities of Tualatin and Wilsonville For Concept Planning the Urban Growth Boundary Expansion Areas Known as Basalt Creek and West Railroad and Authorizing the CP/Acting COO to Sign the Agreement.

Consent Agenda

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 11-4268
EXECUTION OF AN INTERGOVERNMENTAL)	
AGREEMENT BETWEEN METRO,	)	Introduced by Acting Chief Operating Officer
WASHINGTON COUNTY, AND THE CITIES OF	)	Dan Cooper with the concurrence of Council
TUALATIN AND WILSONVILLE FOR	)	President Tom Hughes
CONCEPT PLANNING THE URBAN GROWTH)	
BOUNDARY EXPANSION AREAS KNOWN AS)	
BASALT CREEK AND WEST RAILROAD AND)	
AUTHORIZING THE ACTING CHIEF)	
OPERATING OFFICER TO SIGN THE)	
AGREEMENT)	

WHEREAS, the Metro Council adopted Ordinance 04-1040B that expanded the urban growth boundary to include areas near the cities of Tualatin and Wilsonville now known as Basalt Creek and West Railroad concept planning areas;

WHEREAS, Washington County or the cities of Tualatin and Wilsonville in conjunction with Metro are required to complete Title 11 planning for the Basalt Creek and West Railroad planning areas;

WHEREAS, Metro has signed an intergovernmental agreement and allocated \$365,000 of construction excise tax funds to the cities of Tualatin and Wilsonville to complete concept planning for the planning areas;

WHEREAS, Washington County, the cities of Tualatin and Wilsonville and Metro seek to integrate land use and transportation planning in the concept planning areas; now therefore

BE IT RESOLVED that the Metro Council authorizes the execution of the proposed Intergovernmental Agreement ("IGA") between Metro, Washington County, and the Cities of Tualatin and Wilsonville, attached to this resolution as Exhibit A, and authorizes the Acting Chief Operating Officer to sign the agreement on behalf of Metro.

ADOPTED by the Metro Council this _____ day of June 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

**INTERGOVERNMENTAL AGREEMENT
BETWEEN METRO, WASHINGTON COUNTY, AND THE CITIES OF TUALATIN AND
WILSONVILLE FOR CONCEPT PLANNING THE URBAN GROWTH BOUNDARY
EXPANSION AREAS KNOWN AS THE "BASALT CREEK" AND "WEST
RAILROAD" PLANNING AREAS**

RECITALS

This Intergovernmental Agreement (IGA) is entered into by the following parties: METRO, the Portland area metropolitan service district; WASHINGTON COUNTY, a political subdivision in the State of Oregon, hereinafter referred to as "COUNTY"; and the CITY OF TUALATIN and CITY OF WILSONVILLE, incorporated municipalities of the State of Oregon, hereinafter referred to as "CITIES".

Whereas, in 2004 METRO's Council added two areas known as the Basalt Creek and West Railroad Planning Areas, located generally between the CITIES, to the Urban Growth Boundary (UGB) for industrial uses, via Metro Ordinance No. 04-1040B; and

Whereas, METRO conditioned that these UGB expansion areas undergo Title 11 concept planning as defined in Metro Code Chapter 3.07, cited as the Urban Growth Management Functional Plan ("UGMFP"), and that the concept planning be in accordance with Exhibit F of Metro Ordinance 04-1040B; and

Whereas, on June 10, 2010 the METRO Council adopted its 2035 Regional Transportation Plan ("2035 RTP") via Metro Ordinance 10-1241B, with a Project List including an extension of SW 124th Avenue (Project #10736) south of SW Tualatin-Sherwood Road and several projects related to the proposed I-5 to Hwy 99W Connector Project Alternative 7 "Southern Arterial", which is planned as a continuous east-west roadway between I-5 and Hwy 99W passing through the subject UGB expansion areas; and

Whereas, in recognition of the immediate needs of the region, the parties of this IGA support the extension of SW 124th Avenue from Tualatin-Sherwood Road to the vicinity of Tonquin Road, and ultimately to Boones Ferry Road via an east-west alignment yet to be determined through the planning efforts initiated pursuant to this IGA; and

Whereas, METRO has allocated \$365,000 of Construction Excise Tax funding to CITIES to pay for Concept Planning in the subject area; and

Whereas, COUNTY and CITIES have agreed to consider both areas in a single concept planning effort, and to refer to the two subject UGB expansion areas generally as the "Basalt Creek Planning Area;" and

Whereas, COUNTY currently has primary planning responsibility in the subject area; and

Whereas, COUNTY and CITIES wish to work together to complete integrated land use and transportation system concept planning to assure carefully planned development in the Basalt Creek Planning Area that will be of benefit to COUNTY, CITIES, and their residents; and

Whereas, Oregon Statewide Planning Goal 1 requires public involvement and Goal 2 requires intergovernmental coordination, this IGA is intended to indicate to private property owners in the area, METRO, the State of Oregon, and all other interested parties the cooperative nature of the planning effort being undertaken by the CITIES and COUNTY for the Basalt Creek Planning Area; and

Whereas, COUNTY and the CITIES anticipate amending existing Urban Planning Area Agreements (UPAAs) between the CITIES and the COUNTY to reflect the future limits of each city and to establish requirements for transfer of planning authority to the respective city.

Now, therefore, COUNTY, the CITIES, and METRO agree as follows:

AGREEMENT

A. Subject Land Area

1. The Basalt Creek Planning Area subject to this IGA is depicted on Exhibit 1.

B. Agency Roles and Responsibilities

1. COUNTY will:
 - a. Allow CITIES to jointly take the lead in managing concept planning of the Basalt Creek Planning Area, in coordination with COUNTY, METRO, and the Oregon Department of Transportation ("ODOT"), recognizing that the CITIES will complete the concept planning in compliance with Title 11 of the UGMFP and the CITIES will ultimately be responsible for providing urban level services and governance to the area. The foregoing statement does not create or imply any obligation on the part of the CITIES under this agreement to fund right-of-way acquisition or to construct the I-5/99W "Southern Arterial."
 - b. Retain planning authority for the Basalt Creek Planning Area until such authority is transferred to the CITIES, pursuant to the terms of UPAAs with each city, as amended pursuant to Section D of this IGA.

- c. In coordination with the parties to this IGA and ODOT, provide funding, establish a scope of work, retain a consultant, and provide project management services for planning of the major roadway system in the Basalt Creek Planning Area, including preliminary project development for the SW 124th Avenue extension project from Tualatin-Sherwood Road to SW Boones Ferry Road, whether following existing right-of-way alignments or new right-of-way alignments, which may include portions of an east-west arterial that is consistent with the future “Southern Arterial” elements outlined in the 2035 RTP.

It is acknowledged that the RTP requires compliance with specific conditions before the construction of the “Southern Arterial.” Consistency with the “Southern Arterial” elements of the RTP can be assured only when the conditions related to the “Southern Arterial” have been fully addressed. However, due to the immediate needs of the region in the interim period, the RTP allows the extension of SW 124th Avenue, as described in the paragraph above, to be completed with minimal extra conditions.

In an effort to provide timely answers to the property owners in the Basalt Creek Planning Area, a sufficient amount of this study must be complete within six (6) months following the effective date of this IGA in order to allow the Cities to begin concept planning. Accordingly, this task is budgeted to last for up to six (6) months. As part of the transportation planning effort, COUNTY will address the following in coordination with the CITIES, METRO and ODOT:

- i. The conditions related to the ‘Southern Arterial’ in the METRO 2035 RTP (as described in Exhibits 2, 3, and 4), as applicable;
 - ii. Strategies for maintaining freight access to and freight mobility within the planning area;
 - iii. Potential I-5/Elligsen Road interchange improvements, including a split-diamond interchange option;
 - iv. Potential I-5 overcrossing north of Elligsen Road interchange; without a direct connection to I-5, which does not preclude arterial options on the east side of I-5; and
 - v. Potential roadway connections directly to I-5, subject to satisfaction of applicable 2035 RTP conditions.
- d. Consider acquisition of right-of-way and/or construction of portions of the SW 124th Avenue extension project improvements as described in Paragraph B.1.c. above, subject to availability of funding.
- e. In order to preserve the ability for a future potential roadway connection, consider acquisition of right-of-way for a potential future east-west arterial roadway connection between SW Boones Ferry Road and I-5, subject to availability of funding. It is acknowledged that no new east-west roadway

may be constructed between SW Boones Ferry Road and I-5 until applicable RTP “Southern Arterial” conditions have been satisfied.

- f. In coordination with CITIES, consider potential funding and/or construction of permanent or interim improvements to the existing roadway network in and adjacent to the planning area prior to funding and/or construction of the “Southern Arterial.”

2. CITIES will:

- a. Assume primary project management responsibly for concept planning of the Basalt Creek Planning Area, in coordination with COUNTY and METRO, effective as of the date of execution of this IGA. Concept planning shall conform to Metro UGMFP Title 11 requirements in effect when the subject planning areas were added to the Urban Growth Boundary.
- b. Mutually agree upon a future city limit boundary through the concept planning process.
- c. Incorporate into the final Basalt Creek Concept Plan and any city comprehensive plans, transportation plans and/or implementing regulation amendments those major transportation facilities identified by COUNTY, in collaboration with METRO, CITIES, and ODOT, pursuant to B.1. above. CITIES shall incorporate into their amended plans and regulations reasonable measures to identify and assist in the protection of the approved major transportation facility corridors from development encroachment in order to implement the final Basalt Creek Concept Plan as agreed upon by the parties to this IGA. The parties to this IGA acknowledge that such reasonable protection measures are subject to constitutional limitations on property takings, and are not intended to require the CITIES to in any way violate constitutional property protections or to incur a financial obligation to purchase right-of-way to preserve the identified transportation corridors. It is acknowledged by the parties to this IGA that construction of some new roadway facilities may be subject to the conditions set forth in the RTP relative to the proposed I-5 to 99W Connector Project Alternative 7 Southern Arterial (refer to Exhibits 2, 3, and 4).

3. METRO will:

- a. Provide CET funding to CITIES for concept planning activities in the subject planning area.
- b. Participate in ongoing concept and transportation planning efforts with COUNTY and CITIES as warranted.

C. Coordination of Concept Planning Activities

1. COUNTY and CITIES shall:

- a. Engage in a facilitated concept plan partnering and scoping session following the execution of this IGA.
- b. Provide all parties to this IGA and ODOT with appropriate opportunities for participation, review and comment on the proposed concept planning efforts. The following procedures shall be followed by the CITIES and the COUNTY to notify and involve the other parties in the process to prepare the concept plan:
 - i. COUNTY and the CITIES shall transmit notice of meetings related to the concept plan to all parties to this IGA at least one week prior to the scheduled meeting. This includes any technical advisory committee meetings, open houses, Planning Commission or Planning Advisory Committee meetings, City Council or Board of Commissioner meetings and similar meetings, etc.
 - ii. The CITIES or COUNTY shall notify the other parties no less than forty-five (45) days prior to the initial public hearing for proposed comprehensive plan, transportation plan or implementing regulation amendments.
 - iii. The CITIES shall transmit draft documents to COUNTY for its review and comment before finalizing. COUNTY shall have ten (10) business days after receipt to submit comments in writing. Lack of response shall be considered "no objection" to the drafts.
 - iv. The CITIES shall respond to the comments made by COUNTY either by a) revising the draft document, or b) by letter to COUNTY explaining why the comments are not addressed in the documents.
 - v. Comments from the COUNTY shall be given consideration as part of the public record on the concept plan.

2. COUNTY shall provide the CITIES with notice of development actions requiring notice within the Concept Plan area, according to the following procedures:

- a. The COUNTY shall send by first class mail or as an attachment to electronic mail a copy of the public hearing notice which identifies the proposed development action to the other agency, at the earliest opportunity, but no less than ten (10) business days prior to the date of the scheduled public hearing. The failure of the CITIES to receive a notice

- b. shall not invalidate an action if a good faith attempt was made by the COUNTY to notify the CITIES.
 - c. The CITIES receiving the notice may respond at their discretion.
3. In addition to the above, COUNTY shall make reasonable efforts to provide the CITIES with copies of pre-application conference notes regarding potential development applications within the subject planning area, as well as encouraging all potential development applicants to contact the CITIES for additional information on the concept planning efforts.

D. Urban Planning Area Agreements (UPAAs)

- 1. Both the CITIES have UPAAs with COUNTY that will have to be amended upon adoption of the final Basalt Creek Concept Plan, as agreed upon by the parties to this IGA.
- 2. The CITIES and COUNTY agree that the amended UPAAs will reflect which areas within the Basalt Creek Planning Area will be governed by which city, as determined through the concept planning process, and that the respective areas will be under the CITIES respective jurisdictions, and not the COUNTY, as the areas urbanize.
- 3. The amended UPAAs will specify conditions to be met prior to COUNTY transfer of planning authority to each of the CITIES, such as adoption of comprehensive plans, transportation plans and/or implementing regulation amendments by each of the CITIES necessary to implement the final Basalt Creek Concept Plan, as agreed upon by the parties to this IGA.
- 4. It is recognized that COUNTY adopts annual land use and transportation work programs, and this concept planning effort will require coordination to fit within the work program of COUNTY.

This IGA shall become effective upon full execution by all parties. The effective date of this IGA shall be the last date of signature on the attached signature pages. This IGA shall be in effect until the CITIES and COUNTY amend their respective UPAAs and incorporate the Basalt Creek Concept Plan into each CITIES respective comprehensive plans or until 5 years following the execution of this IGA, whichever occurs earlier.

Attachments:

- Attachment 1 – Plan Areas Map
- Attachment 2 – Excerpt from Regional Transportation Plan
- Attachment 3 – Regional Transportation Plan Appendix 3.3 (I-5/99W Conditions)
- Attachment 4 – Excerpt from Regional Transportation Plan Project List

(Four separate signature pages follow)

CITY OF TUALATIN, Oregon

By: _____
Lou Ogden
Mayor

Date: _____

ATTEST:

By: _____

CITY OF WILSONVILLE, Oregon

By: _____
Tim Knapp
Mayor

Date: _____

ATTEST:

By: _____

WASHINGTON COUNTY

By: _____
Andy Duyck
Chair, Board of County Commissioners

Date: _____

ATTEST:

By: _____

METRO

By: _____
Dan Cooper
Acting Chief Operating Officer

Date: _____

APPROVED AS TO FORM:

By: _____
Alison Keane Campbell
Acting Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4268 FOR THE PURPOSE OF
AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN
METRO, WASHINGTON COUNTY, AND THE CITIES OF TUALATIN AND
WILSONVILLE FOR CONCEPT PLANNING THE URBAN GROWTH BOUNDARY
EXPANSION AREAS KNOWN AS BASALT CREEK AND WEST RAILROAD AND
AUTHORIZING THE CHIEF OPERATING OFFICER TO SIGN THE AGREEMENT

Date: June 9, 2011

Prepared by: Sherry Oeser, 503 797-1721 and
Andy Cotugno, 503 797-1763

BACKGROUND

In December 2002, the Metro Council added more than 18,000 acres of land to the Urban Growth Boundary (UGB) that satisfied all of the demand at that time for residential land and commercial uses but only a portion of the overall need for industrial land. A remand order was issued by the Land Conservation and Development Commission (LCDC) that required Metro to fulfill the industrial land need.

After further study, the Metro Council in 2004 added areas south of Tualatin (Tualatin Area, now known as the Basalt Creek Planning Area) and northwest of Wilsonville (Coffee Creek Area, now known as the West Railroad Planning area) to the UGB to address part of the industrial need. These two planning areas are part of a single concept planning effort referred to now as the Basalt Creek Planning Area. Because a potential alignment of the I-5/99W Connector could pass through this area, the council set a condition that Title 11 concept planning be completed within two years following the selection of the right-of-way alignment for the connector.

In 2010, the council adopted and LCDC acknowledged the 2035 Regional Transportation Plan (RTP). A package of arterial improvements, referred to as "Alternative 7", was included in the RTP at the request of the I-5/99W Connector Project Steering Committee along with specific conditions that were intended to serve as a roadmap to implement Alternative 7. One specific condition is that "Land Use Concept Planning will have to be completed by local governments to conform to the Alternative 7 decision. Local governments need to complete concept plans that incorporate Alternative 7 elements for lands that are: a) within the Metro UGB, and b) within the project area and are not incorporated, and c) in areas where concept planning has not yet commenced."

The transportation plan for the area is called out in the 2035 RTP as short and long-term elements. The short-term elements are intended to be implemented with minimal additional conditions needing to be addressed while the long-term elements have substantial additional conditions to satisfy. The key facilities called for in the short-term is a new road generally following SW 124th Avenue south from Tualatin-Sherwood Road to the vicinity of Tonquin Road, east through the Basalt Creek Concept Planning area to Boones Ferry Road, then south along Boones Ferry Road to and including the I-5/North Wilsonville Interchange. This facility is intended to be sized to serve the industrial lands in Tualatin, Wilsonville and Sherwood recently added to the UGB. The key facility called for in the long-term is to upgrade the east-west segment through the Basalt Creek area to function as a Southern Arterial from I-5 to 99W involving extension west of SW 124th Avenue, expansion from 124th to Boones Ferry Road and

improved connectivity to I-5. This improvement cannot proceed until substantial conditions are addressed, including coordination with urban reserves south of Sherwood, environmental and urban form impacts of alternative alignments, assessment of alternatives for improved connection to I-5 and integration with an I-5 Corridor Plan south of Highway 217.

Another condition the council adopted was that Washington County or the cities of Tualatin and Wilsonville, in conjunction with Metro, are required to complete Title 11 concept planning. Because of the number of transportation and land use issues involved, the county, cities, and Metro determined that concept planning should be a joint effort among the four jurisdictions. Exhibit A to Resolution No. 11-4268 outlines each agency's roles and responsibilities in this planning work. The Cities of Tualatin and Wilsonville have lead responsibility for concept planning and Washington County has lead responsibility for project development of the 124th project. Metro has already allocated and signed an IGA for \$365,000 of construction excise tax funds to assist the cities in paying for the concept planning effort.

Resolution 11-4268 authorizes execution of the IGA between Metro, Washington County, and the Cities of Tualatin and Wilsonville to ensure this planning coordination occurs and authorizes the Acting Chief Operating Officer to sign the IGA.

The City of Wilsonville authorized the IGA on June 6. Washington County approved the IGA on June 7 and the City of Tualatin is scheduled to consider the IGA on June 13.

ANALYSIS/INFORMATION

1. **Known Opposition:** None known
2. **Legal Antecedents** Metro Ordinance 04-1040B; Land Conservation and Development Commission remand order 03-WK Task 001524
3. **Anticipated Effects** Title 11 concept planning will begin and be coordinated by all the government agencies involved
4. **Budget Impacts** Staff time to participate in concept planning is assumed in the FY 11-12 budget

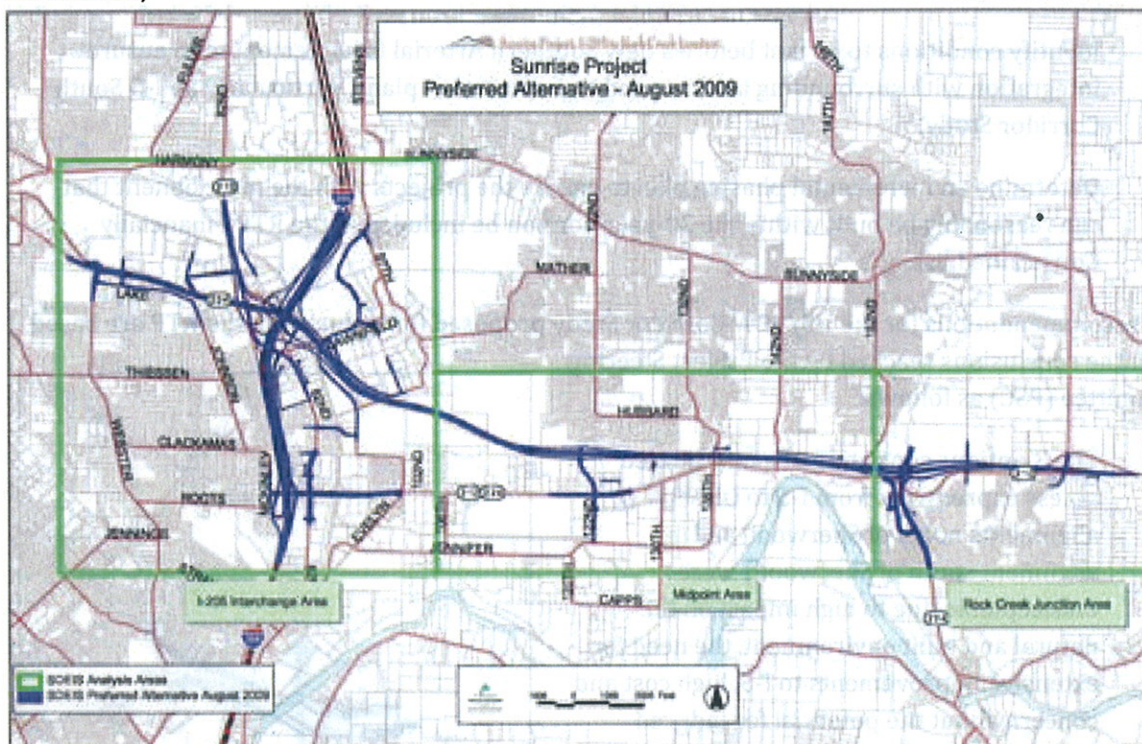
RECOMMENDED ACTION

Staff recommends approval of Resolution No. 11-4268

and OR 212 corridor study will provide further direction for solutions in this corridor. Further map refinements and project recommendations may be identified through this work.

Figure 6.2

Sunrise Project Preferred Alternative (as Recommended by the project's Policy Review Committee)



6.3.2.3 I-5/99W Connector Study Recommendations and Implementation (Tigard to Sherwood - Mobility Corridor #20)

Between 2006 and 2009, the I-5/99W Corridor Study identified a number of improvements in this corridor to support access to 2040 land uses, address existing deficiencies and serve increased travel demand. One primary function of this route is to connect the Washington Regional Center to the cities of Tigard, Tualatin and Sherwood, and provide access to the Tualatin/Sherwood Industrial Area and Tualatin National Wildlife Refuge. This corridor provides shortline heavy rail access to the region from the Willamette Valley and connects agricultural areas to the interstate highway system in this region. This mobility corridor also serves as a secondary gateway to the region, connecting communities in Yamhill County and the Central Oregon Coast to the Portland metropolitan region.

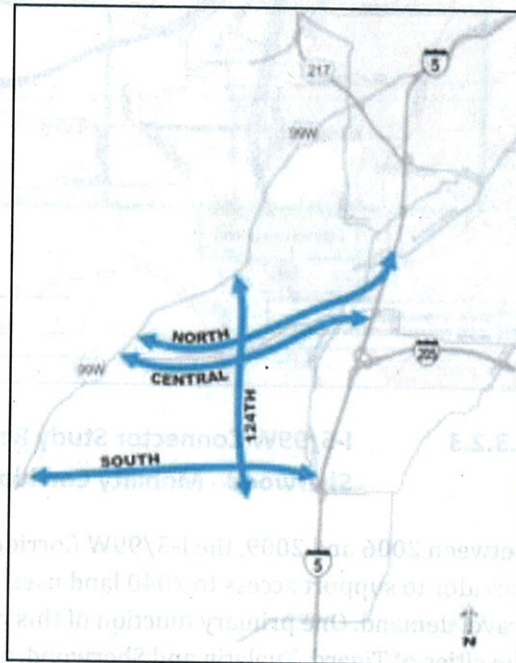
In February 2009, the I-5/99W Connector Project Steering Committee (PSC) was unable at the end of its process to reach a unanimous recommendation for the I-5/99W Corridor Study as required by the PSC Partnership Agreement in order to forward a Recommended Corridor Alternative to the

RTP. However, there was unanimous agreement on some aspects of the Connector that could be reflected in the RTP:

- Identify projects for inclusion in the RTP with minimal extra conditions, particularly the extension of SW 124th from SW Tualatin Sherwood Road to the I-5/North Wilsonville Interchange,
- Identify conditions to be met before a new Southern Arterial is implemented to ensure integration with surrounding land use and transportation plans, particularly an I-5 South Corridor Study,
- Determine an incremental phasing plan to ensure the projects with the most benefit that can reasonably be built within the 20-year horizon be included in the RTP Financially Constrained list.

The recommendations for the I-5/99W Corridor Study proposed for inclusion in the RTP are based upon the conclusions reached by the Project Steering Committee (PSC) as follows:

- The 3 options consisting of a new limited access expressway from I-5 to OR 99W (2 alignments north of Sherwood and 1 alignment south of Sherwood) were unacceptable due to high impact on the natural and built environment, the need for extensive improvements to I-5, high cost and concern about the potential for induced growth to Yamhill County, and
- The option focused on expanding Tualatin-Sherwood Road was unacceptable due to the very large size it would need to be and the resulting impacts on the Tualatin and Sherwood Town Centers.
- The alternative recommended is based upon the principle that it is preferable to spread the traffic across three smaller arterials rather than one large expressway. The analysis concluded this approach could effectively serve the traffic demand, would provide better service to urban land uses in the Tualatin/Sherwood area, especially industrial lands, and could be built incrementally based upon need to serve growth and revenue



The I-5/99W Corridor Study recommended a variety of transportation investments to improve the area's road, transit, bicycle, pedestrian and trail networks and to distribute traffic across a network of three arterials so that no single route would function as a defacto through "connector." The RTP places additional conditions on the "Three Arterial" recommendation and implementation.

availability. The overall concept is structured around a Northern, Central and Southern arterial providing east-west access between OR 99W and I-5 with an extension of SW 124th providing north-south connectivity (see diagram).

The City of Wilsonville was and continues to raise objections to the Southern Arterial component throughout this process. The City is very concerned about growing I-5 congestion and the City's dependence on effective access to the two I-5 interchanges. The City is concerned that the Southern Arterial connecting into the I-5/North Wilsonville interchange will significantly increase traffic and impair that access.

When the PSC considered the recommendation, the Clackamas County Commission representative introduced a series of amendments to the conditions to ensure that the Southern Arterial would be examined in greater detail to:

- evaluate alignment options and their environmental impact;
- integrate the proposal with the concept plan and transportation system plan for the newly expanded UGB area and any new Urban Reserves that are designated in the area;
- address any requirements that may result from adoption of an exception to Goal 14 (if needed) for an urban facility outside the UGB;
- integrate the proposal with a Tigard to Wilsonville Corridor Study (Corridor #3) to ensure these east-west arterials and I-5 itself could effectively function together; and
- determine the most appropriate approach to connecting the Southern Arterial to I-5, including options for an interchange at the I-5/North Wilsonville interchange or consideration of extending the Southern Arterial across I-5 to Stafford Road east of I-5, thereby providing better access to I-205.

The Project Steering Committee acknowledged many significant issues to be addressed before the Southern Arterial can proceed to construction, and approved the proposed conditions unanimously. The detailed conditions can be found in Appendix 3.3.

Typically, there is a need to transition from a "planning" level of detail to a "project" level of detail which involves better definition of alignments and designs and consideration of impacts on the natural and built environment and how to mitigate those impacts. These conditions proposed by the Project Steering Committee add in the need to integrate the recommendation with land use planning for recent UGB expansion areas and potential Urban Reserves (still to be defined) and the importance of integrating the overall system for the area with an I-5 corridor strategy.

The RTP places additional conditions on the "Three Arterial" recommendation and implementation, as reflected below:

Short-term phasing strategy (2008-2017)

- Identify replacement solutions for the Tualatin Road project recommended by the I-5/Connector study as part of the next Tualatin TSP update. This project was removed from the RTP based on community concerns and lack of support by the Tualatin City Council. The two-lane connection from the Tualatin Road/Herman road intersection to I-5 at Lower Boones Ferry Road was not intended to serve through traffic, but rather to provide access to the surrounding industrial area and neighborhoods. The planning work will consider alternative alignments and designs across the Tualatin River and I-5 near the I-5/Lower Boones Ferry Road interchange to mitigate impacts. If Tualatin (through their TSP update) does not identify project(s) to adequately address the capacity/connectivity issues identified in this area, then the RTP will be amended to direct the Corridor Refinement Plan effort for corridors #2, 3 and 20 to address this need in that planning effort. The need would go unaddressed until completion of that corridor refinement plan, or the next RTP update.
- Begin construction of the Tonquin Trail (RTP Projects #10092 and #10854).
- Upgrade existing streets to two lanes with turn lanes, traffic signal timing, bike lanes and sidewalks, including Herman Road, Tualatin-Sherwood Road, 95th Avenue (RTP Projects #10715, #10718, #10852).
- Add southbound auxiliary lane from I-205 to I-5/Elligsen Road and northbound auxiliary lane from I-5/Elligsen Road to I-205 interchange. (RTP Projects #10872 and #11177)
- Conduct more detailed project planning and begin construction of a two-lane extension of SW 124th Avenue (RTP Project #10736: 124th Avenue) from Tualatin-Sherwood Road to I-5/North Wilsonville interchange to support its operation as an industrial access route. The planning work will further consider potential impacts on the existing development and the natural environment. It will also include more detailed definition of the design and alignment to mitigate impacts and to integrate with land use and transportation plans for the area.
- Conduct more detailed planning to meet all of the conditions placed on new Southern Arterial project, including:
 1. Conduct the I-5 South Corridor Refinement Plan (includes I-5 from Portland to Tigard, I-5 from Tigard to Wilsonville, and OR 99W from I-5 through Tigard and Sherwood) and land use planning for areas recently added to the urban growth boundary and any land designated as urban reserves. These planning efforts will include opportunities for further public participation and input.
 2. Conduct more detailed project planning on potential Southern Arterial impacts on existing development and the natural environment to develop more detailed definition of the design and alignment to mitigate impacts and coordinate with land use and transportation plans for the area, including integration with land use plans for UGB expansion areas and Urban Reserves, conducting the I-5 South Corridor Refinement Plan, including Mobility Corridors 2, 3 and 20, and resolution of access between I-5 and southern arterial with no negative

impacts to I-5 and I-205 beyond the forecast No-Build condition, addressing NEPA to determine the preferred alignment and addressing any conditions associated with land use goal exception for the southern arterial. This planning effort will include opportunities for further public participation and input.

Tualatin-Sherwood Road is sized in the recommended alternative based upon the expectation there will be a Southern Arterial and will fail due to insufficient capacity without a Southern Arterial and further expansion is incompatible with the plans for the Tualatin and Sherwood Town Centers. If the Southern Arterial is dropped through future studies, there is a major unresolved issue addressing east-west travel through this area. The RTP will need to be amended to direct the Corridor Refinement Plan effort for corridors #2, 3 and 20 to address this need. The need would go unaddressed until completion of that corridor refinement plan, or the next RTP update.

Medium-term phasing strategy (2018-2025)

- Widen existing streets to four lanes with turn lanes, traffic signal timing, bike lanes and sidewalks, including Tualatin-Sherwood Road, Roy Rogers Road, Boones Ferry Road and Herman Road (RTP Projects #10568, #10700, #10708, #10732 and #10735)
- Program right-of-way acquisition for the Southern Arterial project in the 2018 - 2025 time period to allow time to conduct the I-5 South refinement plan and land use plans for designated urban reserves in the area.

Longer-term phasing strategy (2026-2035)

- Construct the Southern Arterial connection to I-5 or other surface arterials in the vicinity of the I-5/North Wilsonville Interchange when all the project conditions are met.

6.4 CONGESTION MANAGEMENT PROCESS

A key change from SAFETEA-LU was an updated requirement for a CMP for metropolitan planning organizations (MPOs) in Transportation Management Areas (TMAs – urban areas with over 200,000 in population). This change is intended to build on the previous requirement of a congestion management system (CMS), placing a greater emphasis on management and operations and enhancing the linkage between the CMP and the long-range regional transportation plan (RTP) through an objectives driven, performance-based approach.

A CMP is a systematic approach for managing congestion that provides information on transportation system performance. It recommends a range of strategies to minimize congestion and enhance the mobility of people and goods. These multimodal strategies include, but are not limited to, operational improvements, travel demand management, policy approaches, and additions to capacity. The region's CMP will advance the goals of the 2035 RTP and strengthen the connection between the RTP and the Metropolitan Transportation Improvement Program (MTIP). A "Roadmap" of the region's CMP can be found in Appendix 4.4.

Attachment 3 to Exhibit A, Resolution No. 11-4268, 2035 Regional Transportation Plan Appendix 3.3, I-5/99W Connector Study Recommendations, Conditions

At their meeting on February 25, 2009, the PSC agreed on the following conditions as amended from those presented to them in the Alternative 7 Recommendation Memorandum dated February 17, 2009 to accompany the RTP recommendation of Alternative 7:

1. **Future phasing plans for implementing Alternative 7 projects must take into consideration the transportation, environmental, and economic impacts of advancing some improvements sooner than others.** The sequencing of affordable improvements should be done in a manner that does not create new transportation problems or liabilities for the vitality of affected jurisdictions.
2. **The timing and priority of an I-5 corridor study must be considered in the RTP adoption process for Alternative 7.** The connector project development process emphasized the need for a corridor study along I-5 from Portland to the Willamette River. The results of this study may affect the timing and designs of some improvements within Alternative 7.
3. **Access between I-5 and the southern arterial must be resolved.** Additional study is required to fully understand the impacts and trade offs between transportation solutions and land use, economic and environmental consequences of a new southern arterial. The impacts on rural lands are of particular importance and must be further evaluated before pursuing an exceptions process. The study area may need to be expanded to include connections to Stafford Road and additional areas along the OR 99W corridor that were not included in the alternatives analysis. The alternatives analysis process determined the general corridor location for the new southern arterial. However, additional preliminary engineering and planning work is needed to determine the optimal access option and configuration for connecting the southern arterial to I-5, OR 99W, and other arterials in the expanded study area. Construction of the southern arterial should be conditioned on defining the I-5 improvements needed to accommodate it and ensuring no negative impacts to I-5 and I-205 occur beyond the forecast No-Build condition as a result of Alternative 7. Options to be explored include modifying the I-5/North Wilsonville Interchange into a tight split-diamond interchange, or extending a new arterial connection crossing over I-5 and connecting to Stafford Road and/or Elligsen Road on the east side of I-5 for regional traffic benefits.
4. **Completion and construction of major project elements is subject to compliance with the National Environmental Policy Act (NEPA) and design refinement.** The Alternative 7 concept provides only the general locations and functional characteristics of new transportation facilities. A fully collaborative public/agency involvement and environmental analysis process must be conducted in developing the design details of any major construction element of Alternative 7. Subsequent project development work will need to define the actual alignments and designs of each of these facilities within the framework of these general parameters. On-going coordination with the Tualatin River National Wildlife Refuge must also occur to ensure optimum compatibility of Alternative 7 elements with refuge objectives.
5. **Land Use Concept Planning for UGB expansion areas should be coordinated with the refinement of these transportation recommendations.**
6. **The design of the southern arterial; must incorporate any conditions that may come out of land use goal exceptions processes (if required) by Metro, Washington County, and Clackamas County.** Portions of Alternative 7 may require exceptions under state land use goals that have not yet been studied or approved in order to be adopted in the RTP and to achieve needed federal and jurisdictional approvals. The extent of this issue may be affected by Metro's coming decisions on rural/urban land use reserves. Portions of proposed new transportation facilities are outside Metro's jurisdictional boundaries and will require coordination of actions between Metro and other affected jurisdictions. Possible design requirements may include forms of access management and land use control measures.
7. **State highway system routing and ODOT mobility standards must be key considerations in the design and future ownership of improvements within Alternative 7.** Current RTP assumptions are that a new limited-access connector would be built between I-5 and 99W, and that this roadway would become the new state route, possibly replacing OR 99W through Tigard. Alternative 7 does not result in

a limited-access connector, which may result in OR 99W remaining the designated state highway route through Sherwood, King City and Tigard.

8. **Strategic protection of right-of-way should be considered by agencies for the Alternative 7 elements within the UGB and along potential alignments where land development could conflict with the future implementation of corridor improvements.** Protective measures could include property setbacks, dedication of right-of-way, specific acquisition(s), and/or right-of-way purchases within the UGB consistent with NEPA process.

Following agreement on the above conditions, PSC representatives of Washington County, ODOT, Metro, and the cities of Tualatin and Sherwood voted in favor of recommending Alternative 7 with the conditions as amended above. PSC representatives of the City of Wilsonville and Clackamas County voted against this recommendation.

Attachment 4 to Exhibit A, Resolution No. 11-4268, 2035 RTP Project List

2035 RTP Project List Basall Creek Planning Area City-County-Metro IGA Exhibit 4 Page 1 of 1

Metro Project ID	Nominating Agency	Facility Owner/Operator	Project/Program Name	Project Start Location (Identify starting point of project)	Project End Location (Identify terminus of project)	Local Functional Classification	Project Purpose	Description	Estimated Cost (\$2007)	Estimated Cost (Y0ES)	Time Period	Federal Project	2040 Land Use	Mobility Corridor or Community Building?	HCT Priority as Adopted by JPACT and Metro Council	Primary Mode	Secondary Mode(s)	Project located in EJ Community b?	Project located in Goal 5 Resource s?
10598	Washington Co.		I-5/99W Southern Arterial ROW	Hwy. 99W	I-5	Arterial	Provide congestion relief.	Purchase right-of-way when all project conditions are met, including integration with land use plans for UGB expansion areas and Urban Reserves, Conducting the I-5 South Corridor Refinement Plan, including Mobility Corridors 2, 3, and 20 and resolution of access between I-5 and southern arterial with no negative impacts to I-5 and I-205 beyond the forecasted No-Build condition, addressing NEPA to determine the preferred alignment and addressing any conditions associated with land use goal exception for southern arterial.	\$ 90,000,000	\$ 132,221,986	2008-2017		Industrial area	CB		Roads/bridges	Freight	Yes	
10736	Tualatin	Tualatin	124th Ave	Tualatin-Sherwood	Tonquin	Minor Arterial	Economic development and freight movement.	Construct new street from Tualatin-Sherwood to Tonquin Rd - 5 lanes.	\$ 82,500,000	\$ 122,120,154	2008-2017	x	Industrial Area	CB		Roads/bridges	Freight		Yes
11339	Washington Co.		I-5/99W Southern Arterial Improvements	Hwy. 99W	124th Ave. Extension	Arterial	Provide congestion relief.	Construct the initial 2-3 lane arterial phase of the Southern Arterial from OR99W to the SW 124th Ave. Extension when all project conditions are met, including integration with land use plans for UGB expansion areas and Urban Reserves, Conducting the I-5 South Corridor Refinement Plan, including Mobility Corridors 2, 3, and 20 and resolution of access between I-5 and southern arterial with no negative impacts to I-5 and I-205 beyond the forecasted No-Build condition, addressing NEPA to determine the preferred alignment and addressing any conditions associated with land use goal exception for southern arterial.	\$ 130,000,000	\$ 263,356,147	2018-2025		Industrial area	MC		Roads/bridges			
11340	Washington Co.		I-5/99W Southern Arterial Improvements	Hwy. 99W	I-5	Arterial	Provide congestion relief.	Expand to 4-5 lanes to serve growth in the area and improve access to Tualatin-Sherwood Rd and an improved connection from SW Tualatin Rd. to the I-5/Lower Boones Ferry Rd. Interchange and when all project conditions are met, including integration with land use plans for UGB expansion areas and Urban Reserves, Conducting the I-5 South Corridor Refinement Plan, including Mobility Corridors 2, 3, and 20 and resolution of access between I-5 and southern arterial with no negative impacts to I-5 and I-205 beyond the forecasted No-Build condition, addressing NEPA to determine the preferred alignment and addressing any conditions associated with land use goal exception for southern arterial.	\$ 80,000,000	\$ 239,866,266	2026-2035		Industrial area	MC		Roads/bridges			
11342	Washington Co.		I-5/99W Connector Southern Arterial/I-5 Interface	Hwy. 99W@I-5		Arterial	Improve access to and from the Southern Arterial and I-5	Connect the Southern Arterial to I-5 or other surface arterials in the vicinity of the N. Wilsonville Interchange when all project conditions are met, including integration with land use plans for UGB expansion areas and Urban Reserves, Conducting the I-5 South Corridor Refinement Plan, including Mobility Corridors 2, 3, and 20 and resolution of access between I-5 and southern arterial with no negative impacts to I-5 and I-205 beyond the forecasted No-Build condition, addressing NEPA to determine the preferred alignment and addressing any conditions associated with land use goal exception for southern arterial.	\$ 50,000,000	\$ 149,935,186	2026-2035		2040 Corridor	MC		Roads/bridges	Throughways		

Resolution No. 11-4270, For the Purpose of Authorizing the Acting Chief Operating Officer to Issue an Amended Non-System License for Increased Tonnage Authorization to Hoodview Disposal & Recycling, Inc. for Delivery of Putrescible Waste to Canby Transfer & Recycling, Inc. for the Purpose of Transfer to the Riverbend Landfill.

Consent Agenda

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE	)	RESOLUTION NO. 11-4270
AN AMENDED NON-SYSTEM LICENSE FOR INCREASED)	
TONNAGE AUTHORIZATION TO HOODVIEW DISPOSAL &	)	Introduced by Daniel Cooper,
RECYCLING, INC. FOR DELIVERY OF PUTRESCIBLE WASTE	)	Acting Chief Operating Officer,
TO CANBY TRANSFER & RECYCLING, INC. FOR THE	)	with the concurrence of Tom
PURPOSE OF TRANSFER TO THE RIVERBEND LANDFILL	)	Hughes, Council President

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

WHEREAS, Hoodview Disposal & Recycling, Inc. ("HDR") holds Metro Solid Waste Facility Non-System License No. N-118-11, which expires on December 31, 2012; and

WHEREAS, HDR has filed a completed application seeking to increase the tonnage authorization stipulated in the non-system license to deliver putrescible waste to Canby Transfer & Recycling, Inc. for the purpose of transfer to the Riverbend Landfill for disposal under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control;" and

WHEREAS, the Metro Code Chapter 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; and

WHEREAS, the Chief Operating Officer has analyzed the application and considered the relevant factors under the Metro Code; and

WHEREAS, the Chief Operating Officer recommends that the non-system license be amended to increase the tonnage authorization as provided in Exhibit A to this Resolution; now therefore,

THE METRO COUNCIL RESOLVES AS FOLLOWS:

1. The non-system license application of HDR is approved subject to the terms, conditions, and limitations contained in Exhibit A to this Resolution.
2. The Chief Operating Officer is authorized to issue to HDR an amended Solid Waste Facility Non-System License substantially similar to the one attached as Exhibit A.

ADOPTED by the Metro Council this ____ day of _____, 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean-Campbell, Acting Metro Attorney

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1835 | FAX 503 813 7544



METRO

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

No. N-118-11A

LICENSEE:

Hoodview Disposal & Recycling, Inc.
1600 SE 4th Avenue
Canby, OR 97013

CONTACT PERSON:

Andy Kahut
Phone: (503) 663-4778
Fax: (503) 263-6477
E-mail: akahut@kahutwasteservices.com

MAILING ADDRESS:

Hoodview Disposal & Recycling, Inc.
P.O. Box 550
Canby, OR 97013

This non-system license replaces and supersedes the provisions of Metro Solid Waste Facility Non-System License No. N-118-11.

ISSUED BY METRO:

Scott Robinson, Deputy Chief Operating Officer

Date



1	NATURE OF WASTE COVERED BY LICENSE
	Putrescible solid waste that is generated by residential and commercial customers within the Metro region and collected by Hoodview Disposal & Recycling, Inc.
2	CALENDAR YEAR TONNAGE LIMITATION
	Licensee is authorized to deliver to the non-system facility listed in Section 3 of this license up to 7,600 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 transfer to the Riverbend Landfill for disposal:</p> <p style="text-align: center;">Canby Transfer & Recycling, Inc. 1600 SE 4th Avenue Canby, OR 97013</p> <p>This license is issued on condition that the non-system facility and disposal site named in this section are authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality or local regulatory authority that the non-system facility or disposal site are not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 7 of this license.</p>
4	TERM OF LICENSE
	The term of this license will commence on January 1, 2011 and expire at midnight on December 31, 2012, unless terminated sooner under Section 7 of this license.
5	REPORTING OF ACCIDENTS AND CITATIONS
	Licensee shall report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license.



6	RECORD KEEPING AND REPORTING
	<p>(a) The Licensee shall keep and maintain accurate records of the amount of all solid waste 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:</p> <ul style="list-style-type: none">i. Transmit the records required under Section 6(a) above to Metro in an electronic format prescribed by Metro;ii. Submit to Metro a Regional System Fee and Excise Tax Report, that covers the preceding month; andiii. Remit to Metro the requisite Regional System Fees and Excise Tax in accordance with the Metro Code provisions applicable to the collection, payment, and accounting of such fees and taxes. <p>(c) Licensee shall make all records from which Sections 6(a) and 6(b) 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) business 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 named in Section 3, above.</p>
7	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;



	<ul style="list-style-type: none">ii. The provisions of this license are actually or potentially in conflict with any provision in Metro's disposal contract with Waste Management Disposal Services of Oregon, Inc., dba Oregon Waste Systems, Inc.; oriii. 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 described in Section 3. <p>(c) This license shall, in addition to subsections (b)(i) through (iii), 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 that authorizes the facility to accept the waste described in Section 1 of this license.</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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8	COMPLIANCE WITH LAW
	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.

9	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.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4270 AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE AN AMENDED NON-SYSTEM LICENSE FOR INCREASED TONNAGE AUTHORIZATION TO HOODVIEW DISPOSAL & RECYCLING, INC. FOR DELIVERY OF PUTRESCIBLE WASTE TO CANBY TRANSFER & RECYCLING, INC. FOR THE PURPOSE OF TRANSFER TO THE RIVERBEND LANDFILL

June 8, 2011

Prepared by: Warren Johnson

Approval of Resolution No. 11-4270 will authorize the Chief Operating Officer (COO) to issue an amended non-system license (NSL) to Hoodview Disposal and Recycling, Inc. (HDR) for increased tonnage authorization to annually deliver up to 7,600 tons of putrescible waste from the Metro region to Canby Transfer & Recycling, Inc. (CTR) for the purpose of transfer to the Riverbend Landfill (RLF) in McMinnville, Oregon. The proposed amendment does not change any other provisions of the existing NSL which is set to expire on December 31, 2012.

BACKGROUND

Metro and RLF have entered into a designated facility agreement (Metro Contract No. 929082) which allows the landfill to accept certain types of waste from the Metro region (such as non-putrescible processing residual). Although RLF is a Metro-designated facility, an NSL is required to deliver Metro-area putrescible waste to the landfill because it is not designated, as provided in Metro Code Section 5.05.030(a) or under the agreement, to accept putrescible solid waste from the Metro region. These types of NSLs are important because they allow Metro to closely monitor and potentially guide waste flows as necessary to ensure compliance with its obligations under the disposal contract.

In November 2010, HDR was granted an NSL (No. N-118-11) to deliver a maximum of 5,500 tons per calendar year of putrescible waste, collected from its routes located inside the Metro region, to CTR for the purpose of transfer to the RLF for disposal. The term of that NSL commenced on January 1, 2011 and is set to expire on December 31, 2012. In January 2011, HDR purchased Deines Brothers Sanitary Service, Inc. and expanded its collection area within Clackamas County. As a result of the acquisition, HDR has added approximately 2,100 tons of solid waste to its collection operation.

On May 19, 2011, HDR submitted to Metro a change of authorization application seeking to increase the tonnage authorization of its existing license by 2,100 tons. The proposed amended license would increase HDR's existing annual tonnage authorization from 5,500 tons up to 7,600 tons per calendar year.

ANALYSIS/INFORMATION

1. Known Opposition

Although the waste subject to the proposed NSL will be delivered to CTR, ultimate disposal of such waste will be at the RLF. Within Yamhill County, there is known local public opposition to the expansion of RLF. The expansion decision continues to play itself out through the county, state land use process and legal system. In the past, local opponents of landfill expansion have expressed objections to the

disposal of any waste generated outside of the County that may contribute to Waste Management's need to expand capacity at the landfill.

2. Legal Antecedents

Section 5.05.035(c) of the Metro Code provides that, when determining whether or not to approve an NSL application, the Council shall consider the following factors to the extent relevant to such determination.

- (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 proposed disposal site is a transfer station rather than a landfill and thus does not pose the same potential environmental risk from wastes delivered from prior users. CTR began operations in 1996 and services only affiliated hauling companies including HDR and West Linn Refuse located in the Metro region. Staff is not aware of any wastes collected by HDR accepted at CTR that could pose a risk of environmental contamination.

Ultimate disposal of the waste covered under the proposed NSL will be at the RLF. The RLF first came into use during the mid-eighties. When RLF became a Subtitle D landfill in 1993, the original unlined cells were capped. Since 1993, the landfill has been filling only lined cells and operating with the environmental controls required by the Oregon Department of Environmental Quality (DEQ). During the term of the existing NSL, Metro staff has not found any evidence that the landfill has accepted waste that it was not permitted by DEQ to accept. It appears that the future risk of environmental contamination is likely to be minimal, provided that the synthetic liner system remains intact, leachate is collected and properly treated, groundwater is monitored for contamination migration, and the DEQ is diligent in its oversight of the facility.

- (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;*

The applicant (HDR) and the transfer station (CTR) are both affiliated with K.B. Recycling, Inc. headquartered in Canby, Oregon. Whereas, RLF is owned and operated by Waste Management of Oregon, Inc. (WMO). The landfill and CTR are permitted by the DEQ. Metro staff has recently received verbal confirmation from the DEQ and local jurisdictions (Clackamas and Yamhill Counties respectively) that both CTR and RLF are in compliance with federal, state, and local requirements. Staff has also received confirmation that these facilities have good compliance records with respect to public health, safety and environmental rules and regulations.

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

Metro and DEQ staff considers the operational practices and management controls in place at CTR to be adequate and consistent with other similar facilities. In addition, the RLF uses operational practices and management controls that are typical of Subtitle D landfills and considered by the DEQ to be appropriate for the protection of health, safety, and the environment.

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

The proposed license covers putrescible solid waste, which has little recovery potential. Thus, approval of the proposed license renewal is not expected to impact the region's recycling and waste reduction efforts.

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

Metro has a contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste that is delivered to general purpose landfills during the calendar year, to landfills owned by WMO. The putrescible solid waste covered under the proposed NSL is to be delivered to RLF, which is owned and operated by WMO. Thus, approval of this license renewal will not conflict with 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*

The applicant owns and operates KB Recycling, Inc. (KB), a Metro-licensed material recovery facility, as well as CTR. On September 1, 2010, Metro issued a notice of violation (No. NOV-260-10) to KB and imposed a penalty of \$100 for the facility accepting a load of putrescible waste in violation of its solid waste facility license (No. L-007-07A). KB has since paid its penalty and the matter has been resolved. On February 2, 2011, Metro issued a notice of violation (No. NOV-280-11) to KB and imposed a penalty of \$50 for the lack of proper signage at the facility. KB has since paid its penalty and the matter had been resolved. The above referenced violations are associated with the applicant; however, it is not directly related to the activities performed by the applicant's hauling operations.

The applicant is currently in compliance with its Metro-issued NSL. With the exception of the above referenced violations, the applicant has not had any significant compliance issues with regard to Metro regulations within the last two years. Additionally, HDR has had no violations related to public health, safety or environmental regulations during the term of the existing license.

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

The applicant is seeking the proposed NSL tonnage increase in order to create operational efficiencies that will benefit HDR's ratepayers. In particular, the applicant states that granting the requested amendment will result in savings for fuel, labor, and maintenance costs for HDR.

3. Anticipated Effects

The effect of Resolution No. 11-4270 will be to issue an amended NSL to HDR authorizing it to deliver up to 7,600 tons per calendar year of putrescible waste to CTR for the purpose of transfer to the RLF for disposal.

4. Budget/Rate Impacts

The application under consideration seeks to increase the tonnage authorization of an existing NSL (No. N-118-11) by 2,100 tons per calendar year. The waste covered under the NSL is destined for disposal at RLF which is owned and operated by WMO. As such, this proposed tonnage increase will not impact Metro's obligations under its disposal contract.

The regional system fee and excise tax will continue to be collected on the Metro-area waste delivered to CTR under the authority of the proposed NSL. However, the additional 2,100 tons of solid waste that HDR is seeking to deliver to CTR per calendar year will be diverted away from Metro South Transfer Station. This tonnage shift will cause a small increase in the cost of disposal for Metro's customers and a small reduction in FY 2011-12 Rehabilitation & Enhancement Fund revenue that would otherwise go to Oregon City.

Metro's costs change as tonnage shifts away from its transfer stations. These changes are reflected in the costs to operate the transfer stations and to transport and dispose of the waste. Generally these costs decline as tonnage shifts away, while Metro's unit (per-ton) costs increase due to fixed costs spread over fewer tons.

The tonnage shift expected in response to this amendment (about 2,100 tons *from* Metro's transfer station to CTS) would cause a decrease of approximately \$106,000 in the Parks and Environmental Services budget because Metro would no longer incur the cost of transferring, transporting, and disposing of the 2,100 tons of solid waste diverted to CTR. Since HDR applied for this amendment after the FY 2011-12 rates were adopted, the diversion is not factored into the Metro tip fee, and Metro would have to absorb the approximate \$18,800 fiscal impact during FY 2011-12. Metro could fully recover its costs with a 4¢ per ton increase in the tonnage charge component of the tip fee.

In addition to the above, revenue for the Rehabilitation & Enhancement of host communities derives from a state-authorized and Metro-implemented surcharge on all wastes accepted at certain solid waste facilities for a fee (including Metro South). The "host fee" set at the Metro South transfer station is currently 50 cents per ton and tonnage shifts away from the transfer station would reduce the Rehabilitation & Enhancement Fund by that amount. Specifically, diverting 2,100 tons of solid waste away from Metro South annually would result in the city of Oregon City receiving \$1,050 less for its Community Enhancement Program each year.

RECOMMENDED ACTION

The COO recommends approval of Resolution No. 11-4270, finding that the license amendment satisfies the requirements of Metro Code Section 5.05.035, and issuance of an NSL substantially similar to the proposed NSL attached to the resolution as Exhibit A. The Deputy Chief Operating Officer has been delegated signatory responsibility for this matter.

TG/WJ:bjl
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Resolution No. 11-4271, For the Purpose of Authorizing the
Chief Operating Officer to Issue a Non-System License to
Garbarino Disposal & Recycling Service, Inc. for Delivery of
Food Waste to the Nature's Needs Facility for Composting
During the Washington County Non-Green Feedstock
Demonstration Project.

Consent Agenda

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE) RESOLUTION NO. 11-4271
A NON-SYSTEM LICENSE TO GARBARINO DISPOSAL &)
RECYCLING SERVICE, INC. FOR DELIVERY OF FOOD) Introduced by Daniel Cooper,
WASTE TO THE NATURE'S NEEDS FACILITY FOR) Acting Chief Operating Officer,
COMPOSTING DURING THE WASHINGTON COUNTY) with the concurrence of Tom Hughes,
NON-GREEN FEEDSTOCK DEMONSTRATION PROJECT) Council President

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

WHEREAS, Garbarino Disposal & Recycling Service, Inc. has filed a complete application seeking a non-system license to deliver pre-and post-consumer food waste including meat and dairy products to the Nature's Needs composting facility under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control;" and

WHEREAS, such food waste will include source-separated pre-and post-consumer food waste generated by commercial customers of Garbarino Disposal & Recycling Service, Inc.; and

WHEREAS, the Nature's Needs composting facility is participating in a demonstration project with Washington County to assess the feasibility of accepting and composting non-green feedstock i.e., source-separated post-consumer food waste that includes meat and dairy; and

WHEREAS, the Metro Code Chapter 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; and

WHEREAS, the Chief Operating Officer has analyzed the application and considered the relevant factors under the Metro Code; and

WHEREAS, the Chief Operating Officer recommends that the non-system license be issued together with specific conditions as provided in Exhibit A to this Resolution; now therefore,

THE METRO COUNCIL RESOLVES AS FOLLOWS:

1. The non-system license application of Garbarino Disposal & Recycling Service, Inc. is approved subject to the terms, conditions, and limitations contained in Exhibit A to this Resolution.
2. The Chief Operating Officer is authorized to issue to Garbarino Disposal & Recycling Service, Inc. a Solid Waste Facility Non-System License substantially similar to the one attached as Exhibit A.

ADOPTED by the Metro Council this ____ day of _____, 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

BM:bjl
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600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1835 | FAX 503 813 7544



METRO

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

No. N-135-11

LICENSEE:

Garbarino Disposal & Recycling Service, Inc.
30966 NW Hillcrest St.
North Plains, OR 97133

CONTACT PERSON:

Jeff Garbarino
Phone: (503) 647-2335
Fax : (503) 647-9049
E-mail: jeffgarbdisp@qwestoffice.net

MAILING ADDRESS:

P.O. Box 250
North Plains, OR 97133

ISSUED BY METRO:

Margo Norton,
Finance and Regulatory Services Director

Date

1	NATURE OF WASTE COVERED BY LICENSE
	Source-separated, pre-and post-consumer food waste (including meat and dairy products) generated by commercial customers of Garbarino Disposal & Recycling Services, Inc. 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 500 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="text-align: center;">Nature's Needs 9570 NW 307th Avenue North Plains, Oregon 97133</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 or from Washington County 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 July 1, 2011 and expire at midnight on December 31, 2011, unless terminated sooner under Section 10 of this license.
5	COVERED LOADS
	Licensee shall suitably contain and cover, on all sides, all loads of source-separated pre-and post-consumer food that is delivered under authority of this license to prevent spillage of waste while in transit to the non-system facility 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; andb) 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
	<p>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.</p>

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 of its transportation carrier during the loading and transporting of solid waste on behalf of the licensee.

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; and(vi) 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 Department 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) business 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 named in Section 3, above.</p>

10	ADDITIONAL LICENSE CONDITIONS
	<p>This non-system license shall be subject to the following conditions:</p> <ul style="list-style-type: none">(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.(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:<ul style="list-style-type: none">(i) There has been sufficient change in any circumstances under which Metro issued 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, Inc.;(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 described 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.(v) The non-system facility listed in Section 3 generates malodors that are detectable off-site.(c) This license shall, in addition to subsections (b)(i) through (v), above, be subject to amendment, modification, termination, or suspension pursuant to the Metro Code.(d) Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.(e) This license shall terminate upon the execution of a designated facility agreement with the facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1 of this license.(f) This license authorizes delivery of solid waste only 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.

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
	<p>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.</p>

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4271 FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A NON-SYSTEM LICENSE TO GARBARINO DISPOSAL & RECYCLING SERVICE, INC. FOR DELIVERY OF FOOD WASTE TO THE NATURE'S NEEDS FACILITY FOR COMPOSTING DURING THE WASHINGTON COUNTY NON-GREEN FEEDSTOCK DEMONSTRATION PROJECT

June 8, 2011

Prepared by: Bill Metzler

Approval of Resolution No. 11-4271 will authorize the Chief Operating Officer to issue a new non-system license (NSL) to Garbarino Disposal & Recycling Service, Inc. (GDRS), a solid waste hauling company, to annually deliver a maximum of 500 tons of source-separated, pre-and post-consumer food waste that will include meat and dairy products (food waste) to the Nature's Needs composting facility located at 9570 NW 307th Avenue in North Plains, Oregon. Nature's Needs is located outside the Metro boundary, in unincorporated Washington County and is an established yard debris and vegetative food waste composting facility. Recology, Inc. owns and operates the Nature's Needs composting facility (Recology Oregon Compost, Inc.).

BACKGROUND

Nature's Needs will accept and compost the food waste as part of a Washington County Non-Green Feedstock Demonstration Project authorized by Washington County and approved by the Oregon Department of Environmental Quality (DEQ). The non-green feedstock refers to source-separated food waste that includes post-consumer meat and dairy products (food waste). The demonstration project with Washington County could last until December 31, 2011. If the demonstration project is successful, Nature's Needs intends to continue its food waste operations on a regular basis pending approval by Washington County and the DEQ.

The term of the proposed NSL is through December 31, 2011, which will coincide with the completion of the Washington County demonstration project with Nature's Needs. In the longer term, Nature's Needs intends to apply to Metro to become a designated facility of the system and operate under a Metro Designated Facility Agreement. During the demonstration project, Nature's Needs will be making improvements to its compost facility site in anticipation of receiving up to 80,000 tons per year of yard debris and food waste.

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

ANALYSIS/INFORMATION

1. Known Opposition

There has been some local concerns expressed about the Nature's Needs facility in the past due to malodors. Should malodors continue, the NSL provides that the Director may amend, modify or terminate the NSL if the non-system facility generates malodors detectable off-site. In addition,

Washington County can take enforcement action at the Nature's Needs composting facility under the provisions of the demonstration project.

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 NSL's for putrescible waste (such as food 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 and vegetative food waste 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 wood waste, yard debris, and limited amounts of vegetative food waste for composting, staff is not aware of any other wastes accepted at Nature's Needs 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;*

Nature's Needs is the non-system facility and is owned and operated by Recology, Inc., headquartered at 50 California Street, 24th Floor, in San Francisco California. Recology, Inc. is the contract operator for the Metro Central Transfer Station.

Recology, Inc. is also the parent company that owns Recology Oregon Material Recovery, Inc. which owns and operates three non-putrescible waste recovery facilities in the region that are licensed by Metro: 1) Suttle Road Recovery Facility, 2) Foster Road Recovery Facility, and 3) Oregon City Recovery Facility. On June 24, 2010, Metro issued a Notice of Violation (NOV) to Oregon City Recovery Facility for failure to properly maintain required documents and this NOV has been resolved. On June 28, 2010 Metro issued a NOV to the Suttle Road Recovery Facility for failure to inspect loads in accordance with the operating plan. This NOV is in the process of being resolved.

Based on communication with the DEQ and Washington County, the Nature's Needs composting 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. However, based on communication from the DEQ and Washington County, neighboring businesses and local residents have identified odors at the Nature's Needs facility, under previous owners, as a concern.

Accordingly, Nature's Needs is required by Washington County and DEQ to implement reasonable and practical measures to control and minimize odors through site design and operations. The odor control measures during the demonstration project include processing incoming food waste feedstock in a timely manner (i.e., within 30-minutes of receipt) blending of feedstocks, good housekeeping, and

monitoring moisture and temperatures of composting feedstock. The use of a forced aeration system and a biofilter system will help control and minimize odors. The system will pull air through the composting piles and direct the air to a biofilter consisting of organic material such as wood chips or compost overs. Biofilters are commonly used at composting facilities due to their success in effectively treating odors associated with composting. The phased facility improvements will address these issues on a permanent basis.

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

Nature's Needs will accept and compost the food waste under the auspices of the Washington County Non-Green Feedstock Demonstration Project that includes a franchise agreement, and under authority of a Solid Waste Permit issued by the Oregon DEQ.

Demonstration project overview

Washington County has issued Nature's Needs a franchise for accepting and processing the food waste as part of its Non-Green Feedstock Demonstration Project. The demonstration project is authorized through December 31, 2011 and will evaluate the feasibility of composting the food waste. If Washington County revokes or does not renew the franchise for Nature's Needs, the Metro NSL issued to GDRS to haul food waste to Nature's Needs may be immediately terminated. More detailed information on the Nature's Needs composting pilot study, the DEQ Permit, and the Washington County franchise for Nature's Needs is on file with Metro's Finance and Regulatory Services Department.

Washington County has indicated that there is no established tonnage cap for the demonstration project. This NSL will authorize GDRS to annually deliver up to 500 tons of food waste to Nature's Needs for composting under the demonstration project. Other non-affiliated haulers may participate in the demonstration project by obtaining an NSL from Metro for delivery of source-separated food waste. All weights will be recorded at the existing scale house. Loads will be inspected for contaminants at the scale house and again as they are unloaded. A paved tipping area will be dedicated to the food waste. The 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 which will be covered and aerated within 30 minutes of delivery.

Nature's Needs is using an aerated static pile technology for the pilot project. The mixed material is placed in a windrow approximately 20-feet wide, 80-feet long and 10 to 12-feet tall. Two 8-inch diameter perforated pipes are embedded in the windrow to act as conduits for the purpose of drawing air through the compost windrows. Each of the conduit pipes is connected to a 1-horse power blower that pulls air through the compost windrow. Exhaust air is distributed through a biofilter for odor treatment.

The composting material resides in the aerated windrows for 28 to 30 days, and then is removed for curing. The aerated windrows will also be covered with plastic tarps to help maintain moisture levels and shed stormwater. Temperature monitoring for meeting pathogen reduction requirements will be performed during the third or fourth week of the active aeration stage. Finished screened compost will be sampled for laboratory testing to document compliance with pathogen reduction criteria. Materials that do not meet the pathogen reduction standards must be composted again or disposed.

Metro staff will monitor the progress and results of the food waste demonstration study throughout completion. If the 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 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. If the food waste demonstration project is successful, and Nature's Needs obtains a Metro designated facility agreement to accept 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. This NSL is important to the Washington County demonstration project, as it will permit deliveries of food waste in sufficient quantity and quality to the facility for assessment of the composting odor controls and feedstock management practices.

(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 impact Metro's disposal contract or any other of its existing contractual arrangements. Recology, as the contract operator for Metro Central Transfer Station, has assumed a Metro contract for delivery of food waste to the Cedar Grove Composting Facility in Washington, however, this contract was amended effective May 1, 2011 to authorize Recology to deliver food waste to Nature's Needs instead of the more distant Cedar Grove facility. This NSL does not authorize delivery of food waste from Metro Central to Nature's Needs.

(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

GDRS is a solid waste hauler and has not received any written warnings or citations from Metro. As a solid waste hauling company, GDRS does not have a history regarding Metro ordinance or agreement compliance.

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

Issuance of this NSL will allow GDRS to deliver food waste from its franchised commercial accounts in Washington County directly to Nature's Needs instead of hauling the food waste to the more distant Metro Central – as it currently does. GDRS has indicated that the shorter distance to Nature's Needs will result in fuel and drive time savings. Moreover, if the Nature's Needs food waste demonstration project with Washington County is successful, it would result in additional organics processing capacity for the region, providing a benefit to the regional organics recovery program. Nature's Needs will provide a closer alternative for food waste composting to the region. For example, food waste collected for composting from the Metro region has been transported 167 miles to the Cedar Grove composting facility in Maple Valley, Washington. The Pacific Region Compost facility located in Monmouth, Oregon is located about 55 miles from the Metro region. The Nature's Needs composting facility is located at

the edge of North Plains (unincorporated Washington County), about seven miles outside the Metro boundary.

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. 11-4271 will be to issue an NSL to GDRS for delivery of up to 500 tons per calendar year of food waste from certain commercial food retail or wholesale outlets directly to the Nature's Needs facility for composting.

4. Budget Impacts

The proposed NSL would affect three Metro funds: the Solid Waste Fund, the General Fund and Rehabilitation & Enhancement Fund. The effects on each are described below.

The analysis is based on Metro's current solid waste revenue system. The impacts are based on information provided by GDRS and the GDRS application, but the reader should note that these impacts would be the same for any comparable application or waste reduction program.

Existing food waste redirected from Metro Central. For the purpose of this analysis staff have assumed that GDRS will redirect 100 tons of food waste this calendar year from the Metro Central organics recovery program to Nature's Needs (based on 2009 -2010 cash transaction data for compostable organics delivered to Metro Central). This waste does not reflect new diversion and it has already been factored into the budget, solid waste rates and contracts.

Proposed new food waste diversion from Forest Grove. GDRS intends to divert an additional 400 tons of food waste from the wet waste disposal stream that GDRS currently delivers to the Forest Grove Transfer Station as putrescible solid waste. This tonnage represents new diversion under the proposed NSL, and diversion of food waste from the wet waste disposal stream delivered to the Forest Grove transfer station (private transfer station) will have the following effects:

The Solid Waste Fund

Because Metro received this application after the FY 2011-12 rates were adopted, Metro will have to absorb the fiscal impact in the first year. In subsequent years, rates will likely rise to compensate for the loss of tonnage. On the revenue side, the exemption of 400 tons for the Regional System Fee (RSF) translates to a potential revenue loss of approximately \$7,000. If Metro raises the RSF to cover the effect of tonnage lost to the recovery exemption in the future, that impact would be an increase of less than one cent per ton. This impact would be noticeable only if it triggers a rounding-up of rates to the next cent, and would be charged on all solid waste that continues to be disposed, including the waste delivered to Metro transfer stations and privately-owned landfills. To put this number in context, the current RSF is \$16.72, and is scheduled to go to \$17.64 on August 1, 2011.

In addition, the per-ton rate that Metro pays to Waste Management for disposal at the Columbia Ridge Landfill under its contractual declining block rate would rise. This translates to a \$4,400 increase in costs during FY 2011-12, and an increase of one cent in the Metro tip fee to recover this cost in the long run. To put this number in context, the current tip fee is \$85.85, and is scheduled to go to \$89.53 on August 1, 2011.

The General Fund

As with the Solid Waste Fund, the impact on the General Fund is revenue loss in the short run and rate increases in subsequent years. Like the RSF, approval of this NSL would remove 400 tons from the revenue base. However, unlike the RSF, the Excise Tax rate is driven entirely by previous-calendar year tonnage. Therefore, it will take two years for the reduction of the tonnage base to work its way into the rate calculation. Until that happens, approval of this NSL would reduce General Fund revenue by about \$4,300 during FY 2011-12, and about \$2,500 in the following year. As with the RSF, the rate impact is less than one cent per ton in the long run.

The Rehabilitation & Enhancement Fund

Revenue for the Rehabilitation & Enhancement of host communities derives from a state-authorized and Metro-implemented surcharge on all wastes accepted at certain solid waste facilities for a fee. The current "host fee" set by Metro for the Forest Grove Transfer Station at 50 cents per ton and the diverted food waste estimated by the applicant at 400 tons per year. The Rehabilitation & Enhancement Funds lose 50 cents per ton when the material is diverted from a regional transfer station. The 400 tons diverted from the Forest Grove Transfer Station would amount to \$200 that would not go to the City of Forest Grove Community Enhancement Program.

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Resolution No. 11-4271, and issuance of an NSL substantially similar to the NSL attached to the Resolution as Exhibit A. The Director of Finance and Regulatory Services has been delegated signatory responsibility for this matter.

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Agenda Item Number 4.5

Resolution No. 11-4272, For the Purpose of Re-Adopting
Metro Code 7.03 (Investment Policy) for Fiscal Year 2011-2012.

Consent Agenda

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RE-ADOPTING METRO	)	RESOLUTION NO. 11-4272
CODE 7.03 (INVESTMENT POLICY) FOR)	
FISCAL YEAR 2011-2012	)	Introduced by Dan Cooper, Acting Chief Operating Officer in concurrence with Council President Tom Hughes

WHEREAS, Metro Code Section 7.03 contains the investment policy which applies to all cash-related assets held by Metro; and;

WHEREAS, the Investment Advisory Board reviews and approves the Investment Policy for submission to Metro Council; and;

WHEREAS, the Investment Coordinator has proposed no changes to the Investment Policy; and; the Investment Advisory Board voted to recommend no changes, to Metro Code 7.03 and submit to the Metro Council for approval and re-adoption; now therefore

BE IT RESOLVED that the Metro Council is hereby re-adopted Metro Code Chapter 7.03 as attached hereto in Exhibit A to this Resolution. That this Resolution being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins, July 1, 2011 and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, and that re-adoption of the Investment Policy should coincide with the adoption of the annual budget, this Resolution shall take effect immediately, pursuant to Metro Charter Section 39(1).

ADOPTED by the Metro Council this _____ day of June 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

CHAPTER 7.03

INVESTMENT POLICY**

SECTIONS	TITLE
7.03.010	Scope
7.03.020	General Objectives
7.03.030	Standards of Care
7.03.040	Safekeeping and Custody
7.03.050	Suitable and Authorized Investments
7.03.060	Investment Parameters
7.03.070	Reporting
7.03.080	Policy Adoption and Re-Adoption
7.03.090	List of Documents Used in Conjunction with this Policy

**Former Chapter 2.06 (readopted April 9, 1998; amended December 10, 1998; readopted April 15, 1999; readopted April 27, 2000; readopted December 11, 2001; readopted October 3, 2002; renumbered by Ordinance No. 02-976, Sec. 1; readopted June 12, 2003; amended and readopted April 7, 2005, by Ordinance No. 05-1075; readopted April 20, 2006; readopted June 21, 2007; amended and readopted June 26, 2008, by Ordinance No. 08-1190; amended and readopted June 25, 2009, by Ordinance No. 09-1216; amended and readopted June 17, 2010, by Ordinance No. 10-1243.)

7.03.010 Scope

These investment policies apply to all cash-related assets included within the scope of Metro's audited financial statements and held directly by Metro.

Funds held and invested by trustees or fiscal agents are excluded from these policies; however, such funds are subject to the regulations established by the state of Oregon.

Funds of Metro will be invested in compliance with the provisions of ORS 294.035 to 294.048; ORS 294.125 to 294.145; ORS 294.810; and other applicable statutes. Investments will be in accordance with these policies and written administrative procedures. Investment of any tax-exempt borrowing proceeds and of any debt service funds will comply with the 1986 Tax Reform Act provisions and any subsequent amendments thereto.

(Ordinance No. 90-365. Amended by Ordinance No. 97-684, Sec. 1; Ordinance No. 02-976, Sec. 1; Ordinance No. 05-1075; and Ordinance No. 09-1216, Sec. 1.)

7.03.020 General Objectives

Due to Metro's fiduciary responsibility, safety of capital and availability of funds to meet payment requirements are the overriding objectives of the investment program. Investment yield targets are secondary.

(a) Safety. Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall portfolio and security of funds and investments. The objective will be to mitigate credit risk and interest rate risk.

(1) Credit Risk. Metro will minimize credit risk, the risk of loss due to the financial failure of the security issuer or backer, by:

- Limiting exposure to poor credits and concentrating the investments in the safest types of securities.
- Pre-qualifying the financial institutions, broker/dealers, and advisers with which Metro will do business.
- Diversifying the investment portfolio so that potential losses on individual securities will be minimized. For securities not backed by the full faith and credit of the federal government, diversification is required in order that potential losses on individual securities would not exceed the income generated from the remainder of the portfolio.
- Actively monitoring the investment portfolio holdings for ratings changes, changing economic/market conditions, etc.

(2) Interest Rate Risk. Metro will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.

- Investing operating funds primarily in shorter-term securities or short-term investment pools.

(b) Liquidity. The investment officer shall assure that funds are constantly available to meet immediate payment requirements, including payroll, accounts payable and debt service.

(c) Yield. The investment portfolio shall be designed with the objective of regularly exceeding the average return on 90-day U.S. Treasury Bills. The investment program shall seek to augment returns above this level, consistent with risk limitations described in this policy and prudent investment principles.

This policy shall not preclude the sale of securities prior to their maturity in order to improve the quality, net yield, or maturity characteristic of the portfolio.

(d) Legality. Funds will be deposited and invested in accordance with statutes, ordinances and policies governing Metro.

(Ordinance No. 87-228, Sec. 3. Amended by Ordinance No. 90-365; Ordinance No. 02-976, Sec. 1; Ordinance No. 05-1075.)

7.03.030 Standards of Care

(a) Prudence. The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio.

(b) Delegation of Authority. The Chief Operating Officer is the investment officer of Metro. The authority for investing Metro funds is vested with the investment officer, who, in turn, designates the investment manager to manage the day-to-day operations of Metro's investment portfolio, place purchase orders and sell orders with dealers and financial institutions, and prepare reports as required.

(c) Investment Advisory Board (IAB). There shall be an investment advisory board composed of five (5) members.

(1) Terms of Service. The term of service for citizens appointed to the IAB shall be three (3) calendar years. The term of appointment shall be staggered so that not more than two (2) members' terms expire in any calendar year.

(2) Appointment. The investment officer shall recommend to the Council for confirmation the names of persons for appointment to the IAB.

(3) Duties. The IAB shall meet quarterly. The IAB will serve as a forum for discussion and act in an advisory capacity for investment strategies, banking relationships, the legality and probity of investment activities and the establishment of written procedures for the investment operations.

(d) Quarterly Reports. At each quarterly meeting, a report reflecting the status of the portfolio will be submitted for review and comment by at least three (3) members of the IAB. Discussion and comment on the report will be noted in minutes of the meeting. If concurrence is not obtained, notification will be given to the investment officer, including comments by the IAB.

(e) Monitoring the Portfolio. The investment manager will routinely monitor the contents of the portfolio comparing the holdings to the markets, relative values of competing instruments, changes in credit quality, and benchmarks. If there are advantageous transactions, the portfolio may be adjusted accordingly.

(f) Indemnity Clause. Metro shall indemnify the investment officer, chief financial officer, investment manager, staff and the IAB members from personal liability for losses that might occur pursuant to administering this investment policy.

The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported to the council as soon as practicable.

(g) Accounting Method. Metro shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies, including, but not necessarily limited to, the American Institute of Certified

Public Accountants (AICPA); the Financial Accounting Standards Board (FASB); and the Government Accounting Standards Board (GASB).

(Ordinance No. 05-1075.)

7.03.040 Safekeeping and Custody

(a) Authorized Financial Dealers and Institutions. The investment officer shall maintain a listing of all authorized dealers and financial institutions that are approved for investment purposes. Financial institutions must have a branch in Oregon. Any firm is eligible to apply to provide investment services to Metro and will be added to the list if the selection criteria are met. Additions or deletions to the list will be made by the investment officer and reviewed by the IAB. At the request of the investment officer, the firms performing investment services for Metro shall provide their most recent financial statements or Consolidated Report of Condition (call report) for review. Further, there should be in place proof as to all the necessary credentials and licenses held by employees of the broker/dealers who will have contact with Metro, as specified by but not necessarily limited to the National Association of Securities Dealers (NASD), Securities and Exchange Commission (SEC), etc. At minimum, the investment officer and the IAB shall conduct an annual evaluation of each firm's qualifications to determine whether it should be on the authorized list.

Securities dealers not affiliated with a Qualified Financial Institution, as defined in ORS 294.035, will be required to have headquarters located in the states of Oregon, Washington or Idaho and, if not headquartered in the state of Oregon, to have an office located in Oregon. Notwithstanding the above, securities dealers who are classified as primary dealers with the New York Federal Reserve Bank are also eligible.

(b) Internal Controls. The investment officer shall maintain a system of written internal controls, which shall be reviewed annually by the IAB and the independent auditor. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation or imprudent actions.

Metro's independent auditor at least annually shall audit investments according to generally accepted auditing standards and this ordinance.

(c) Delivery vs. Payment. All securities purchased pursuant to this investment policy will be delivered by either book entry or physical delivery to a third party for safekeeping

by a bank designated as custodian. Purchase and sale of all securities will be on a payment versus delivery basis. Delivery versus payment will also be required for all repurchase transactions and with the collateral priced and limited in maturity in compliance with ORS 294.035(2)(j).

(d) Safekeeping. The trust department of the bank designated as custodian will be considered to be a third party for the purposes of safekeeping of securities purchased from that bank. The custodian shall issue a safekeeping receipt to Metro listing the specific instrument, rate, maturity and other pertinent information.

Notwithstanding the preceding, an exception to the delivery versus payment policy is made when purchasing State and Local Government Series Securities (SLGS) from the United States Treasury's Bureau of Public Debt to satisfy arbitrage yield restriction requirements of the Internal Revenue Code for tax-exempt bond issues.

(Ordinance No. 05-1075.)

7.03.050 Suitable and Authorized Investments

(Definitions of terms and applicable authorizing statutes are listed in the "Summary of Investments Available to Municipalities" provided by the State Treasurer.)

(a) Investment Types. The following investments are permitted by this policy and ORS 294.035 and 294.810.

- (1) U.S. Treasury Bills, Notes, Bonds, Strips
(Separate Trading of Registered Interest and Principal of Securities) and/or State and Local Government Series Securities (SLGS)
- (2) Securities of U.S. Government Agencies and U.S. Government Sponsored Enterprises
- (3) Certificates of Deposit (CD) from commercial banks in Oregon and insured by the Federal Deposit Insurance Corporation (FDIC)
- (4) Repurchase Agreements (Repo's)
- (5) Banker's Acceptances (BA)
- (6) Commercial Paper (CP) issued by a financial institution, commercial, industrial or utility business enterprise

- (7) State of Oregon and Local Government Securities with A ratings or better
- (8) State of Oregon Investment Pool
- (9) Market Interest Accounts and Checking Accounts

(b) Collateralization. Deposit-type securities (i.e., Certificates of Deposit) and all bank deposits for any amount exceeding FDIC coverage shall be collateralized through the Public Funds Collateralization Program as required by ORS Chapter 295. ORS Chapter 295 governs the collateralization of Oregon public funds and provides the statutory requirements for the Public Funds Collateralization Program. Bank depositories are required to pledge collateral against any public funds deposits in excess of deposit insurance amounts. ORS 295 sets the specific value of the collateral, as well as the types of collateral that are acceptable.

(Ordinance No. 05-1075. Amended by Ordinance No. 09-1216, Sec. 1.)

7.03.060 Investment Parameters

(a) Diversification by Maturity. Only investments which can be held to maturity shall be purchased. Investments shall not be planned or made predicated upon selling the security prior to maturity. This restriction does not prohibit the use of repurchase agreements under ORS 294.135(2).

Maturity limitations shall depend upon whether the funds being invested are considered short-term or long-term funds. All funds shall be considered short-term, except those reserved for capital projects (e.g., bond sale proceeds).

(1) Short-Term Funds.

(A) Investment maturities for operating funds and bond reserves shall be scheduled to meet projected cash flow needs. Funds considered short-term will be invested to coincide with projected cash needs or with the following serial maturity:

25% minimum to mature under three months
75% minimum to mature under 18 months
100% minimum to mature under five years

- (B) Investments may not exceed five (5) years. Investment maturities beyond 18 months may be made when supported by cash flow projections which reasonably demonstrate that liquidity requirement will be met. Maturities beyond 18 months will be limited to direct U.S. Treasury obligations.

(2) Long-Term Funds.

- (A) Maturity scheduling shall be timed according to anticipated need. ORS 294.135 permits investment beyond 18 months for any bond proceeds or funds accumulated for any purpose that the district is permitted by state law to accumulate and hold funds for a period exceeding one (1) year. The maturities should be made to coincide as nearly as practicable with the expected use of the funds.
- (B) Investment of capital project funds shall be timed to meet projected contractor payments. The drawdown schedule used to guide the investment of the funds shall evidence the approval of the investment officer and review of the Chief Financial Officer.

(b) Diversification by Investment. The investment officer will diversify the portfolio to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions, or maturities.

The maximum percentages of the portfolio and the maximum maturities for investments are as follows:

Security	Maximum Percent of Portfolio	Maximum Maturity
U.S. Treasury Bills, Notes, Bonds, Strips and/or State and Local Government Series (SLGS)	100%	
Securities of U.S. Government Agencies and U.S. Government Sponsored Enterprises	100%	

Security	Maximum Percent of Portfolio	Maximum Maturity
Certificates of Deposit (CD) Commercial Banks in Oregon Insured by FDIC	100%	
Repurchase Agreements (Repo's)	50%	90-day maturity
Bankers Acceptances (BA)	25%	
Commercial Paper (CP) - Issued by a financial institution, commercial, industrial, or utility business enterprise. For a corporation headquartered in Oregon For a corporation headquartered outside of Oregon	35%	A-1 and P-1 only, 90-day maturity; A-2 and P-2, A-1/P-2, or A-2/P1, 60-day maturity A-1 and P-1 only; 90-day maturity
State of Oregon and Local Government Securities with A ratings or better	25%	
State of Oregon Investment Pool	100%	
Market Interest Accounts and Checking Accounts	Minimum necessary for daily cash management efficiency	

(c) Diversification by Financial Institution.

- (1) Qualified Institutions. The investment officer shall maintain a listing of financial institutions and securities dealers recommended by the IAB. Any financial institution and/or securities dealer is eligible to make an application to the investment officer and upon due consideration and approval hold available funds.

A listing of the eligible institutions shall be held by the investment officer and provided any fiduciary agent or trustee.

- (2) Diversification Requirements. The combination of investments in Certificates of Deposit and Banker's Acceptances invested with any one institution shall not exceed 25 percent of the total available funds or 15 percent of the equity of the institution.

The following limitations avoid over-concentration in securities from a specific issuer or business sector:

Type of Security	Limitation
U.S. Government Treasuries	No limitations
U.S. Government Agencies	Securities of U.S. Government Agencies and U.S. Government Sponsored Enterprises as defined under ORS 294.035 and/or 294.040. No more than 40 percent of the portfolio in any one agency.
Certificates of Deposit - Commercial Banks	No more than the lesser of 25 percent of the total available funds or 15 percent of the equity of the financial institution may be invested with any one institution.
Repurchase Agreements	May be purchased from any qualified institution provided the master repurchase agreement is effective and the safekeeping requirements are met. All repurchase agreements will be fully collateralized by general obligations of the U.S. Government, the agencies and instrumentalities of the United States or enterprises sponsored by the United States government, marked to market. The investment officer shall not enter into any reverse repurchase agreements.

Type of Security	Limitation
Bankers Acceptances	<p>Must be guaranteed by, and carried on the books of, a qualified financial institution whose short-term letter of credit rating is rated in the highest category by one or more nationally recognized statistical rating organizations.</p> <p>Qualified institution means:</p> <ul style="list-style-type: none"> i) A financial institution that is located and licensed to do banking business in the state of Oregon; or ii) A financial institution located in the states of California, Idaho, or Washington that is wholly owned by a bank holding company that owns a financial institution that is located and licensed to do banking business in the state of Oregon. <p>No more than the lesser of 25 percent of the total available funds or 15 percent of the equity of the financial institution may be invested with any one institution.</p>
Commercial Paper	No more than 5 percent of the total portfolio with any one corporate entity.
State and Local Government Securities	No more than 15 percent of the total portfolio in any one local entity.
State of Oregon Investment Pool	Not to exceed the maximum amount established in accordance with ORS 294.810, with the exception of pass-through funds (in and out within 10 days)

(d) Total Prohibitions. The investment officer may not make a commitment to invest funds or sell securities more than 14 business days prior to the anticipated date of settlement of the purchase or sale transaction and may not agree to invest funds or sell securities for a fee other than interest. Purchase of standby or forward commitments of any sort are specifically prohibited.

(e) Adherence to Investment Diversification. Diversification requirements must be met on the day an investment

transaction is executed. If due to unanticipated cash needs, investment maturities or marking the portfolio to market, the investment in any security type, financial issuer or maturity spectrum later exceeds the limitations in the policy, the investment officer is responsible for bringing the investment portfolio back into compliance as soon as is practical.

(f) Competitive Selection of Investment Instruments. Before the investment officer invests any surplus funds, a competitive offering solicitation shall be conducted orally, or alternatively through an electronic competitive bidding platform that compares several offers of the same security class like commercial paper, new issue GSE's and treasury issues. Offerings will be requested from financial institutions for various options with regards to term and instrument. The investment officer will accept the offering, which provides the highest rate of return within the maturity required and within the prudent investor rule. Records will be kept of offerings and the basis for making the investment decision.

(Ordinance No. 05-1075. Amended by Ordinance No. 08-1190.)

7.03.070 Reporting

(a) Methods. A transaction report shall be prepared by the investment manager not later than one business day after the transaction, unless a trustee, operating under a trust agreement, has executed the transaction. The trustee agreement shall provide for a report of transactions to be submitted by the trustee on a monthly basis.

Quarterly reports shall be prepared for each regular meeting of the IAB to present historical information for the past 12-month period. Copies shall be provided to the Chief Operating Officer and the Metro Council.

(b) Performance Standards. The overall performance of Metro's investment program is evaluated quarterly by the IAB using the objectives outlined in this policy. The quarterly report which confirms adherence to this policy shall be provided to the Metro Council as soon as practicable.

The performance of Metro's portfolio shall be measured by comparing the average yield of the portfolio at month-end against the performance of the 90-day U.S. Treasury Bill issue maturing closest to 90 days from month-end and the Local Government Investment Pool's monthly average yield.

(Ordinance No. 05-1075.)

7.030.080 Policy Adoption and Re-adoption

(a) The investment policy must be reviewed by the IAB and the Oregon Short-Term Fund Board prior to adoption by the Metro Council. Adoption of this policy supersedes any other previous Council action or policy regarding Metro's investment management practices.

(b) This policy shall be subject to review and re-adoption annually by the Metro Council in accordance with ORS 294.135.

(Ordinance No. 05-1075.)

7.030.090 List of Documents Used in Conjunction with this Policy

The following documents are used in conjunction with this policy and are available from the investment manager upon request:

- List of Authorized Brokers and Dealers
- List of Primary Dealers
- Calendar of Federal Reserve System Holidays
- Calendar of Local Government Investment Pool Holidays
- Broker/Dealer Request for Information
- Oregon State Treasury's Summary of Liquid Investments Available to Local Governments for Short-Term Fund Investment
- Oregon State Treasury's U.S. Government and Agency Securities for Local Government Investment Under ORS 294.035 and 294.040
- Oregon State Treasury's List of Qualified Depositories for Public Funds
- Attorney General's letter of advice: Certificates of Deposit, ORS 294.035 and ORS 295
- Oregon Revised Statute Chapter 294 - County and Municipal Financial Administration
- Oregon Revised Statute Chapter 295 - Depositories of Public Funds and Securities
- Government Finance Officers Association Glossary of Cash Management Terms

(Ordinance No. 05-1075.)

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4272 FOR THE PURPOSE OF RE-ADOPTING METRO CODE 7.03 (INVESTMENT POLICY) FOR FISCAL YEAR 2011-2012

Date: May 26, 2011

Prepared by: Calvin Smith
Telephone: 503-797-1612

BACKGROUND

Metro Code, Chapter 7.03 contains the Investment Policy that applies to all cash-related assets held by Metro. This Investment Policy is being submitted to Council for review and re-adoption in accordance with Section 7.03.160 of Metro Code.

The format of Metro's Investment Policy conforms to the Oregon State Treasury's Sample Investment Policy for Local Governments and the Government Finance Officers Association's (GFOA) Sample Investment Policy. This allows Metro's policy to be readily compared to investment policies of other local governments that have adopted the same GFOA format.

No changes to the investment policy are proposed as a part of this re-adoption. The Investment Manager feels the current policy is well suited for the current investment environment and has been approved by the Investment Advisory Board on April 19th 2011. The current policy was submitted last year to the Oregon State Short Term Fund Board (OSTFB) for its review and approval. OSTFB only reviews those investment policies with changes as their prior review would hold. The current Metro policy meets the requisite due diligence with proposed processes.

ANALYSIS/INFORMATION

1. **Known Opposition:** None.
2. **Legal Antecedents:** Metro Code, Chapter 7.03, Investment Policy, Section 7.030.080(b) proscribes that the policy shall be subject to review and re-adoption annually by the Metro Council in accordance with ORS 294.135.

Chapter 7.03 was formerly Chapter 2.06 (readopted April 9, 1998; amended December 10, 1998; readopted April 15, 1999; readopted April 27, 2000; readopted December 11, 2001; readopted October 3, 2002; renumbered by Ordinance No. 02-976, Sec. 1; readopted June 12, 2003; amended and readopted April 7, 2005, by Ordinance No. 05-1075; readopted April 20, 2006, by Ordinance 06-1114; readopted June 21, 2007 by Ordinance 07-1149; readopted June 26, 2008 by Ordinance 08-1190; readopted June 25, 2009 by Ordinance 09-1216.;readopted June 17, 2010 by Ordinance 10-1243)

3. **Anticipated Effects:** N/A
4. **Budget Impacts:** N/A

RECOMMENDED ACTION: Staff recommends re-adoption as amended of Metro Code Chapter 7.03 by Resolution No. 11-4272.

Agenda Item Number 4.6

Resolution No. 11-4275, For the Purpose of Reviewing and
Readopting Comprehensive Financial Policies for Metro and
Directing Them to be Published in the FY 2011-12 Adopted
Budget.

Consent Agenda

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REVIEWING and	)	RESOLUTION NO. 11-4275
READOPTING COMPREHENSIVE FINANCIAL)	
POLICIES FOR METRO AND DIRECTING	)	Introduced by Dan Cooper, Acting Chief
THEM TO BE PUBLISHED IN THE FY 2011-12		Operating Office in concurrence with
ADOPTED BUDGET		Council President Hughes

WHEREAS, Metro recognizes the important of comprehensive financial policies to provide a framework for the overall fiscal management of the agency; and

WHEREAS the comprehensive financial policies as first approved by the Metro Council in 2004 and most recently amended and readopted in June 2010 provide as a general principal "Metro's financial policies" shall be reviewed annually by the Council and shall be published in the adopted budget; and

Whereas the Metro Council has reviewed the current policies; now therefore

BE IT RESOLVED that the Metro Council readopts the comprehensive financial policies as shown in Exhibit A of this resolution, entitled "Metro Financial Policies;" and directs that said policies be published in the FY 2011-12 Adopted Budget.

ADOPTED by the Metro Council this 23rd day of June 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

Metro's Financial Policies

General policies

1. Metro's financial policies shall be reviewed annually by the Council and shall be published in the adopted budget.
2. Metro shall prepare its annual budget and Comprehensive Annual Financial Report consistent with accepted public finance professional standards.
3. The Chief Financial Officer shall establish and maintain appropriate financial and internal control procedures to assure the integrity of Metro's finances.
4. Metro shall comply with all applicable state and federal laws and regulations concerning financial management and reporting, budgeting and debt administration.

Accounting, auditing and financial reporting

1. Metro shall annually prepare and publish a Comprehensive Annual Financial Report including financial statements and notes prepared in conformity with generally accepted accounting principles as promulgated by the Governmental Accounting Standards Board.
2. Metro shall maintain its accounting records on a basis of accounting consistent with the annual budget ordinance.
3. Metro shall have an independent financial and grant compliance audit performed annually in accordance with generally accepted auditing standards.

Budgeting and financial planning

1. As prescribed in Oregon budget law, total resources shall equal total requirements in each fund, including contingencies and fund balances. However, Metro considers a budget to be balanced whenever budgeted revenues equal or exceed budgeted expenditures. Beginning fund balances shall not be considered as revenue, nor shall contingencies or ending fund balances be considered expenditures, in determining whether a fund is in balance.
2. Metro shall maintain fund balance reserves that are appropriate to the needs of each fund. Targeted reserve levels shall be established and reviewed annually as part of the budget process. Use of fund balance to support budgeted operations in the General Fund, an operating fund, or a central service fund shall be explained in the annual budget document; such explanation shall describe the nature of the budgeted reduction in fund balance and its expected future impact. Fund balances in excess of future needs shall be evaluated for alternative uses.
 - a. The Metro Council delegates to the Chief Operating Officer the authority to assign (and un-assign) additional amounts intended to be used for specific purposes more narrow than the overall purpose of the fund established by Council. A schedule of such assignments shall be included within the adopted budget document.
 - b. Metro considers restricted amounts to have been spent prior to unrestricted (committed, assigned, or unassigned) amounts when an expenditure is incurred for purposes for which both restricted and unrestricted amounts are available. Within unrestricted amounts, committed amounts are considered to have been spent first, followed by assigned amounts, and then unassigned amounts when an expenditure is incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.
 - c. The following information shall be specified by Council in the establishment of Stabilization Arrangements as defined in GASB Statement No. 54: a) the authority for establishing the arrangement (resolution or ordinance), b) the requirements, if any, for

additions to the stabilization amount, c) the specific conditions under which stabilization amounts may be spent, and d) the intended stabilization balance.

3. Metro staff shall regularly monitor actual revenues and expenditures and report to Council at least quarterly on how they compare to budgeted amounts, to ensure compliance with the adopted budget. Any significant changes in financial status shall be timely reported to the Council.
4. Metro shall use its annual budget to identify and report on department or program goals and objectives and measures of performance.
5. A new program or service shall be evaluated before it is implemented to determine its affordability.
6. Metro shall authorize grant-funded programs and associated positions for a period not to exceed the length of the grant unless alternative funding can be secured.
7. Each operating fund will maintain a contingency account to meet unanticipated requirements during the budget year. The amount shall be appropriate for each fund.
8. Metro shall prepare annually a five-year forecast of revenues, expenditures, other financing sources and uses, and staffing needs for each of its major funds, identifying major anticipated changes and trends, and highlighting significant items which require the attention of the Council.
9. Metro will annually prepare a cost allocation plan prepared in accordance with applicable federal guidelines to maintain and maximize the recovery of indirect costs from federal grants, and to maintain consistency and equity in the allocation process.

Capital asset management

1. Metro shall budget for the adequate maintenance of capital equipment and facilities and for their orderly replacement, consistent with longer-term planning for the management of capital assets.
2. The Council's previously-adopted policies governing capital asset management are incorporated by reference into these policies.

Cash management and investments

1. Metro shall maintain an investment policy in the Metro Code, which shall be subject to annual review and re-adoption.
2. Metro shall schedule disbursements, collections and deposits of all funds to ensure maximum cash availability and investment potential.
3. Metro shall manage its investment portfolio with the objectives of safety of principal as the highest priority, liquidity adequate to needs as the second highest priority and yield from investments as its third highest priority.

Debt management

1. Metro shall issue long-term debt only to finance capital improvements, including land acquisition, that cannot be readily financed from current revenues, or to reduce the cost of long-term financial obligations.
2. Metro will not use short-term borrowing to finance operating needs unless specifically authorized by the Council.
3. Metro shall repay all debt issued within a period not to exceed the expected useful life of the improvements financed by the debt.
4. Metro shall fully disclose financial and pertinent credit information as it relates to Metro's outstanding securities.
5. Metro shall strive to obtain the highest credit ratings to ensure that borrowing costs are minimized and Metro's access to credit is preserved.

6. Equipment and vehicles should be financed using the least costly method, including comparison to direct cash expenditure. This applies to purchase using operating leases, capital leases, bank financing, company financing or any other purchase programs.

Revenues

1. Metro shall estimate revenues through an objective, analytical process.
2. Metro shall strive to maintain a diversified and balanced revenue system to protect it from short-term fluctuations in any one revenue source.
3. One-time revenues shall be used to support one-time expenditures or increase fund balance.
4. Metro shall pursue appropriate grant opportunities; however, before accepting any grant, Metro will consider the current and future implications of either accepting or rejecting it. The Chief Financial Officer may establish criteria to be used in evaluating the potential implications of accepting grants.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4275 FOR THE PURPOSE OF REVIEWING AND READOPTING COMPREHENSIVE FINANCIAL POLICIES FOR METRO AND DIRECTING THEM TO BE PUBLISHED IN THE FY 2011-12 ADOPTED BUDGET

Date: June 15, 2011

Prepared by:
Margo Norton, Director
Finance and Regulatory Services
Telephone: 503 797-1934

BACKGROUND

In 2004 the Metro Council enacted Resolution No. 04-3465 adopting comprehensive financial policies for Metro. Each year as part of the annual budget adoption process the Metro Council reviews the financial policies which provide the framework for overall fiscal management of the agency. Operating independently of changing circumstances and conditions, the policies are designed to help safeguard Metro's assets, promote effective and efficient operations and support the achievement of Metro's strategic goals. The Capital Asset Management Policies (CAMP) are incorporated by reference and are published as part of the 5-year Capital Improvement Plan.

Last year on June 17, 2010, the Metro Council reviewed the financial policies and amended them to meet the requirements of Governmental Accounting Standards Board, Statement 54, related to classification of fund balances.

No changes to the comprehensive financial policies are proposed as a part of this readoption. The Council reviewed these policies at the June 14, 2011, work session.

ANALYSIS/INFORMATION

1. **Known Opposition:** None.
2. **Legal Antecedents:**
Metro adopted comprehensive financial policies in 2004 voluntarily. These policies are an expression of Metro's commitment to acting as faithful stewards of public resources. The first statement in the General Policies is that "Metro's financial policies shall be reviewed annually by the Council and shall be published in the adopted budget."
3. **Anticipated Effects:** Approval of this resolution meets the requirements of the first statement in the general policies.
4. **Budget Impacts:** There is no direct financial cost to approving this resolution. The budget is prepared annually following these policies.

RECOMMENDED ACTION: The Budget Officer and the Director of Finance and Regulatory Services recommend readoption of the comprehensive financial policies as an expression of Metro's commitment to providing transparent and accountable stewardship of public funds.

Agenda Item Number 5.1

Ordinance No. 11-1253B, For the Purpose of Adopting the Annual Budget For Fiscal Year 2011-12, Making Appropriations, Levying Ad Valorem Taxes, Authorizing an Interfund Loan and Declaring Emergency.

Ordinances – Second Reading

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

ADOPTING THE ANNUAL BUDGET FOR) ORDINANCE NO. 11-1253B
FISCAL YEAR 2011-12, MAKING)
APPROPRIATIONS, LEVYING AD VALOREM) Introduced by Dan Cooper, Acting Chief
TAXES, AUTHORIZING AN INTERFUND LOAN) Operating Officer, with the concurrence of
AND DECLARING AN EMERGENCY) Council President Tom Hughes

WHEREAS, the Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012; and

WHEREAS, recommendations from the Multnomah County Tax Supervising and Conservation Commission have been received by Metro (attached as Exhibit A and made a part of the Ordinance) and considered; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The "Fiscal Year 2011-12 Metro Budget," in the total amount of THREE HUNDRED EIGHTY FIVE MILLION ONE HUNDRED THIRTY FIVE THOUSAND SEVEN HUNDRED THIRTY FIVE \$385,135,735, attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, at the rate of **\$0.0966** per ONE THOUSAND DOLLARS (\$1,000) of assessed value for operations and in the amount of TWENTY EIGHT MILLION ONE HUNDRED SIXTY ONE THOUSAND FIVE HUNDRED THIRTY FOUR DOLLARS (\$28,161,534) for general obligation bond debt, said taxes to be levied upon taxable properties within the Metro District for the fiscal year 2011-12. The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution constitute the above aggregate levy.

SUMMARY OF AD VALOREM TAX LEVY

	Subject to the General Government <u>Limitation</u>	Excluded from <u>the Limitation</u>
Operating Tax Rate Levy	\$0.0966/\$1,000	
General Obligation Bond Levy		\$28,161,534

3. In accordance with Section 2.02.040 of the Metro Code, the Metro Council hereby authorizes positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year beginning July 1, 2011, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

4. An interfund loan from the Solid Waste Revenue Fund to the MERC Fund in an amount not to exceed \$2.5 million is hereby authorized. The loan will be made to provide short-term financing of the Eastside Streetcar Local Improvement District assessment on the Oregon Convention Center. The loan, including interest at a rate equal to the average yield on Metro's pooled investments, will be repaid from Oregon Convention Center revenues and/or reserves.

5. The General Asset Management Fund is hereby created for the purpose of managing the assets of Metro's General Fund facilities including but not limited to the Oregon Zoo, Regional Parks and Natural Areas, Metro Regional Center, and information technology infrastructure. Major revenue sources for the fund include but are not limited to grants, donations, General Fund contributions, and other revenues or contributions identified for capital, capital maintenance or renewal and replacement purpose. In the event of the elimination of this fund, the fund balance shall revert to any funds(s) designated for similar purpose.

6. The following funds are hereby consolidated into the General Asset Management Fund – the Metro Capital Fund and the Renewal and Replacement Fund. Balances remaining in these funds are consolidated with the General Asset Management Fund effective July 1, 2011.

7. The Chief Operating Officer shall make the filings as required by ORS 294.555 and ORS 310.060, or as requested by the Assessor's Office of Clackamas, Multnomah, and Washington Counties.

8. This Ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins July 1, 2011, and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council on this 23rd day of June 2011.

Tom Hughes, Council President

ATTEST:

Approved as to Form:

Anthony Andersen, Recording Secretary

Alison Kean Campbell, Acting Metro Attorney

BEFORE THE METRO COUNCIL

ADOPTING THE ANNUAL BUDGET FOR	)	ORDINANCE NO. 11-1253 AB
FISCAL YEAR FY 2011-12, MAKING)	
APPROPRIATIONS, LEVYING AD VALOREM	)	Introduced by Dan Cooper, Acting Chief
TAXES, AUTHORIZING AN INTERFUND LOAN	)	Operating Officer, with the concurrence of
AND DECLARING AN EMERGENCY	)	Council President Tom Hughes

WHEREAS, the Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 2011, and ending June 30, 2012; and

WHEREAS, recommendations from the Multnomah County Tax Supervising and Conservation Commission have been received by Metro (attached as Exhibit A and made a part of the Ordinance) and considered; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The "Fiscal Year 2011-12 Metro Budget," in the total amount of THREE HUNDRED EIGHTY ~~FIVE~~ MILLION ONE HUNDRED ~~SIXTY ONE THIRTY FIVE~~ THOUSAND ~~FOUR SEVEN~~ HUNDRED ~~EIGHTY SEVEN THIRTY FIVE~~ ~~\$380,161,487~~385,135,735, attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, at the rate of **\$0.0966** per ONE THOUSAND DOLLARS (\$1,000) of assessed value for operations and in the amount of TWENTY EIGHT MILLION ONE HUNDRED SIXTY ONE THOUSAND FIVE HUNDRED THIRTY FOUR DOLLARS (\$28,161,534) for general obligation bond debt, said taxes to be levied upon taxable properties within the Metro District for the fiscal year 2011-12. The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution constitute the above aggregate levy.

SUMMARY OF AD VALOREM TAX LEVY

	Subject to the General Government <u>Limitation</u>	Excluded from the <u>Limitation</u>
Operating Tax Rate Levy	\$0.0966/\$1,000	
General Obligation Bond Levy		\$28,161,534

3. In accordance with Section 2.02.040 of the Metro Code, the Metro Council hereby authorizes positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year beginning July 1, 2011, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

4. An interfund loan from the Solid Waste Revenue Fund to the MERC Fund in an amount not to exceed \$2.5 million is hereby authorized. The loan will be made to provide short-term financing of the Eastside Streetcar Local Improvement District assessment on the Oregon Convention Center. The loan, including interest at a rate equal to the average yield on Metro's pooled investments, will be repaid from Oregon Convention Center revenues and/or reserves.

5. The General Asset Management Fund is hereby created for the purpose of managing the assets of Metro's General Fund facilities including but not limited to the Oregon Zoo, Regional Parks and Natural Areas, Metro Regional Center, and information technology infrastructure. Major revenue sources for the fund include but are not limited to grants, donations, General Fund contributions, and other revenues or contributions identified for capital, capital maintenance or renewal and replacement purpose. In the event of the elimination of this fund, the fund balance shall revert to any funds(s) designated for similar purpose.

6. The following funds are hereby consolidated into the General Asset Management Fund – the Metro Capital Fund and the Renewal and Replacement Fund. Balances remaining in these funds are consolidated with the General Asset Management Fund effective July 1, 2011.

7. The Chief Operating Officer shall make the filings as required by ORS 294.555 and ORS 310.060, or as requested by the Assessor's Office of Clackamas, Multnomah, and Washington Counties.

8. This Ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins July 1, 2011, and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council on this 23rd day of June 2011.

Tom Hughes, Council President

ATTEST:

Approved as to Form:

Anthony Andersen, Recording Secretary

Alison Kean Campbell, Acting Metro Attorney

EXHIBIT A
Ordinance 11-1253B



**Tax Supervising
& Conservation
Commission**

PO Box 8428
Portland, Oregon
97207-8428

Telephone (503) 988-3054

Fax: (503) 988-3053

E-Mail:
TSCC@co.multnomah.or.us

Web Site:
www.co.multnomah.or.us/orgs/tsccl

June 9, 2011

Metro Council
600 NE Grand Avenue
Portland, Oregon 97232

Dear President Hughes and Councilors:

The Tax Supervising and Conservation Commission met on June 9, 2011 to review, discuss and conduct a public hearing on the Metro's 2011-12 Approved Budget. This hearing was conducted pursuant to ORS 294.605 to 294.705 to confirm compliance with applicable laws and to determine the adequacy of estimates necessary to support efficient and economical administration of the district.

The budget was filed timely on May 11, 2011. The Commission hereby certifies by a majority vote of members of the Commission that it has no recommendation or objections to make with respect to the budget.

For 2011-12, estimates were judged to be reasonable for the purpose shown and the document was found to be in substantial compliance with Local Budget Law. The budget estimates and levy amounts, as shown in the approved budget, are shown on the attached page.

Please file a complete copy of the adopted budget with the Commission no later than August 31, 2011.

We appreciate having the opportunity to discuss this budget with you.

Yours very truly,

TAX SUPERVISING & CONSERVATION COMMISSION

A handwritten signature in dark ink, appearing to read "Terry McCall".

Terry McCall, Chair

A handwritten signature in dark ink, appearing to read "Susan Schneider".

Susan Schneider, Commissioner

A handwritten signature in dark ink, appearing to read "Javier Fernandez".

Javier Fernandez, Commissioner

A handwritten signature in dark ink, appearing to read "Roslyn Elms Sutherland".

Roslyn Elms Sutherland, Commissioner

A handwritten signature in dark ink, appearing to read "Steven B. Nance".
Steven B. Nance, Commissioner

Commissioners

Terry McCall, Chair
Javier Fernandez
Steven B. Nance
Susan Schneider
Dr. Roslyn Elms Sutherland

EXHIBIT A
Ordinance 11-1253B

Metro
2011-12- Approved Budget

June 9, 2011

	<u>Budget Estimates</u>	<u>Unappropriated Portion</u>
General Fund	\$108,985,381	\$14,959,907
General Obligation Bond Debt Service Fur	40,616,881	10,037,356
General Asset Management Fund	8,673,144	0
General Revenue Bond Fund	3,316,057	5,276
MERC Fund	66,415,013	13,198,695
Natural Areas Fund	37,773,515	0
Open Spaces Fund	336,876	0
Zoo Infrastructure Fund	7,384,971	14,356
Pioneer Cemetery Perpetual Care Fund	377,450	377,450
Rehabilitation & Enhancement Fund	2,255,986	1,585,796
Risk Management Fund	4,836,240	763,084
Smith & Bybee Wetlands Fund	3,836,343	3,459,092
Solid Waste Revenue Fund	95,353,630	18,841,449
Total Budget Estimates	\$380,161,487	\$63,242,461

Property Tax Levies:

Permanent Rate - Operating \$ 0.0966 / \$ 1,000 AV

Debt Service - Not Subject to Limit \$ 18,161,534

Line Item Detail will be
available at end of August, 2011

	Audited FY 2008-09	Audited FY 2009-10	Adopted FY 2010-11	Amended FY 2010-11	Proposed FY 2011-12	Approved FY 2011-12	Adopted FY 2011-12	Change from FY 2010-11 Amended
RESOURCES								
Beginning Fund Balance	\$236,190,429	\$214,223,352	\$175,322,025	\$175,322,025	\$159,647,197	\$160,779,874	\$165,390,447	(5.66%)
Current Revenues								
Real Property Taxes	44,897,096	51,457,063	48,483,349	48,483,349	39,039,151	39,039,151	39,039,151	(19.48%)
Excise Tax	14,705,646	14,392,093	16,203,937	16,203,937	16,705,765	16,705,765	16,705,765	3.10%
Other Derived Tax Revenue	24,168	25,497	23,300	23,300	25,000	25,000	25,000	7.30%
Grants	14,306,069	13,115,905	14,783,392	14,809,693	12,271,501	12,511,750	12,558,425	(15.20%)
Local Gov't Shared Revenues	11,202,982	10,406,511	11,173,508	11,129,553	11,708,979	11,708,979	11,708,979	5.21%
Contributions from other Gov'ts	1,001,028	2,271,100	2,361,371	2,547,234	3,827,419	3,827,419	3,827,419	50.26%
Enterprise Revenue	109,086,690	109,754,507	118,870,045	118,914,000	120,751,815	109,311,784	109,488,784	(7.93%)
Interest Earnings	6,675,487	2,131,822	1,611,106	1,611,106	825,959	825,959	825,959	(48.73%)
Donations	8,324,043	5,235,274	1,806,930	1,806,930	3,041,100	3,041,100	3,141,100	73.84%
Other Misc. Revenue	2,758,599	2,469,556	2,514,169	2,514,169	302,779	302,779	302,779	(87.96%)
Bond and Loan Proceeds	5,000,000	0	15,000,000	15,000,000	0	0	0	(100.00%)
Interfund Transfers:								
Interfund Reimbursements	7,474,080	7,680,866	8,396,573	8,396,573	9,397,205	9,397,205	9,397,205	11.92%
Internal Service Transfers	944,972	2,723,052	3,122,488	3,122,488	3,000,237	3,000,237	3,000,237	(3.92%)
Interfund Loan	0	0	0	0	0	0	0	0.00%
Fund Equity Transfers	6,014,113	5,175,785	10,765,853	10,765,853	8,816,595	9,684,485	9,724,485	(9.67%)
Subtotal Current Revenues	232,414,973	226,839,031	255,116,021	255,328,185	229,713,505	219,381,613	219,745,288	(13.94%)
TOTAL RESOURCES	\$468,605,402	\$441,062,383	\$430,438,046	\$430,650,210	\$389,360,702	\$380,161,487	\$385,135,735	(10.57%)
REQUIREMENTS								
Current Expenditures								
Personal Services	\$70,830,852	\$71,819,988	\$76,661,194	\$76,999,346	\$79,107,224	\$79,681,040	\$79,681,040	3.48%
Materials and Services	92,362,911	95,771,568	122,107,946	121,904,646	119,918,224	110,299,284	111,281,975	(8.71%)
Capital Outlay	31,654,775	22,391,158	62,131,378	62,419,775	35,711,934	36,220,907	38,965,830	(37.57%)
Debt Service	45,100,347	45,182,021	41,954,002	41,954,002	35,261,700	35,261,700	35,261,700	(15.95%)
Interfund Transfers:								
Interfund Reimbursements	7,474,080	7,680,866	8,396,573	8,396,573	9,397,205	9,397,205	9,397,205	11.92%
Internal Service Transfers	944,972	2,723,052	3,122,488	3,122,488	3,000,237	3,000,237	3,000,237	(3.92%)
Interfund Loan	0	0	0	0	0	0	0	0.00%
Fund Equity Transfers	6,014,113	5,175,785	10,765,853	10,765,853	8,816,595	9,684,485	9,724,485	(9.67%)
Contingency	0	0	32,455,006	32,217,620	33,157,377	33,374,168	34,891,569	8.30%
Subtotal Current Expenditures	254,382,050	250,744,438	357,594,440	357,780,303	324,370,496	316,919,026	322,204,041	(9.94%)
Ending Fund Balance	214,223,352	190,317,945	72,843,606	72,869,907	64,990,206	63,242,461	62,931,694	(13.64%)
TOTAL REQUIREMENTS	\$468,605,402	\$441,062,383	\$430,438,046	\$430,650,210	\$389,360,702	\$380,161,487	\$385,135,735	(10.57%)
FULL-TIME EQUIVALENTS	753.06	762.84	753.94	756.60	749.56	751.09	751.09	(0.73%)
FTE CHANGE FROM FY 2010-11 AMENDED BUDGET								(5.51)

EXHIBIT C
Ordinance 11-1253B
FY 2011-12 SCHEDULE OF APPROPRIATIONS

	Adopted Budget
GENERAL FUND	
Communications	2,392,835
Council Office	3,694,550
Finance & Regulatory Services	3,870,708
Human Resources	2,304,161
Information Services	3,618,387
Metro Auditor	686,452
Office of Metro Attorney	2,067,885
Oregon Zoo	28,526,231
Parks & Environmental Services	6,493,041
Planning and Development	16,469,641
Research Center	4,400,666
Sustainability Center	4,779,777
Former ORS 197.352 Claims & Judgments	100
Special Appropriations	4,601,055
Non-Departmental	
Debt Service	1,588,215
Interfund Transfers	4,949,564
Contingency	4,164,617
Unappropriated Balance	14,663,496
Total Fund Requirements	\$109,271,381
GENERAL ASSET MANAGEMENT FUND	
Asset Management Program	5,227,503
Non-Departmental	
Contingency	3,911,582
Total Fund Requirements	\$9,139,085
GENERAL OBLIGATION BOND DEBT SERVICE FUND	
Debt Service	30,579,525
Unappropriated Balance	10,037,356
Total Fund Requirements	\$40,616,881
GENERAL REVENUE BOND FUND	
Project Account	
Capital Outlay - Washington Park Parking Lot	216,821
Subtotal	216,821
Debt Service Account	
Debt Service - Metro Regional Center	1,500,920
Debt Service - Expo Center Hall D	1,188,632
Debt Service - Washington Park Parking Lot	404,408
Subtotal	3,093,960
Unappropriated Balance	5,276
Total Fund Requirements	\$3,316,057
MERC FUND	
MERC	41,339,877
Non-Departmental	
Interfund Transfers	6,142,766
Contingency	7,633,716
Unappropriated Balance	13,198,695
Total Fund Requirements	\$68,315,054

EXHIBIT C
Ordinance 11-1253B
FY 2011-12 SCHEDULE OF APPROPRIATIONS

	Adopted Budget
NATURAL AREAS FUND	
Sustainability Center	34,659,897
Non-Departmental	
Interfund Transfers	1,773,222
Contingency	1,340,396
Total Fund Requirements	\$37,773,515
OPEN SPACES FUND	
Sustainability Center	336,876
Total Fund Requirements	\$336,876
OREGON ZOO INFRASTRUCTURE AND ANIMAL WELFARE FUND	
Oregon Zoo	7,060,515
Non-Departmental	
Interfund Transfers	364,209
Contingency	2,252,513
Total Fund Requirements	\$9,677,237
PIONEER CEMETERY PERPETUAL CARE FUND	
Unappropriated Balance	377,450
Total Fund Requirements	\$377,450
REHABILITATION & ENHANCEMENT FUND	
Sustainability Center	336,903
Non-Departmental	
Interfund Transfers	33,287
Contingency	300,000
Unappropriated Balance	1,585,796
Total Fund Requirements	\$2,255,986
RISK MANAGEMENT FUND	
Finance & Regulatory Services	2,815,266
Non-Departmental	
Interfund Transfers	757,890
Contingency	500,000
Unappropriated Balance	763,084
Total Fund Requirements	\$4,836,240
SMITH AND BYBEE LAKES FUND	
Parks & Environmental Services	65,000
Non-Departmental	
Interfund Transfers	112,251
Contingency	200,000
Unappropriated Balance	3,459,092
Total Fund Requirements	\$3,836,343

EXHIBIT C
Ordinance 11-1253B
FY 2011-12 SCHEDULE OF APPROPRIATIONS

	Adopted Budget
SOLID WASTE REVENUE FUND	
Operating Account	
Finance & Regulatory Services	2,110,010
Sustainability Center	8,094,612
Parks & Environmental Services	39,835,576
Subtotal	50,040,198
Landfill Closure Account	
Parks & Environmental Services	1,209,500
Subtotal	1,209,500
Renewal and Replacement Account	
Parks & Environmental Services	865,000
Subtotal	865,000
General Account	
Parks & Environmental Services	1,850,000
Subtotal	1,850,000
General Expenses	
Interfund Transfers	7,988,738
Contingency	14,588,745
Subtotal	22,577,483
Unappropriated Balance	18,841,449
Total Fund Requirements	\$95,383,630
TOTAL BUDGET	\$385,135,735

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 11-1253 ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2011-12, MAKING APPROPRIATIONS AND LEVYING AD VALOREM TAXES, AND DECLARING AN EMERGENCY

Date: April 7, 2011

Presented by: Dan Cooper
Acting Chief Operating Officer

BACKGROUND

I am forwarding to the Metro Council for consideration and approval my proposed budget for fiscal year 2011-12.

Metro Council action, through Ordinance No. 11-1253 is the final step in the process for the adoption of Metro's operating financial plan for the forthcoming fiscal year. Final action by the Metro Council to adopt this plan must be completed by June 30, 2011.

Once the budget plan for fiscal year 2011-12 is approved by the Metro Council on May 5, 2011 the number of funds and their total dollar amount and the maximum tax levy cannot be amended without review and certification by the Tax Supervising and Conservation Commission. Adjustments, if any, by the Metro Council to increase the level of expenditures in a fund are limited to no more than 10 percent of the total value of any fund's expenditures in the period between Metro Council approval in early May 2011 and adoption in June 2011.

Exhibit A to this Ordinance will be available subsequent to the Tax Supervising and Conservation Commission hearing June 9, 2011. Exhibits B and C of the Ordinance will be available at the public hearing on April 7, 2011.

ANALYSIS/INFORMATION

1. **Known Opposition** – Metro Council hearings will be held on the Proposed Budget through May 5, 2011. Opportunities for public comments will be provided. Opposition to any portion of the budget will be identified during that time.
2. **Legal Antecedents** – The preparation, review and adoption of Metro's annual budget is subject to the requirements of Oregon Budget Law, ORS Chapter 294. Oregon Revised Statutes 294.635 requires that Metro prepare and submit its approved budget to the Tax Supervising and Conservation Commission by May 15, 2011. The Commission will conduct a hearing on June 9, 2011 for the purpose of receiving information from the public regarding the Metro Council's approved budget. Following the hearing, the Commission will certify the budget to the Metro Council for adoption and may provide recommendations to the Metro Council regarding any aspect of the budget.
3. **Anticipated Effects** – Adoption of this ordinance will put into effect the annual FY 2011-12 budget, effective July 1, 2011.
4. **Budget Impacts** – The total amount of the proposed FY 2011-12 annual budget is \$389,360,702 and 749.56 FTE.

RECOMMENDED ACTION

The Acting Chief Operating Officer recommends adoption of Ordinance No. 11-1253.

M:\Asd\Finance\Confidential\BUDGET\FY11-12\Budord\Ordinance 11-1253 Adopting Ordinance\Staff Report For Adoption Ord 11-1253.Doc

Agenda Item Number 5.2

Ordinance No. 11-1262, For the Purpose of Amending the FY
2010-11 Budget and Appropriations Schedule and Declaring an
Emergency.

Ordinances – Second Reading

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

AMENDING THE FY 2010-11 BUDGET AND	)	ORDINANCE NO. 11-1262
APPROPRIATIONS SCHEDULE AND THE FY)	
2010-11 THROUGH 2014-15 CAPITAL	)	Introduced by Dan Cooper, Acting Chief
IMPROVEMENT PLAN, AND DECLARING AN	)	Operating Officer, with the concurrence of
EMERGENCY	)	Council President Tom Hughes

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2010-11 Budget; and

WHEREAS, the need for the increase of appropriation has been justified; and

WHEREAS, adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2010-11 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of recognizing new government contributions and transferring appropriations to provide for a change in operations.
2. That the FY 2010-11 through FY 2014-15 Capital Improvement Plan is hereby amended to include the projects shown in Exhibit C to this Ordinance.
3. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____ 2011.

Tom Hughes, Council President

Attest:

Approved as to Form:

Kelsey Newell, Recording Secretary

Alison Kean Campbell, Acting Metro Attorney

Exhibit A
Ordinance No. 11-1262

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Total Resources							
<u>Resources</u>							
BEGBAL	Beginning Fund Balance						
3500	Beginning Fund Balance						
	* Undesignated		5,706,490		0		5,706,490
	* Prior period adjustment: TOD		4,758,727		0		4,758,727
	* Project Carryover		1,299,085		0		1,299,085
	* Reserved for Local Gov't Grants (CET)		2,840,000		0		2,840,000
	* Reserve for Future Debt Service		2,846,099		0		2,846,099
	* Tibbets Flower Account		212		0		212
	* Reserved for Climate Change Project		47,500		0		47,500
	* Reserved for Regional Investment Strategy		2,821,907		0		2,821,907
	* Restricted Parks Reserve (Multnomah County		44,000		0		44,000
	* Reserved for Future Planning Needs		565,306		0		565,306
	* Reserved for Future Election Costs		183,411		0		183,411
	* Reserved for Nature in Neighborhood Grants		501,660		0		501,660
	* Reserved for Active Transportation Partnersh		176,100		0		176,100
	* Reserve for Future Natural Areas Operations		804,460		0		804,460
	* Prior year PERS Reserve		3,759,384		0		3,759,384
	Subtotal Beginning Fund Balance		26,354,341		0		26,354,341
<u>General Revenues</u>							
EXCISE	Excise Tax						
4050	Excise Taxes		14,903,937		0		14,903,937
4055	Construction Excise Tax		1,300,000		0		1,300,000
RPTAX	Real Property Taxes						
4010	Real Property Taxes-Current Yr		11,040,190		0		11,040,190
4015	Real Property Taxes-Prior Yrs		254,000		0		254,000
INTRST	Interest Earnings						
4700	Interest on Investments		235,000		0		235,000
	Subtotal General Revenues		27,733,127		0		27,733,127
<u>Department Revenues</u>							
GRANTS	Grants						
4100	Federal Grants - Direct		2,409,736		0		2,409,736
4105	Federal Grants - Indirect		8,665,816		0		8,665,816
4110	State Grants - Direct		278,582		0		278,582
4120	Local Grants - Direct		351,580		0		351,580
LGSHRE	Local Gov't Share Revenues						
4135	Marine Board Fuel Tax		114,000		0		114,000
4139	Other Local Govt Shared Rev.		457,000		0		457,000
GVCNTB	Contributions from Governments						
4145	Government Contributions		1,790,327		0		1,790,327
LICPER	Licenses and Permits						
4150	Contractor's Business License		406,000		0		406,000
CHGSVC	Charges for Service						
4165	Boat Launch Fees		154,272		0		154,272
4180	Contract & Professional Service		374,733		0		374,733
4230	Product Sales		81,664		0		81,664
4280	Grave Openings		175,000		0		175,000
4285	Grave Sales		134,000		0		134,000

Exhibit A
Ordinance No. 11-1262

ACCT	DESCRIPTION	Current		Revision		Amended	
		<u>Budget</u>				<u>Budget</u>	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Total Resources							
4500	Admission Fees		8,590,338		0		8,590,338
4501	Conservation Surcharge		146,726		0		146,726
4510	Rentals		815,000		0		815,000
4550	Food Service Revenue		5,459,700		0		5,459,700
4560	Retail Sales		2,272,300		0		2,272,300
4580	Utility Services		2,000		0		2,000
4610	Contract Revenue		902,163		0		902,163
4620	Parking Fees		879,000		0		879,000
4630	Tuition and Lectures		1,111,955		0		1,111,955
4635	Exhibit Shows		636,400		0		636,400
4640	Railroad Rides		960,000		0		960,000
4645	Reimbursed Services		198,000		0		198,000
4650	Miscellaneous Charges for Service		14,662		0		14,662
4760	Sponsorships		10,000		0		10,000
DONAT	Contributions from Private Sources						
4750	Donations and Bequests		1,054,600		0		1,054,600
MISCRV	Miscellaneous Revenue						
4170	Fines and Forfeits		25,000		0		25,000
4890	Miscellaneous Revenue		113,500		0		113,500
4891	Reimbursements		1,414,472		0		1,414,472
EQTREV	Fund Equity Transfers						
4970	Transfer of Resources						
	* from MERC Operating Fund		0		120,000		120,000
	* from Solid Waste Revenue Fund		0		26,347		26,347
	* from Renewal & Replacement Fund		128,000		0		128,000
INDTRV	Interfund Reimbursements						
4975	Transfer for Indirect Costs						
	* from MERC Operating Fund		1,993,186		0		1,993,186
	* from Zoo Bond Fund		188,084		0		188,084
	* from Natural Areas Fund		877,851		0		877,851
	* from Solid Waste Revenue Fund		4,212,029		0		4,212,029
INTSRV	Internal Service Transfers						
4980	Transfer for Direct Costs						
	* from Zoo Bond Fund		104,637		0		104,637
	* from Natural Areas Fund		618,595		0		618,595
	* from Smith & Bybee Lakes Fund		111,379		0		111,379
	* from Solid Waste Revenue Fund		2,194,243		0		2,194,243
Subtotal Department Revenues			50,426,530		146,347		50,572,877
TOTAL CURRENT YEAR REVENUES			\$78,159,657		\$146,347		\$78,306,004
TOTAL RESOURCES			\$104,513,998		\$146,347		\$104,660,345

Exhibit A
Ordinance No. 11-1262

ACCT	DESCRIPTION	<u>Current</u>		<u>Revision</u>		<u>Amended</u>	
		<u>Budget</u>	<u>Budget</u>	<u>Revision</u>	<u>Revision</u>	<u>Budget</u>	<u>Budget</u>
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Parks & Environmental Services							
Total Personal Services		40.60	\$3,957,472	0.00	\$0	40.60	\$3,957,472
Total Materials & Services			\$2,841,942		\$0		\$2,841,942
<u>Capital Outlay</u>							
<i>CAPCIP Capital Outlay (CIP Projects)</i>							
5720 Buildings & Related			0		120,000		120,000
Total Capital Outlay			\$0		\$120,000		\$120,000
TOTAL REQUIREMENTS		40.60	\$6,799,414	0.00	\$120,000	40.60	\$6,919,414

Exhibit A
Ordinance No. 11-1262

		<u>Current</u>		<u>Revision</u>		<u>Amended</u>	
		<u>Budget</u>				<u>Budget</u>	
ACCT	DESCRIPTION	FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Sustainability Center							
Total Personal Services		33.30	\$3,330,106	0.00	\$0	33.30	\$3,330,106
Materials & Services							
GOODS	Goods						
	5201 Office Supplies		53,527		0		53,527
	5205 Operating Supplies		37,186		0		37,186
	5210 Subscriptions and Dues		5,492		0		5,492
	5214 Fuels and Lubricants		200		0		200
	5215 Maintenance & Repairs Supplies		18,748		0		18,748
SVCS	Services						
	5240 Contracted Professional Svcs		980,931		0		980,931
	5246 Sponsorships		10,500		0		10,500
	5250 Contracted Property Services		680,219		0		680,219
	5251 Utility Services		11,816		0		11,816
	5260 Maintenance & Repair Services		2,247		0		2,247
	5265 Rentals		1,853		0		1,853
	5280 Other Purchased Services		52,404		0		52,404
IGEXP	Intergov't Expenditures						
	5300 Payments to Other Agencies		95,734		0		95,734
	5315 Grants to Other Governments		95,000		(95,000)		0
OTHEXP	Other Expenditures						
	5450 Travel		8,037		0		8,037
	5455 Staff Development		23,017		0		23,017
Total Materials & Services			\$2,079,142		(\$95,000)		\$1,984,142
TOTAL REQUIREMENTS		33.30	\$5,409,248	0.00	(\$95,000)	33.30	\$5,314,248

Exhibit A
Ordinance No. 11-1262

		Current		Revision		Amended	
ACCT	DESCRIPTION	FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
General Expenses							
Interfund Transfers							
INDTEX	Interfund Reimbursements						
5800	Transfer for Indirect Costs						
	* to Risk Mgmt Fund-Liability		227,194		0		227,194
	* to Risk Mgmt Fund-Worker Comp		249,025		0		249,025
EQTCHG	Fund Equity Transfers						
5810	Transfer of Resources						
	* to General Revenue Bond Fund-Zoo		404,670		0		404,670
	* to Gen'l Revenue Bond Fund-Debt Serv Acct		1,504,945		0		1,504,945
	* to MERC Fund (Tourism Opp. & Compt. Account		475,000		0		475,000
	* to Renewal & Replacement Fund-General R&R		537,233		25,000		562,233
	* to Renewal & Replacement Fund-IT Renewal & R		250,000		0		250,000
	* to Renewal & Replacement Fund-Regional Cente		277,000		0		277,000
	* to Renewal & Replacement Fund-Parks R&R		200,000		0		200,000
	* to Solid Waste Revenue Fund		188,487		0		188,487
Total Interfund Transfers			\$4,313,554		\$25,000		\$4,338,554
Contingency & Unappropriated Balance							
CONT	Contingency						
5999	Contingency						
	* Contingency		3,048,875		0		3,048,875
	* Reserved for Nature in Neigh Grants		326,660		0		326,660
	* Reserved for Active Transportation Partnership		65,725		0		65,725
UNAPP	Unappropriated Fund Balance						
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		2,400,000		0		2,400,000
	* Reserved for Future Years		0		96,347		96,347
	* PERS Reserve		4,738,650		0		4,738,650
	* Tibbets Flower Account		62		0		62
	* Recovery Rate Stabilization reserve		802,918		0		802,918
	* Reserved for Regional Investment Strategy		1,846,000		0		1,846,000
	* Reserved for Future Natural Areas Operations		504,460		0		504,460
	* Reserved for Future Planning Needs		22,761		0		22,761
	* Reserve for Future Debt Service		2,787,099		0		2,787,099
Total Contingency & Unappropriated Balance			\$16,633,210		\$96,347		\$16,729,557
TOTAL REQUIREMENTS		450.15	\$104,513,998	0.00	\$146,347	450.15	\$104,660,345

Exhibit A
Ordinance No. 11-1262

ACCT	DESCRIPTION	Current		Revision		Amended		
		FTE	Amount	FTE	Amount	FTE	Amount	
General Renewal & Replacement Fund								
Resources								
BEGBAL	Beginning Fund Balance							
3500	* Prior year ending balance		6,876,878		0		6,876,878	
INTRST	Interest Earnings							
4700	Interest on Investments		58,777		0		58,777	
MISCRV	Miscellaneous Revenue							
4891	Reimbursements		500,000		0		500,000	
EQTREV	Fund Equity Transfers							
4970	Transfer of Resources							
	* from Solid Waste Revneue Fund		18,402		0		18,402	
	* from General Fund		0		25,000		25,000	
	* from General Fund (Regional Parks)		200,000		0		200,000	
	* from General Fund-IT R&R		250,000		0		250,000	
	* from General Fund-MRC R&R		277,000		0		277,000	
	* from General Fund-Gen'l R&R		537,233		0		537,233	
TOTAL RESOURCES			\$8,718,290		\$25,000		\$8,743,290	
Total Materials & Services			\$881,657		\$0		\$881,657	
Total Capital Outlay			\$2,537,849		\$0		\$2,537,849	
Total Interfund Transfers			\$128,000		\$0		\$128,000	
Contingency & Unappropriated Balance								
CONT	Contingency							
5999	Contingency							
	* General contingency		4,870,784		0		4,870,784	
UNAPP	Unappropriated Fund Balance							
5990	Unappropriated Fund Balance							
	* Renewal & Replacement - Gen'l		300,000		25,000		325,000	
Total Contingency & Unappropriated Balance			\$5,170,784		\$25,000		\$5,195,784	
TOTAL REQUIREMENTS			0.00	\$8,718,290	0.00	\$25,000	0.00	\$8,743,290

Exhibit A
Ordinance No. 11-1262

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Metro Exposition Recreation Commission Fund							
Resources							
BEGBAL	Beginning Fund Balance						
	* Undesignated		17,513,857		0		17,513,857
	* Renewal & Replacement Reserve		2,255,000		0		2,255,000
	* Transient Lodging Tax Capital Reserve		640,310		0		640,310
	* Aramark Contract Capital Investment Reserve		1,625,000		0		1,625,000
	* PERS Reserve		1,631,545		0		1,631,545
	* Expo Phase 3 Reserve		1,185,232		0		1,185,232
GRANTS	Grants						
4105	Federal Grants - Indirect		235,063		0		235,063
4110	State Grant - Direct		259,500		0		259,500
4115	State Grant - Indirect		158,029		0		158,029
4120	Local Grant - Direct		26,925		0		26,925
LGSHRE	Local Gov't Share Revenues						
4130	Hotel/Motel Tax		10,558,553		0		10,558,553
4142	Intergovernment Misc. Revenue		43,955		0		43,955
GVCNTB	Contributions from Governments						
4145	Government Contributions		756,907		0		756,907
CHGSVC	Charges for Service						
4500	Admission Fees		1,700,500		0		1,700,500
4510	Rentals		7,420,586		0		7,420,586
4550	Food Service Revenue		11,813,716		1,217,000		13,030,716
4560	Retail Sales		5,000		0		5,000
4570	Merchandising		13,000		0		13,000
4575	Advertising		15,000		0		15,000
4580	Utility Services		1,598,360		0		1,598,360
4590	Commissions		1,135,000		0		1,135,000
4620	Parking Fees		2,838,899		0		2,838,899
4645	Reimbursed Services		2,688,825		0		2,688,825
4647	Reimbursed Services - Contract		486,142		0		486,142
4650	Miscellaneous Charges for Svc		302,230		0		302,230
INTRST	Interest Earnings						
4700	Interest on Investments		235,523		0		235,523
DONAT	Contributions from Private Sources						
4750	Donations and Bequests		442,000		0		442,000
4760	Sponsorship Revenue		143,500		0		143,500
MISCRV	Miscellaneous Revenue						
4170	Fine & Forfeitures		2,000		0		2,000
4805	Financing Transaction		82,372		0		82,372
4890	Miscellaneous Revenue		34,825		0		34,825
4891	Refunds and Reimbursements		4,000		0		4,000
EQTREV	Fund Equity Transfers						
4970	Transfer of Resources						
	* from General Fund		475,000		0		475,000
TOTAL RESOURCES			\$68,326,354		\$1,217,000		\$69,543,354
Total Personal Services		190.00	\$17,989,676	0.00	\$0	190.00	\$17,989,676

Exhibit A
Ordinance No. 11-1262

		Current		Amended	
		Budget		Revision	Budget
ACCT	DESCRIPTION	FTE	Amount	FTE	Amount
Metro Exposition Recreation Commission Fund					
Materials & Services					
GOODS	Goods				
5201	Office Supplies		232,402		232,402
5205	Operating Supplies		265,947		265,947
5210	Subscriptions and Dues		63,005		63,005
5214	Fuels and Lubricants		16,820		16,820
5215	Maintenance & Repairs Supplies		544,340		544,340
5225	Retail		10,000		10,000
SVCS	Services				
5240	Contracted Professional Svcs		1,033,284		1,033,284
5245	Marketing Expense		2,619,362		2,619,362
5246	Sponsorship Expenditures		59,050		59,050
5247	Visitor Development Marketing		417,728		417,728
5251	Utility Services		2,519,600		2,519,600
5255	Cleaning Services		33,800		33,800
5260	Maintenance & Repair Services		1,156,339		1,156,339
5265	Rentals		527,940		527,940
5270	Insurance		28,560		28,560
5280	Other Purchased Services		400,626		400,626
5281	Other Purchased Services - Reimb		390,773		390,773
5291	Food and Beverage Services		9,322,641	1,250,000	10,572,641
5292	Parking Services		305,580		305,580
IGEXP	Intergov't Expenditures				
5300	Payments to Other Agencies		275,258		275,258
5310	Taxes (Non-Payroll)		16,500		16,500
OTHEXP	Other Expenditures				
5450	Travel		193,171		193,171
5455	Staff Development		130,600		130,600
5490	Miscellaneous Expenditures		17,000		17,000
Total Materials & Services			\$20,580,326	\$1,250,000	\$21,830,326
Capital Outlay					
CAPCIP	Capital Outlay (CIP Projects)				
5710	Improve-Oth thn Bldg		690,000		690,000
5720	Buildings & Related		4,081,105	(120,000)	3,961,105
5740	Equipment & Vehicles		426,000		426,000
5750	Office Furniture & Equip		102,000		102,000
Total Capital Outlay			\$5,299,105	(\$120,000)	\$5,179,105
Interfund Transfers					
INDTEX	Interfund Reimbursements				
5800	Transfer for Indirect Costs				
	* to General Fund-Support Services		1,870,208		1,870,208
	* to General Fund		122,978		122,978
	* to Risk Management Fund - Liability		386,429		386,429
	* to Risk Management Fund - Workers Comp.		112,883		112,883
EQTCHG	Fund Equity Transfers				
5810	Transfer of Resources				
	* to General Fund		0	120,000	120,000
	* to General Revenue Bond Fund		1,189,132		1,189,132
Total Interfund Transfers			\$3,681,630	0.00	\$3,801,630

Exhibit A
Ordinance No. 11-1262

		<u>Current</u>		<u>Revision</u>		<u>Amended</u>	
		<u>Budget</u>				<u>Budget</u>	
ACCT	DESCRIPTION	FTE	Amount	FTE	Amount	FTE	Amount
Metro Exposition Recreation Commission Fund							
<u>Contingency and Ending Balance</u>							
CONT	Contingency						
5999	Contingency						
	* General Contingency		2,183,463		(1,250,000)		933,463
	* Contingency for Capital (TL TAX)		269,310		0		269,310
UNAPP	Unappropriated Fund Balance						
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		620,500		0		620,500
	* New Capital/Business Strategy Reserve		3,893,133		1,217,000		5,110,133
	* Ending Balance		48,755		0		48,755
	* Renewal & Replacement		11,768,634		0		11,768,634
	* Prior Year PERS Reserve		1,991,822		0		1,991,822
Total Contingency and Ending Balance			\$20,775,617		(\$33,000)		\$20,742,617
TOTAL REQUIREMENTS		190.00	\$68,326,354	0.00	\$1,217,000	190.00	\$69,543,354

Exhibit A
Ordinance No. 11-1262

ACCT	DESCRIPTION	Current		Revision		Amended	
		<u>Budget</u>		<u>Budget</u>		<u>Budget</u>	
		FTE	Amount	FTE	Amount	FTE	Amount
Solid Waste Revenue Fund							
General Expenses							
<u>Interfund Transfers</u>							
INDTEX	Interfund Reimbursements						
5800	Transfer for Indirect Costs						
	* to General Fund-Bldg		364,451		0		364,451
	* to General Fund-Support Services		3,356,758		0		3,356,758
	* to General Fund		490,820		0		490,820
	* to Risk Mgmt Fund-Liability		57,950		0		57,950
	* to Risk Mgmt Fund-Worker Comp		83,953		0		83,953
INTCHG	Internal Service Transfers						
5820	Transfer for Direct Costs						
	* to General Fund-Planning		405,654		0		405,654
	* to General Fund-Regional Parks		3,473		0		3,473
	* to General Fund-General Gov't		397,333		0		397,333
	* to General Fund-Support Services		81,444		0		81,444
	* to General Fund-SUS Education/Climate Change		75,058		0		75,058
	* to General Fund-PES Finance		412,954		0		412,954
	* to General Fund-PES Administration		562,309		0		562,309
	* to General Fund-SUS Administration		256,018		0		256,018
	* to Risk Management Fund		60,672		0		60,672
EQTCHG	Fund Equity Transfers						
5810	Transfer of Resources						
	* to General Renewal & Replacement Fund		18,402		0		18,402
	* to General Fund		0		26,347		26,347
	* to Rehab. & Enhancement Fund		367,984		0		367,984
Total Interfund Transfers			\$6,995,233		\$26,347		\$7,021,580
<u>Contingency and Ending Balance</u>							
CONT	Contingency						
5999	Contingency						
	* Operating Account (Operating Contingency)		2,000,000		(26,347)		1,973,653
	* Landfill Closure Account		4,840,545		0		4,840,545
	* Renewal & Replacement Account		7,700,218		0		7,700,218
UNAPP	Unappropriated Fund Balance						
5990	Unappropriated Fund Balance						
	* General Account (Working Capital)		5,759,668		0		5,759,668
	* General Account (EIL Reserve - GASB 49)		5,225,000		0		5,225,000
	* General Account (Rate Stabilization)		5,338,363		0		5,338,363
	* General Account (Capital Reserve)		5,330,000		0		5,330,000
	* PERS Reserve		1,154,095		0		1,154,095
Total Contingency and Ending Balance			\$37,347,889		(\$26,347)		\$37,321,542
TOTAL REQUIREMENTS		93.60	\$99,841,837	0.00	\$0	93.60	\$99,841,837

Exhibit B
Ordinance 11-1262
Schedule of Appropriations

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Revised</u> <u>Appropriation</u>
GENERAL FUND			
Communications	2,515,796	0	2,515,796
Council Office (includes COO & Strategy Center)	3,701,124	0	3,701,124
Finance & Regulatory Services	3,364,337	0	3,364,337
Human Resources	1,842,888	0	1,842,888
Information Services	3,058,594	0	3,058,594
Metro Auditor	672,078	0	672,078
Office of Metro Attorney	2,013,825	0	2,013,825
Oregon Zoo	27,224,181	0	27,224,181
Parks & Environmental Services	6,799,414	120,000	6,919,414
Planning and Development	15,562,488	0	15,562,488
Research Center	4,672,052	0	4,672,052
Sustainability Center	5,409,248	(95,000)	5,314,248
Former ORS 197.352 Claims & Judgments	100	0	100
Special Appropriations	5,201,637	0	5,201,637
Non-Departmental			
Debt Service	1,529,472	0	1,529,472
Interfund Transfers	4,313,554	0	4,313,554
Contingency	3,441,260	0	3,441,260
Unappropriated Balance	13,191,950	0	13,191,950
Total Fund Requirements	\$104,513,998	\$25,000	\$104,538,998
GENERAL RENEWAL AND REPLACEMENT FUND			
Renewal & Replacement Program	3,419,506	0	3,419,506
Non-Departmental			
Interfund Transfers	128,000	0	128,000
Contingency	4,870,784	0	4,870,784
Unappropriated Balance	300,000	25,000	325,000
Total Fund Requirements	\$8,718,290	\$25,000	\$8,743,290
MERC FUND			
MERC	43,869,107	1,130,000	44,999,107
Non-Departmental			
Debt Service	0	0	0
Interfund Transfers	3,681,630	120,000	3,801,630
Contingency	2,452,773	(1,250,000)	1,202,773
Unappropriated Balance	18,322,844	1,217,000	19,539,844
Total Fund Requirements	\$68,326,354	\$1,217,000	\$69,543,354

Exhibit B
Ordinance 11-1262
Schedule of Appropriations

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Revised</u> <u>Appropriation</u>
SOLID WASTE REVENUE FUND			
Operating Account			
Finance & Administrative Services	2,181,465	0	2,181,465
Sustainability Center	8,099,252	0	8,099,252
Parks & Environmental Services	39,691,715	0	39,691,715
Subtotal	49,972,432	0	49,972,432
Landfill Closure Account			
Parks & Environmental Services	3,003,783	0	3,003,783
Subtotal	3,003,783	0	3,003,783
Renewal and Replacement Account			
Parks & Environmental Services	980,000	0	980,000
Subtotal	980,000	0	980,000
General Account			
Parks & Environmental Services	1,542,500	0	1,542,500
Subtotal	1,542,500	0	1,542,500
General Expenses			
Interfund Transfers	6,995,233	26,347	7,021,580
Contingency	14,540,763	(26,347)	14,514,416
Subtotal	21,535,996	0	21,535,996
Unappropriated Balance	22,807,126	0	22,807,126
Total Fund Requirements	\$99,841,837	\$0	\$99,841,837

All other appropriations remain as previously adopted

STAFF REPORT

FOR THE PURPOSE OF AMENDING THE FY 2010-11 BUDGET AND APPROPRIATIONS SCHEDULE AND THE FY 2010-11 THROUGH FY 2014-15 CAPITAL IMPROVEMENT PLAN, AND DECLARING AN EMERGENCY

Date: May 10, 2011

Presented by: Kathy Rutkowski, 503-797-1630

BACKGROUND

Since the adoption of the budget several items have been identified that necessitate amendment to the budget. Each action is discussed separately below.

Oregon Convention Center Food & Beverage

The Oregon Convention Center is experiencing food and beverage sales greater than original estimates. The current revenue forecast is \$9.6 million, an increase of \$1.2 million over the adopted budget. Food & beverage sales for conventions have exceeded original budget projections all year. In addition to better than expected sales throughout the year OCC booked two new corporate events, the Intel Tech Fest, a five day event with estimated sales of \$474 thousand in May and a Nike event in June with estimated sales of \$61 thousand. The current estimated food and beverage cost is \$7.9 million, also an increase of \$1.2 million over the adopted budget.

The current projected food and beverage margin is 18 percent, down 3 percent from the original budget estimate of 21 percent. The change in the margin is a result of increased labor and benefit costs, and the transition to a new Executive Chef, resulting in carrying salaries for two chefs for three months.

Oregon budget law does not allow the recognition and direct appropriation of this additional revenue without the benefit of a supplemental budget. This action transfers \$1,250,000 from the Operating Contingency to materials and services to provide for the needed increase in food and beverage expense. It also acknowledges the receipt of \$1,217,000 in additional revenue but places the additional revenue in the New Capital/Business Strategy Reserve (unappropriated balance).

The Community Café (Hoyt Street Station Café)

The building improvements required to operate the Community Café previously referred to as the “Leg Up Program” are considered an improvement to a Metro asset. The funding source for the Cafe is a capital contribution to OCC from Aramark/Giacometti Joint Partnership. The original project approved in the adopted budget was estimated to be \$150,000. However the actual location was undetermined at the time the budget was prepared so an actual budget for remodel improvements was estimated. The current project cost is projected to be \$182,000. The additional amount is funded from the project contingency account within the original \$1,350,000 capital contribution to OCC.

The Community Café project will make improvements to Metro Regional Center, a general Metro asset. As a result, it is necessary to record the capital costs in the General Fund. As mentioned above, the project is funded by a capital contribution to the Oregon Convention Center from Aramark/Giacometti Joint Partnership.

Approval of this amendment will provide several actions necessary to fully implement the budgetary requirements of the project:

- a) Amend the Capital Improvement Plan for the increased cost of the total project from \$150,000 to \$182,000;
- b) Transfer up to \$120,000 from the MERC Fund to the General Fund to provide funding for the expenditures considered building improvements. Furniture & equipment items will not be transferred to Metro as they are part of the OCC food & beverage operating equipment;
- c) Recognize additional revenue in the General Fund of \$120,000 in the form of a transfer from the MERC Fund; and
- d) Increase capital outlay appropriation in the Metro Regional Center section of Parks and Environmental Services by \$120,000 to allow for the building improvement expenditures and the recognition of the increased value of the Metro asset.

In addition to the substantive amendments discussed above, several technical items have been identified that necessitate amendment to the General Fund budget. The requested actions clean up a few items that were identified after the FY 2009-10 audit was completed and the current year budget was adopted.

Solid Waste Information System

The development of the Solid Waste Information System (SWIS) is funded by solid waste revenues. Expenditures should be charged against the Finance and Regulatory Services appropriation in the Solid Waste Revenue Fund. However, during the last quarter of FY 2009-10 a payment was incorrectly charged against the Finance and Regulatory Services appropriation in the General Fund. This action seeks to remedy that error and reimburse the General Fund for the expense. A transfer of \$26,347 is requested from the Solid Waste Revenue Fund to the General Fund.

Renewal & Replacement Transfer

Net revenues from the Contractor's License Program for some time have been transferred to the renewal and replacement fund to assist in the General Fund contributions required to maintain the reserve. Because the transfer was "net revenues" (revenues less expenditures) it could not be calculated until after the close of the fiscal year. This transfer was overlooked at the end of FY 2009-10. This action seeks to transfer \$25,000 from the General Fund to the Renewal and Replacement Fund to remedy that error. (Note: beginning in FY 2010-11 this has been incorporated into general transfers to the renewal and replacement to avoid the year-end issue and increase efficiency.)

Nature in Neighborhood Grants

During the FY 2010-11 budget process, the Council authorized an additional contribution of \$95,000 to the Nature in Neighborhood grant program. The Nature in Neighborhood grant program is managed through the Special Appropriations category in the General Fund. However, the additional appropriation was double budgeted – once in Special Appropriations and again in the Sustainability Center. This action seeks to remove the unnecessary appropriation authorization from the Sustainability Center.

The net change to the General Fund from all three items described above is an increase in the ending FY 2010-11 budgeted fund balance of \$96,347. However, all three items have already been considered in the projections for the FY 2011-12 beginning fund balance. There is no change needed to FY 2011-12.

ANALYSIS/INFORMATION

1. **Known Opposition:** None known.
2. **Legal Antecedents:** ORS 294.450 provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction.
3. **Anticipated Effects:** This action provides for changes in operations as described above;
4. **Budget Impacts:** This action has the following impact on the FY 2010-11 budget:
 - a. Provides for additional appropriation related to increased food and beverage business at the Oregon Convention Center. Revenue will increase to offset the costs.
 - b. Requests action necessary to fully implement the budgetary requirements of the Community Café project.
 - c. Corrects several technical items in the General Fund resulting in an increased ending fund balance over amount budgeted of \$96,347.
 - d. Amends the FY 2010-11 through FY 2014-15 Capital Improvement Plan for the revised Community Café project costs.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this Ordinance.

Agenda Item Number 6.1

Resolution No. 11-4274, For the Purpose of Adopting the
Capital Improvement Plan for Fiscal Years 2011-12 through
2015-16.

Metro Council Meeting
Thursday, June 23, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE	)	RESOLUTION NO. 11-4274
CAPITAL IMPROVEMENT PLAN FOR FISCAL	)	Introduced by Dan Cooper, Acting
YEARS 2011-12 THROUGH 2015-16	)	Chief Operating Officer with
	)	concurrence of the Council President

WHEREAS, Metro recognizes the need to prepare a long-range plan estimating the timing, scale and cost of its major capital projects and equipment purchases; and

WHEREAS, Metro centers and services have inventoried existing major capital assets, prepared status reports on current capital projects and assessed future capital needs; and

WHEREAS, Metro's Chief Operating Officer has directed the preparation of a Capital Improvement Plan for fiscal years 2011-12 through 2015-16 that projects Metro's major capital spending needs over the next five years, assesses the impact of capital projects on the forecasted financial condition of Metro funds, and assesses the impact on operating costs; and

WHEREAS, the Metro Council has reviewed the FY 2011-12 through FY 2015-16 Capital Improvement Plan; and

WHEREAS, the Metro Council approves the projects funded by the Tourism Opportunity and Competitiveness Account (MTOCA); and

WHEREAS, there are three projects scheduled from MTOCA included in FY 2011-12 ; and

WHEREAS, the Metro Council has conducted a public hearing on the FY 2011-12 budget including the FY 2011-12 through FY 2015-16 Capital Improvement Plan; now therefore

BE IT RESOLVED that the Metro Council hereby authorizes the following:

1. That the FY 2011-12 through FY 2015-16 Capital Improvement Plan, summarized on Exhibit A, is hereby adopted.
2. That the projects listed with MTOCA funding in FY 2011-12 are approved.
3. That the FY 2011-12 capital projects from the FY 2011-12 through FY 2015-16 Capital Improvement Plan be included and appropriated in the FY 2011-12 budget.

ADOPTED by the Metro Council this ____ day of _____ 2011.

Tom Hughes, Metro Council President

Approved as to Form:

Allison Kean Campbell, Acting Metro Attorney

Priority	Fund	Dept
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Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Finance

	Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
General Fund Renewal and Replacement Fund								
2 Inventory R&R and Assets	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Fund Balance - Renewal and Replacement
Solid Waste General Account								
1 Solid Waste Information System (SWIS)	\$250,000	\$575,000	\$0	\$0	\$0	\$0	\$825,000	Fund Balance - Capital Reserve
SW Renewal & Replacement Account								
3 Enforcement Vehicle Replacement	\$35,000	\$30,000	\$0	\$40,000	\$30,000	\$30,000	\$165,000	Fund Balance - Renewal and Replacement
Total - Finance	\$285,000	\$705,000	\$0	\$40,000	\$30,000	\$30,000	\$1,090,000	

Priority
Fund
Dept

Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Information Services								
	Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
All Funds								
1 Replace/Acquire Desktop Computers	\$709,202	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$1,109,202	Fund Balance - Capital Reserve
General Fund Renewal and Replacement Fund								
1 Information Technology R&R Projects	\$180,415	\$606,073	\$212,647	\$152,638	\$272,079	\$269,954	\$1,693,806	Fund Balance - Renewal and Replacement
2 Net Appliance Alex File Server	\$0	\$132,900	\$0	\$0	\$0	\$143,531	\$276,431	Fund Balance - Renewal and Replacement
3 Upgrade of Business Enterprise Software (PeopleSoft	\$248,170	\$0	\$138,753	\$0	\$144,358	\$0	\$531,281	Fund Balance - Renewal and Replacement
Total - Information Services	\$1,137,787	\$818,973	\$431,400	\$232,638	\$496,437	\$493,485	\$3,610,720	

Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Metro Exposition-Recreation Commission

	Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
MERC Fund								
1 MERC Admin - Technology	\$0	\$102,000	\$0	\$0	\$0	\$0	\$102,000	Fund Balance
MERC Fund								
1 Expo - Structural Issue Hall E	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Fund Balance - Renewal and Replacement
2 Expo - Parking Lot Asphalt Maint/Replace	\$0	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$250,000	Fund Balance - Renewal and Replacement
3 Expo - Portable Bleacher Replacement	\$0	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$400,000	Fund Balance - Renewal and Replacement
4 Expo - Group of Lighting	\$0	\$0	\$25,000	\$0	\$0	\$200,000	\$225,000	Fund Balance - Renewal and Replacement
5 Expo - Meridian Phone System	\$0	\$0	\$0	\$0	\$0	\$100,000	\$100,000	Fund Balance - Renewal and Replacement
MERC Fund								
1 OCC - Kitchen Remodel	\$364,634	\$160,366	\$0	\$0	\$0	\$0	\$525,000	F&B Contract Investment Fund
2 OCC - Electrical Sub Meeting	\$0	\$200,000	\$0	\$0	\$0	\$0	\$200,000	MTOCA
3 OCC - Permanent Automatic AV Screens in all Meeti	\$0	\$195,000	\$0	\$0	\$0	\$0	\$195,000	MTOCA
4 OCC - Small Wares Purchase	\$83,000	\$217,000	\$0	\$0	\$0	\$0	\$300,000	F&B Contract Investment Fund
5 OCC - Roof Replacement - Original Building	\$0	\$0	\$1,800,000	\$0	\$0	\$0	\$1,800,000	Fund Balance - Renewal and Replacement
6 OCC - Oregon Ballroom Renovation	\$0	\$0	\$1,000,000	\$0	\$0	\$0	\$1,000,000	Fund Balance - Renewal and Replacement
7 OCC - Replace Tile Floors in All Restrooms - Origina	\$0	\$0	\$300,000	\$0	\$0	\$0	\$300,000	Fund Balance - Renewal and Replacement
8 OCC - Sizzler Block Plaza Construction Project	\$145,000	\$515,000	\$0	\$0	\$0	\$0	\$660,000	Fund Balance
9 OCC - Replace Meeting Room Chairs - 3000	\$0	\$0	\$0	\$400,000	\$0	\$0	\$400,000	Fund Balance - Renewal and Replacement
10 OCC - Carpet Replacement	\$0	\$0	\$0	\$1,700,000	\$0	\$0	\$1,700,000	Fund Balance - Renewal and Replacement
11 OCC - Change Out Radio System to Digital per FCC	\$0	\$0	\$0	\$250,000	\$0	\$0	\$250,000	Fund Balance - Renewal and Replacement
12 OCC - Purchase AV Equipment	\$0	\$0	\$0	\$100,000	\$0	\$0	\$100,000	Fund Balance - Renewal and Replacement
13 OCC - Hand Dryers	\$90,000	\$60,000	\$0	\$0	\$0	\$0	\$150,000	MTOCA
14 OCC - Dragon Café Brew Pub Construction	\$0	\$0	\$0	\$600,000	\$0	\$0	\$600,000	MTOCA
15 OCC - Signage Upgrade	\$0	\$161,000	\$0	\$0	\$0	\$0	\$161,000	TLT Reserves
16 OCC - Replace 2 (of 3) Boilers	\$0	\$0	\$0	\$0	\$425,000	\$0	\$425,000	Fund Balance - Renewal and Replacement
17 OCC - LEED Project Work for Re-Certification	\$0	\$0	\$0	\$0	\$300,000	\$0	\$300,000	MTOCA
18 OCC - Bleacher Replacement	\$0	\$0	\$0	\$0	\$2,000,000	\$0	\$2,000,000	Fund Balance - Renewal and Replacement
19 OCC - Replace 2 (of 4) Chiller Units	\$0	\$0	\$0	\$0	\$550,000	\$0	\$550,000	Fund Balance - Renewal and Replacement
20 OCC - Concrete Polishing	\$0	\$0	\$0	\$0	\$375,000	\$0	\$375,000	Fund Balance - Renewal and Replacement
21 OCC - Replace Folding Padded Chairs	\$0	\$0	\$0	\$0	\$0	\$400,000	\$400,000	Fund Balance - Renewal and Replacement
22 OCC - Elevator 18 - Car & Rail Rework	\$0	\$0	\$0	\$0	\$0	\$850,000	\$850,000	Fund Balance - Renewal and Replacement
23 OCC - Coffee Retail Renovations	\$0	\$150,000	\$0	\$0	\$0	\$0	\$150,000	Fund Balance
24 OCC - Skyview Terrace Tasting Kitchen	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Fund Balance
MERC Fund								
1 PCPA - ASCH Roof	\$100,000	\$75,000	\$0	\$0	\$0	\$0	\$175,000	Donations - MERC
2 PCPA - ASCH & AHH HVAC Controls Replacement	\$0	\$130,000	\$0	\$0	\$0	\$0	\$130,000	Fund Balance - Renewal and Replacement
3 PCPA - Newmark Dimmer System	\$0	\$0	\$140,000	\$0	\$0	\$0	\$140,000	Friends of PCPA
4 PCPA - Keller Roof	\$0	\$0	\$500,000	\$0	\$0	\$0	\$500,000	Fund Balance - Renewal and Replacement
5 PCPA - Keller Stage Floor	\$0	\$0	\$150,000	\$0	\$0	\$0	\$150,000	Fund Balance - Renewal and Replacement
6 PCPA - ASCH Cooling Tower	\$0	\$0	\$0	\$110,000	\$0	\$0	\$110,000	Friends of PCPA
7 PCPA - Newmark Stage Floor	\$0	\$0	\$0	\$100,000	\$0	\$0	\$100,000	Friends of PCPA

Priority	Fund	Dept
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Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Metro Exposition-Recreation Commission		Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
8	PCPA - Keller - Fore Stage Lift	\$0	\$0	\$0	\$500,000	\$0	\$0	\$500,000	Fund Balance - Renewal and Replacement
9	PCPA - AHH Boiler	\$0	\$0	\$0	\$0	\$150,000	\$0	\$150,000	Fund Balance - Renewal and Replacement
10	PCPA - Keller A/V-flat screens, FOH/BOH camera fe	\$0	\$0	\$0	\$0	\$100,000	\$0	\$100,000	Friends of PCPA
11	PCPA - Keller Dimmer System	\$0	\$0	\$0	\$0	\$275,000	\$0	\$275,000	Friends of PCPA
12	PCPA - AHH Passenger Elevators	\$0	\$0	\$0	\$0	\$300,000	\$0	\$300,000	Friends of PCPA
13	PCPA - ASCH Passenger Elevators	\$0	\$0	\$0	\$0	\$300,000	\$0	\$300,000	Friends of PCPA
14	PCPA - Theatrical Lighting	\$0	\$100,000	\$0	\$0	\$125,000	\$0	\$225,000	Fund Balance - Renewal and Replacement
15	PCPA - AHH Roof	\$0	\$0	\$0	\$0	\$0	\$250,000	\$250,000	Fund Balance - Renewal and Replacement
16	PCPA - Keller Auditorium Boiler Replacement	\$91,726	\$100,000	\$0	\$0	\$0	\$0	\$191,726	Donations
Total - Metro Exposition-Recreation Commission		\$874,360	\$2,495,366	\$4,045,000	\$3,890,000	\$5,030,000	\$1,930,000	\$18,264,726	

Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Oregon Zoo								
	Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
Zoo Infrastructure and Animal Welfare								
1 Construction Bond Issuance	\$149,682	\$0	\$500,000	\$0	\$0	\$0	\$649,682	GO Bonds Zoo
2 Veterinary Hospital	\$6,154,494	\$3,100,000	\$0	\$0	\$0	\$0	\$9,254,494	GO Bonds Zoo
3 Zoo Infrastructure and Animal Welfare Master Planni	\$1,351,665	\$600,000	\$0	\$0	\$0	\$0	\$1,951,665	GO Bonds Zoo
4 Improving Elephant On Site Facilities	\$42,843	\$3,147,647	\$21,800,000	\$18,593,378	\$0	\$0	\$43,583,868	GO Bonds Zoo
5 Conservation Education Facility	\$8,893	\$0	\$1,900,000	\$5,100,000	\$3,300,000	\$0	\$10,308,893	GO Bonds Zoo
6 Plan District - Land Use	\$247,791	\$150,000	\$0	\$0	\$0	\$0	\$397,791	GO Bonds Zoo
7 More Humane Enclosures for Apes & Monkeys	\$1,500	\$0	\$0	\$0	\$1,800,000	\$3,600,000	\$5,401,500	GO Bonds Zoo
8 Upgrading Zoo Facilities to Save Water and Energy	\$546,776	\$1,100,000	\$1,100,000	\$1,100,000	\$1,100,000	\$1,100,000	\$6,046,776	GO Bonds Zoo
9 Elephant Offsite Facility	\$39,678	\$0	\$3,600,000	\$3,600,000	\$0	\$0	\$7,239,678	GO Bonds Zoo
10 Polar Bear Space Renovation	\$1,500	\$0	\$0	\$3,700,000	\$10,100,000	\$6,400,000	\$20,201,500	GO Bonds Zoo
11 Hippo Water Filtration	\$4,187	\$0	\$0	\$0	\$300,000	\$1,500,000	\$1,804,187	GO Bonds Zoo
12 Condor Exhibit	\$0	\$0	\$0	\$0	\$0	\$400,000	\$400,000	GO Bonds Zoo
General Fund Renewal and Replacement Fund								
1 Zoo Renewal and Replacement Projects	\$580,809	\$695,622	\$409,754	\$847,428	\$515,334	\$700,411	\$3,749,358	Fund Balance - Renewal and Replacement
2 Zoo Railroad Track Replacement	\$45,254	\$23,080	\$23,541	\$24,012	\$24,492	\$24,982	\$165,361	Fund Balance - Renewal and Replacement
3 Perimeter USDA Fence	\$57,305	\$58,451	\$59,620	\$60,813	\$62,029	\$63,270	\$361,488	Fund Balance - Renewal and Replacement
4 Zoo Parking Lot Replacement	\$20,808	\$21,224	\$21,649	\$22,082	\$22,523	\$22,974	\$131,260	Fund Balance - Renewal and Replacement
5 750 kw Generator	\$0	\$152,623	\$0	\$0	\$0	\$0	\$152,623	Fund Balance - Renewal and Replacement
6 Roof Replacement Africafe	\$0	\$128,593	\$0	\$0	\$0	\$0	\$128,593	Fund Balance - Renewal and Replacement
7 Commisary Elevator	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Fund Balance - Renewal and Replacement
8 Railroad roundhouse Roof	\$0	\$0	\$0	\$0	\$0	\$128,883	\$128,883	Fund Balance - Renewal and Replacement
9 Swamp Building & Aviary Roof Replacement	\$0	\$0	\$0	\$0	\$102,584	\$0	\$102,584	Fund Balance - Renewal and Replacement
10 Penguinarium Interpretive Graphics	\$0	\$0	\$0	\$0	\$100,510	\$0	\$100,510	Fund Balance - Renewal and Replacement
Zoo Capital Projects Fund								
1 Veterinary Medical Equipment	\$0	\$450,000	\$0	\$0	\$0	\$0	\$450,000	Donations
2 Aviary Marsh Mesh	\$0	\$600,000	\$0	\$0	\$0	\$0	\$600,000	Donations
3 Zoo Capital Projects under \$100,000	\$50,000	\$105,700	\$0	\$0	\$0	\$0	\$155,700	Fund Balance - Capital Reserve
Total - Oregon Zoo	\$9,303,185	\$10,432,940	\$29,414,564	\$33,047,713	\$17,427,472	\$13,940,520	\$113,566,394	

Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Parks and Environmental Services								
	Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
General Fund Renewal and Replacement Fund								
1 Regional Parks Renewal and Replacement	\$356,113	\$613,931	\$91,391	\$81,545	\$185,809	\$64,302	\$1,393,091	Fund Balance - Renewal and Replacement
2 M. James Gleason - Parking Lot Repaving	\$0	\$337,500	\$0	\$0	\$0	\$0	\$337,500	Fund Balance - Renewal and Replacement
3 Blue Lake Wetland, Pathway, Trail	\$0	\$195,595	\$0	\$0	\$0	\$0	\$195,595	Fund Balance - Renewal and Replacement
4 Oxbow Park Hardened River Access	\$0	\$0	\$0	\$0	\$303,253	\$0	\$303,253	Fund Balance - Renewal and Replacement
5 Chinook Landing Boarding Dock (500ft) & Steel Pili	\$0	\$0	\$0	\$0	\$0	\$140,599	\$140,599	Fund Balance - Renewal and Replacement
General Fund Renewal and Replacement Fund								
1 Carpet Replacement	\$110,556	\$186,288	\$0	\$0	\$0	\$0	\$296,844	Fund Balance - Renewal and Replacement
2 PES - Fleet	\$29,850	\$367,769	\$165,816	\$110,366	\$155,398	\$111,511	\$940,710	Fund Balance - Renewal and Replacement
3 Council Chamber Audio/Visual Upgrades	\$143,300	\$0	\$140,851	\$0	\$0	\$0	\$284,151	Fund Balance - Renewal and Replacement
4 Metro Regional Center Roof Replacement	\$0	\$0	\$0	\$512,404	\$0	\$0	\$512,404	Fund Balance - Renewal and Replacement
5 Renewal and Replacement Property Services	\$102,011	\$224,374	\$20,535	\$104,743	\$0	\$0	\$451,663	Fund Balance - Renewal and Replacement
6 MRC VAV Box Controllers	\$0	\$128,280	\$0	\$0	\$0	\$0	\$128,280	Fund Balance - Renewal and Replacement
Solid Waste General Account								
1 Metro Central Organics/Food Handling Area Improve	\$50,000	\$300,000	\$0	\$0	\$0	\$0	\$350,000	Fund Balance - Capital Reserve
2 Metro Central Storm Water Improvements	\$50,000	\$150,000	\$0	\$0	\$0	\$0	\$200,000	Fund Balance - Capital Reserve
3 Metro South Transfer Station - Access Lane	\$25,000	\$80,000	\$0	\$0	\$0	\$0	\$105,000	Fund Balance - Capital Reserve
4 Metro South HHW - Extend Canopy	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000	Fund Balance - Capital Reserve
5 Metro Central - Tarping Station	\$0	\$200,000	\$0	\$0	\$0	\$0	\$200,000	Fund Balance - Capital Reserve
6 Metro South - Natural Lighting Improvements	\$50,000	\$75,000	\$0	\$0	\$0	\$0	\$125,000	Fund Balance - Capital Reserve
7 Expansion of MCS-HHW facility	\$0	\$0	\$863,000	\$0	\$0	\$0	\$863,000	Fund Balance - Capital Reserve
8 Future Master Facility Plan Improvements	\$0	\$0	\$1,000,000	\$1,000,000	\$0	\$0	\$2,000,000	Fund Balance - Capital Reserve
9 Reader Board at MSS entrance	\$0	\$0	\$0	\$200,000	\$0	\$0	\$200,000	Fund Balance - Capital Reserve
10 Improvements to Metro South truck entrance/exit	\$0	\$0	\$100,000	\$0	\$0	\$0	\$100,000	Fund Balance - Capital Reserve
11 St. Johns Landfill-Gas to Energy Conversion	\$0	\$150,000	\$1,150,000	\$0	\$0	\$0	\$1,300,000	Fund Balance - Capital Reserve
Solid Waste Landfill Closure								
1 St Johns - Perimeter Dike Stabilization and Seepage C	\$2,424,066	\$6,000	\$3,000	\$3,000	\$3,000	\$0	\$2,439,066	Fund Balance - Landfill Closure
2 St. Johns - Re-establish Proper Drainage	\$621,365	\$5,000	\$0	\$0	\$0	\$0	\$626,365	Fund Balance - Landfill Closure
3 St. Johns - Landfill Remediation	\$1,000,000	\$1,000,000	\$1,000,000	\$0	\$0	\$0	\$3,000,000	Fund Balance - Landfill Closure
SW Renewal & Replacement Account								
1 SW Renewal and Replacement Acct Non CIP	\$0	\$40,000	\$100,000	\$60,000	\$70,000	\$70,000	\$340,000	Fund Balance - Renewal and Replacement
2 Metro Central HHW - Roof replacement	\$50,000	\$135,000	\$0	\$0	\$0	\$0	\$185,000	Fund Balance - Renewal and Replacement
3 Metro Central - Scalehouse "C" Scale Replacement	\$106,000	\$28,000	\$0	\$0	\$0	\$0	\$134,000	Fund Balance - Renewal and Replacement
4 Metro South Transfer Station Bays -1 & 2 Ventilatio	\$0	\$0	\$110,000	\$0	\$0	\$0	\$110,000	Fund Balance - Renewal and Replacement
5 Metro South Transfer Station - Roof replacement	\$0	\$0	\$335,000	\$0	\$0	\$0	\$335,000	Fund Balance - Renewal and Replacement
6 Metro Central - Replace Slow Speed Shredder	\$0	\$0	\$600,000	\$0	\$0	\$0	\$600,000	Fund Balance - Renewal and Replacement
7 Metro Central Standby Power Generator	\$0	\$0	\$135,000	\$0	\$0	\$0	\$135,000	Fund Balance - Renewal and Replacement
8 Metro Central - Replace metal wall system	\$0	\$0	\$170,000	\$0	\$0	\$0	\$170,000	Fund Balance - Renewal and Replacement
9 Metro Central - Baler Conveyor	\$0	\$0	\$0	\$220,000	\$0	\$0	\$220,000	Fund Balance - Renewal and Replacement
10 Metro Central Station - High Speed Shredder Replace	\$0	\$0	\$0	\$300,000	\$0	\$0	\$300,000	Fund Balance - Renewal and Replacement
11 Metro South - Modify Entry Way to Operations Bld.	\$0	\$0	\$0	\$175,000	\$0	\$0	\$175,000	Fund Balance - Renewal and Replacement

Priority
Fund
Dept

Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Parks and Environmental Services								
	Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
Total - Parks and Environmental Services	\$5,118,261	\$4,322,737	\$5,984,593	\$2,767,058	\$717,460	\$386,412	\$19,296,521	

Priority
Fund
Dept

Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Research Center

	Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
Planning Fund								
2 Transportation Modeling Services Cluster Upgrade	\$106,576	\$50,000	\$68,200	\$25,000	\$25,000	\$25,000	\$299,776	Other
Planning Fund								
1 Regional Land Information System (RLIS)	\$854,616	\$27,000	\$23,000	\$32,000	\$19,000	\$38,000	\$993,616	Other
Total - Research Center	\$961,192	\$77,000	\$91,200	\$57,000	\$44,000	\$63,000	\$1,293,392	

Priority
Fund
Dept

Total Project Summary with Major Funding Source

EXHIBIT A RESOLUTION NO. 11-4274

Sustainability Center

	Prior Years	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Grand Total	Funding Source
Natural Areas Fund								
1 Natural Areas Acquisition	\$72,905,909	\$20,000,000	\$21,292,644	\$20,937,532	\$1,685,259	\$0	\$136,821,344	G.O. Bonds - Open Spaces
2 Natural Areas Information System	\$200,000	\$100,000	\$0	\$0	\$0	\$0	\$300,000	G.O. Bonds - Open Spaces
Natural Areas Fund								
1 40-Mile Loop Trail Construction at Blue Lake Park	\$0	\$939,000	\$0	\$0	\$0	\$0	\$939,000	Grants
Total - Sustainability Center	\$73,105,909	\$21,039,000	\$21,292,644	\$20,937,532	\$1,685,259	\$0	\$138,060,344	

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4274, FOR THE PURPOSE OF ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2011-12 THROUGH 2015-16

Date: June 20, 2011

Presented by: Margo Norton, Director, Finance and Regulatory Services
Karen Feher, Capital Improvement Plan Coordinator

BACKGROUND

The Capital Improvement Plan (CIP) for Fiscal Years 2011-12 through 2015-16 represents Metro's long-range capital planning process. Metro has established a sound base to forecast the agency's capital needs and balance those needs with available resources. As a result, Metro has been able to coordinate the financing and timing of its capital improvements in a way that maximizes the benefits to the public and provides opportunities to save money. If a project comes up unexpectedly during the year, departments must follow an established amendment process to submit the project to Council for approval. The Council usually has given prior direction for the project, and the amendment comes forward in conjunction with a contract award or, if no contract is required, through a separate resolution.

Exhibit A provides a listing of the CIP projects and their major funding source. The resolution approves the entire capital budget and directs that projects for FY 2011-12 through FY 2015-16 be approved, and project expenditures for FY 2011-12 be appropriated, as amended, in the FY 2011-12 budget.

Of the nine new projects the majority are a result of the Visitor Venue-MERC Reserve study identifying renewal and replacement funding and Zoo Infrastructure and Animal Welfare Bond. Most of the remaining projects received Council approval in prior years. The following table shows the number of projects by Center; Exhibit A to the Resolution shows the individual projects by Center:

Department	#	Prior Years	FY 2011-2012	FY 2012-2013	FY 2013-2014	FY 2014-2015	FY 2015-2016	5-Year Total	Pct	Grand Total
Finance	3	285,000	705,000	-	40,000	30,000	30,000	805,000	0.39	1,090,000
Information Services	4	1,137,787	818,973	431,400	232,638	496,437	493,485	2,472,933	1.21	3,610,720
Visitor Ven.-MERC	46	874,360	2,495,366	4,045,000	3,890,000	5,030,000	1,930,000	17,390,366	8.51	18,264,726
Visitor Ven - Oregon Zoo	25	9,303,185	10,432,940	29,414,564	33,047,713	17,427,472	13,940,520	104,263,209	51.01	113,566,394
Parks and Environmental Svs	36	5,118,261	4,322,737	5,984,593	2,767,058	717,460	386,412	14,178,260	6.94	19,296,521
Research Center	2	961,192	77,000	91,200	57,000	44,000	63,000	332,200	0.16	1,293,392
Sustainability Center	3	73,105,909	21,039,000	21,292,644	20,937,532	1,685,259	-	64,954,435	31.78	138,060,344
Total Metro	119	90,785,694	39,891,016	61,259,401	60,971,941	25,430,628	16,843,417	204,396,403	100.00	295,182,097

The five year total for this CIP is \$204.4 million. Two areas dominate the CIP, the Zoo Bond expenditures of \$98.7 million and the Natural Area Bond expenditures of \$64 million

This action also approves the Metro Tourism Opportunity and Competitiveness Account (MTOCA) projects at the Oregon Convention Center FY 2011-12. The MTOCA funds (\$455,000) are appropriated in the General Fund as part of the annual budget process.

ANALYSIS/INFORMATION

1. **Known Opposition:** None
2. **Legal Antecedents:** Metro's adopted financial policies require the annual adoption of a Capital Improvement Plan.
3. **Anticipated Effects:** The resolution signifies the Council has reviewed and approved the CIP covering the fiscal years 2011-2016.

Within the 119 projects planned during the five years covered by this CIP, sixty-one percent are projects for replacing or improving existing facilities (\$124.9 million); thirty-one percent purchase land through the Natural Areas Program (\$63.9 million) the remaining eight percent purchase equipment and complete some restoration (\$15.6 million). The total cost for these projects during the five years is estimated to be \$204.4 million.

This Resolution is the formal instrument by which the five-year plan will be adopted. Projects with planned expenditures in FY 2011-12 will be incorporated into the Adopted Budget.

4. **Budget Impacts:** The plan's FY 2011-12 expenditures will be appropriated in the FY 2011-12 Adopted Budget.

RECOMMENDED ACTION

Resolution No. 11-4274 is an important component of the annual budget process. The Chief Operating Officer with the concurrence of the Council President recommends adoption.

Materials following this page were distributed at the meeting.



Metro | Agenda

REVISED

Meeting: Metro Council
Date: Thursday, June 23, 2011
Time: 2 p.m.
Place: Metro Council Chambers

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS
3. ORDINANCES – SECOND READING

- 3.1 **Ordinance No. 11-1253B**, For the Purpose of Adopting the Annual Budget For Fiscal Year 2011-12, Making Appropriations, Levying Ad Valorem Taxes, Authorizing an Interfund Loan and Declaring Emergency. **Hughes**

Public Hearing

- 3.2 **Ordinance No. 11-1262**, For the Purpose of Amending the FY 2010-11 Budget and Appropriations Schedule and Declaring an Emergency. **Hughes**

Public Hearing

4. RESOLUTIONS

- 4.1 **Resolution No. 11-4274**, For the Purpose of Adopting the Capital Improvement Plan for Fiscal Years 2011-12 through 2015-16. **Hughes**

5. CONSENT AGENDA

- 5.1 Consideration of the Minutes for June 16, 2011
- 5.2 **Resolution No. 11-4268**, For the Purpose of Approving an Intergovernmental Agreement Between Metro, Washington County, and the Cities of Tualatin and Wilsonville For Concept Planning the Urban Growth Boundary Expansion Areas Known as Basalt Creek and West Railroad and Authorizing the CP/Acting COO to Sign the Agreement.
- 5.3 **Resolution No. 11-4270**, For the Purpose of Authorizing the Acting Chief Operating Officer to Issue an Amended Non-System License for Increased Tonnage Authorization to Hoodview Disposal & Recycling, Inc. for Delivery of Putrescible Waste to Canby Transfer & Recycling, Inc. for the Purpose of Transfer to the Riverbend Landfill.
- 5.4 **Resolution No. 11-4271**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Non-System License to Garbarino Disposal & Recycling Service, Inc. for Delivery of Food Waste to the Nature's Needs Facility for Composting During the Washington County Non-Green Feedstock Demonstration Project.

- 5.5 **Resolution No. 11-4272**, For the Purpose of Re-Adopting Metro Code 7.03 (Investment Policy) for Fiscal Year 2011-2012.
- 5.6 **Resolution No. 11-4275**, For the Purpose of Reviewing and Readopting Comprehensive Financial Policies for Metro and Directing Them to be Published in the FY 2011-12 Adopted Budget.
6. **HEALTHY FAMILIES LATINO OUTREACH CAMPAIGN**
7. **CHIEF OPERATING OFFICER COMMUNICATION**
8. **COUNCILOR COMMUNICATION**

**Peck
Edlin**

ADJOURN

Television schedule for June 23, 2011 Metro Council meeting

Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 11 – Community Access Network Web site: www.tvctv.org Ph: 503-629-8534 Date: 2 p.m. Thursday, June 23 (Live)	Portland Channel 11 – Portland Community Media Web site: www.pcmtv.org Ph: 503-288-1515 Date: 8:30 p.m. Sunday, June 26 Date: 2 p.m. Monday, June 20
Gresham Channel 30 - MCTV Web site: www.metroeast.org Ph: 503-491-7636 Date: 2 p.m. Monday, June 27	Washington County Channel 30– TVC TV Web site: www.tvctv.org Ph: 503-629-8534 Date: 11 p.m. Saturday, June 25 Date: 11 p.m. Sunday, June 26 Date: 6 a.m. Tuesday, June 28 Date: 4 p.m. Wednesday, June 29
Oregon City, Gladstone Channel 28 – Willamette Falls Television Web site: http://www.wftvmedia.org/ Ph: 503-650-0275 Call or visit web site for program times.	West Linn Channel 30 – Willamette Falls Television Web site: http://www.wftvmedia.org/ Ph: 503-650-0275 Call or visit web site 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. For questions about the agenda, call the Metro 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 Clerk of the Council to be included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 503-797-1804 or 503-797-1540 (Council Office).

**JOBS
NOW**

**JOBS
IN THE
FUTURE**

**NO
FLAGGERS
ON I-5!**

**REDUCE
CONGESTION**

Freeway
Tunnel

Third Bridge Now

Third Bridge Now is here to let people know about a plan to give us a third bridge between Vancouver and Portland, now rather than demolish the historic Columbia River (I-5) Bridge. The goal is to add to Washington's and Oregon's road systems now rather than take away.

Third Bridge is focused on the economy, safety and the environment

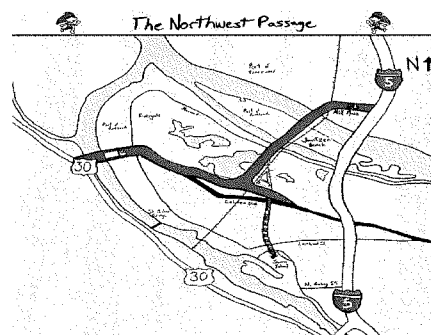
- It creates a new mini freeway on mostly, bare, vacant, and publicly owned land, connecting Ports in Vancouver and Portland to keep and attract business
- Provides efficient north-south route from Vancouver to Jantzen Beach, Portland, and Hwy 30
Better movement of people, goods, services and freight.
- Removes Designated Freight & Hazardous Material routes out of several Oregon & Washington neighborhoods.
- Big Bang, Less Bucks

A final decision has not been made.

www.Thirdbridgenow.com Thirdbridgenow@aol.com

Mail: 1701 Broadway St., PMB #154, Vancouver, WA 98663
Paid for by Third Bridge Now Political Action Committee

503 283-9585



I-5 Is Full!

The area has fewer crossings than river cities of similar size across the United States.

Metro	Population	Body of Water	Highway Crossings	Rail Crossings
Norfolk	1.7 million	Hampton Rds/Chesapeake Bay	4	0
Cincinnati	1.65 million	Ohio River	7	2
Kansas City	1.78 million	Missouri River	10	3
Portland/Vancouver	1.92 million	Columbia River	2	1
Pittsburgh	2.36 million	Three Rivers	>30	3
St. Louis	2.60 million	Mississippi River	8	2

Comparison of River Crossings in Selected U.S. Metropolitan Areas of Similar Size

Both of the bridges that make up the current Columbia River Crossing are structurally sufficient and meet all Federal requirements with approximately 50 years of life left. None of the bridges in our area fully comply with the new Federal standards for earthquake retrofit.

Keep the existing bridges and build entirely new capacity to the West near the railroad bridge.

The freeway will connect the majority of the major regional industrial areas on one continuous corridor.

The corridor's north end would start at Mill Plain and I-5 in Vancouver, Washington and would have a multi-modal (train, truck, automobile, transit, bike, pedestrian, and space for light rail) bridge from Vancouver through Hayden Island (Jantzen Beach) to Marine Drive in Portland, Oregon, continuing to Columbia Blvd. Corridor. A bridge to Hwy 30 will form the south end of the new corridor.

Please Donate Today!

I'm sending my contribution of:

\$2,000 \$1,000 \$500 \$250 \$150 \$ _____
 \$100 \$75 \$50 \$25 \$10

Mail to: 1701 Broadway St., PMB #154, Vancouver, WA 98663

Thank you, very much!

Here's how I will help:

Display a lawn sign Distribute lawn signs E-mail people
 Make phone calls Host a 'coffee' or fund-raiser Sign wave
 Walk door-to-door Invite speaker to speak to my organization
 Download from web-site and distribute information
 Contact elected official Letters to editor Blog
Stay in your slippers and volunteer from home.

Please call today. 503.283.9585

Please Volunteer Today.

www.Thirdbridgenow.com / Thirdbridgenow@aol.com

Paid for by Third Bridge Now Political Action Committee

***Please copy this flyer and hand out.**

***** Please Post This Flyers flyer! ******

**Make Yourself Heard Often
 Send a Letter & Call!
 Tell Them Why We Need a**

Third Bridge Now!

Representative Peter DeFazio,
 2134 Rayburn Office Building
 Washington, D.C. 20515
P: 202.225.6416 Free:800.944.9603
 Eugene: 405 East 8th Ave. #2030
 Eugene, OR 97401
 P: 541.465.6732 / f: 541.465.6458

Representative Blumenauer Earl
 2267 Rayburn House Office Building
 Washington, D.C. 20515
P: (202) 225-4811 / f: (202) 225-8941
 Portland: 729 N.E. Oregon Street Suite 115
 Portland, OR 97232
 P: (503) 231-2300 / f: (503) 230-5413

Senator Cantwell, Maria
 511 Dirksen Senate Office Building
 Washington, D.C. 20510
 (202) 224-3441

Senator Murray, Patty
 173 Russell Senate Office Building
 Washington, D.C. 20510
 (202) 224-2621

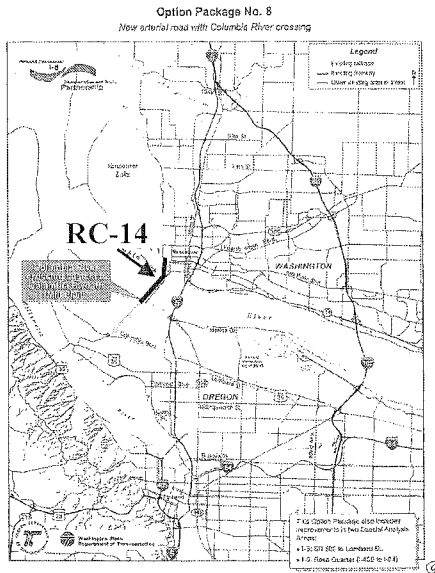
Senator Wyden, Ron
 223 Dirksen Senate Office Building
 Washington, D.C. 20510
 (202) 224-5244

Senator Merkley
 107 Russell Senate Office Building
 Washington, D.C., 20510
 P: (202) 224-3753 f: (202) 228-3997

Representative Rick Larsen
 U.S. House of Representatives
 108 Cannon House Office Building
 Washington, D.C. 20515
 P: (202) 225-2605 / f: (202) 225-4420
 119 North Commercial Street, Suite 1350
 Bellingham, WA 98225
 P: (360) 733-4500 / f: (360) 733-5144

Please sign our petition today!

Difference Between RC-14 and Third Bridge Now

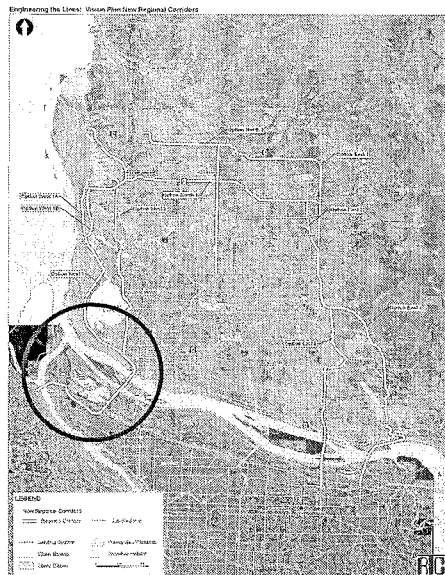
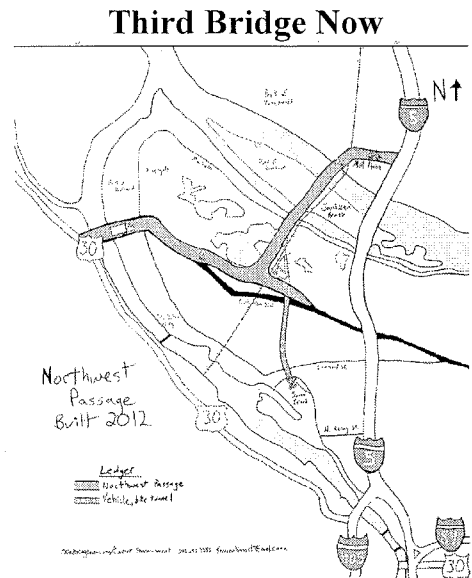


RC-14 map

CRC River Crossing 14
(RC-14) bi-state industrial
corridor

BI-State Industrial Corridor

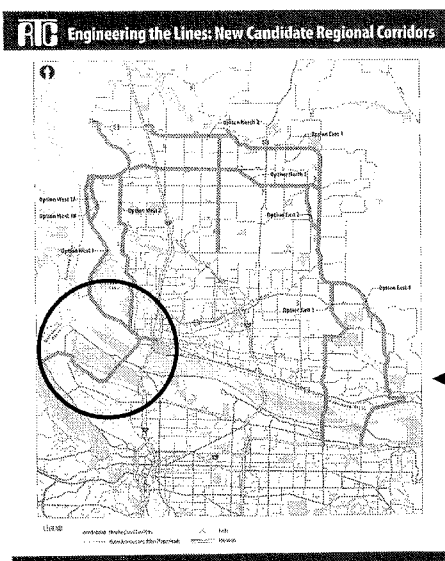
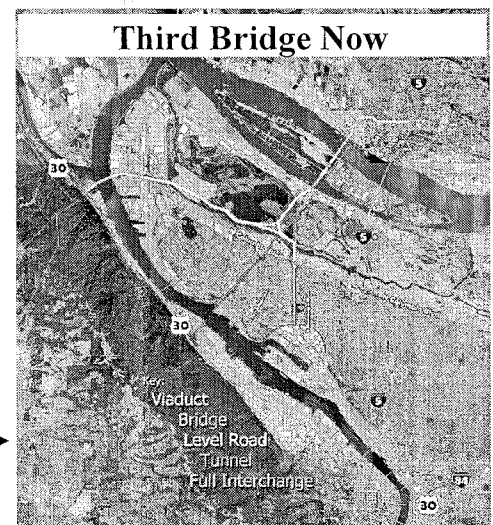
also known as
Third Bridge Now



An arterial "parkway" ver-
sion of the Bi-State Indus-
trial Corridor

BI-State Industrial Corridor

also known as
Third Bridge Now

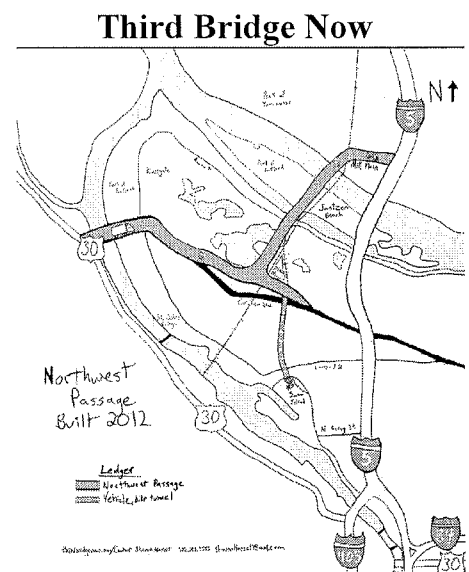


An arterial "parkway" ver-
sion of the Bi-State Indus-
trial Corridor

Information generated by the
I-5/ Columbia River Crossing
Draft Environmental Impact
Statement was consulted for
setting the evaluating the Op-
tion West 4 Corridor

BI-State Industrial Corridor

also known as
Third Bridge Now



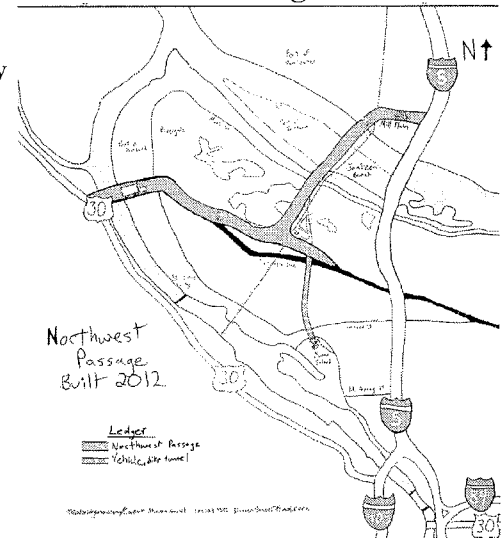
Description of Third Bridge Now and RC-14

Also

BI-State Industrial Corridor ~~unknown~~ as Third Bridge Now

A mini freeway attaching to I-5 freeway and Mill Plain in Vancouver 6-general purpose lanes, 2-center managed lanes (for emergency vehicles and buses) bike, and ped the entire route. New heavy speed rail bridge with commerce and commuter use. The freeway's alignment attaching to I-5 at Mill Plain, west to Port of Vancouver, south following /BNSF rail line and North Portland Rd., west paralleling Columbia Blvd., to Oil Time Rd. and across to HWY-30 near 124th and Newberry Hill. A tunnel to Swan Island for vehicle, bike, ped, and heavy rail. Vehicle capacity 120,000+, Approximately 7 miles of freeway with 10 on/ off ramps at major intersections.

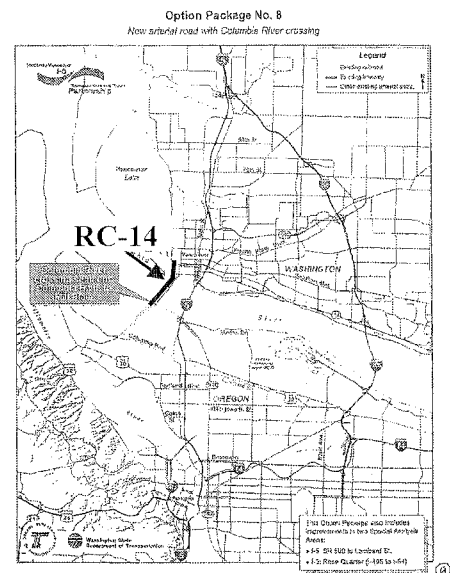
Third Bridge Now



CRC River Crossing 14 (RC-14) bi-state industrial corridor

A 4-lanes arterial, with lifts, and stop lights. Starting at the Port of Vancouver and ending at Marine Dr. No commuter light rail or heavy rail. Approximately 1mile of arterial, vehicle capacity 30,000, was at capacity upon opening, diverted traffic from I-205, and I-8. It was removed from the NEPA EIS by citizen "advisory" CRC Task Force without a thorough study. There are several errors in the CRC study RC-14, concerning alignment and location.

CRC staff used our name yet changed the project significantly.

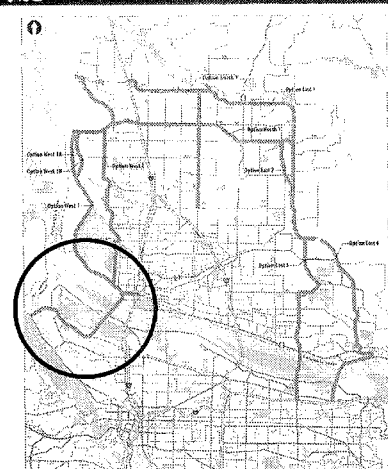


SW Washington Regional Transportation Council Visioning Corridor Plan in 2008 studied.

An arterial "parkway" version of the Bi-State Industrial Corridor ** It was recommended for further study.

A 4-lane arterial with lifts, and stop signs, that starts at the Port of Vancouver, follows the BNSF rail line south and to HWY-30 near 124th and Newberry Hill. Does not include our tunnel to Swan Island, no heavy rail commerce or commuter. Staff modeled a 4-lane and a 6-lane arterial. The arterioles carried up to 38,000 to 46,000 vehicles and were at capacity upon opening. Removing traffic off of I-5, I-205, I-84, HWY-26, streets adjacent to I-5 and major industrial areas. The alignment helped St. Johns' area. Extra traffic causes capacity issues in downtown Vancouver. **Information generated by the I-5/ Columbia River Crossing Draft Environmental Impact Statement was consulted for setting the evaluating the Option West 4 Corridor

RC Engineering the Lines: New Candidate Regional Corridors





prudent past, promising future

CLARK COUNTY
WASHINGTON

Regional Transportation Council
RECEIVED
AUG 4 2010

July 23, 2010

The Southwest Washington Regional Transportation Council (RTC)
c/o Ms. Molly Coston, Chair
1300 Franklin Street, 4th Floor
Clark County Public Service Center
Vancouver, Washington 98666-1366

RE: Columbia River Crossing (CRC) Environmental Impact Study / Third Bridge Analysis

Dear Chair Coston and Council Members:

This correspondence is in follow up to a repeated request to RTC by concerned citizens about the lack of a "third bridge option" being studied and included in CRC's Draft Environmental Impact Study (DEIS). The specific area these citizens are interested in includes a new 6-lane freeway connecting I-5 at Mill Plain, west to the Port of Vancouver, south to Hayden Island, Marine Dr., and connecting with HWY-30 near Newberry Hill.

The CRC project references in a March 22, 2006, document, RC-14. RC-14 was used to create a possible transportation alternative in the Draft Environmental Impact Study. RC-14 modeled a multilane, multimodal bi-state industrial arterial or corridor starting near I-5 and Mill Plain, crossing next to the BNSF rail bridge and connecting south to Marine Drive. Traffic analysis of the RC-14 alternative showed that it did not sufficiently relieve traffic congestion to any significant degree on the I-5/Columbia River Bridge and therefore was not advanced into the next round of alternatives. In sum, this alternative provided for a new industrial corridor, but did not provide for a major freeway that would adequately address freeway congestion.

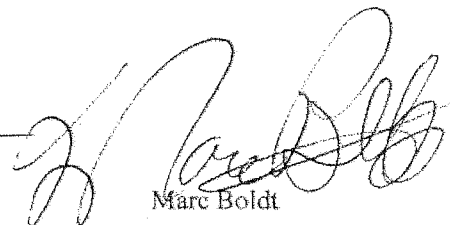
A new freeway corridor alternative was also studied. It was identified as RC-16 (New Western Highway). This alternative functioned as a new freeway bypass to I-5, but did not directly connect to I-5 via Mill Plain. The proposed corridor started near Ridgefield and went around the ports.

Given the specific concern, as stated above, the answer is no. A "third bridge option" as a new freeway starting at I-5 and Mill Plain was not fully vetted.

Sincerely,


Steve Stuart, Chair


Tom Mielke

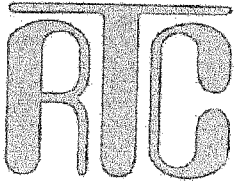

Marc Boldt

cc: Ms. Sharon Nasset
Ms. Tamara McLane

1300 Franklin Street • P.O. Box 5000 • Vancouver, WA 98666-5000 • tel: [360] 397-2232 • fax: [360] 397-6058 • www.clark.wa.gov

Ⓢ

10/5/10 Referenced by Tamara McLane



1300 Franklin Street, Floor 4
P.O. Box 1366
Vancouver, WA 98666-1366

360-397-6067
360-397-6132 fax
<http://www.rtc.wa.gov/>

Member Jurisdictions

Clark County
Skamania County
Klickitat County
City of Vancouver
City of Camas
City of Washougal
City of Battle Ground
City of Ridgefield
City of La Center
Town of Yacolt
City of Stevenson
City of North Bonneville
City of White Salmon
City of Bingen
City of Goldendale
G-TRAN
Washington DOT
Port of Vancouver
Port of Camas-Washougal
Port of Ridgefield
Port of Skamania County
Port of Klickitat
Metro
Oregon DOT
15th Legislative District
17th Legislative District
18th Legislative District
49th Legislative District

15
November 22, 2010

Ms. Sharon Nasset
1113 N. Baldwin Street
Portland, OR 97217

Dear Ms. Nasset:

This letter is in follow up to your request about a "third bridge option" being studied and included in CRC's Draft Environmental Impact Study (DEIS). Your specific area of interest is about a project described as a new 6-lane freeway connecting I-5 at Mill Plain, west to the Port of Vancouver, south to Hayden Island, Marine Drive, and connecting with highway 30 near Newberry Hill.

The CRC project references in a March 22, 2006 document, RC-14. RC-14 was a possible transportation alternative in the DEIS. RC-14 modeled a multilane, multimodal bi-state industrial corridor starting near I-5 and Mill Plain crossing next to the current BNSF rail bridge and connecting south to Marine Drive. Traffic analysis of the RC-14 alternative showed that it did not sufficiently relieve traffic congestion to any significant degree on the I-5 Columbian River Bridge and therefore not advanced into the next round of alternatives. In sum, this alternative provided for a new industrial corridor, but did not provide for a major freeway that would adequately address I-5 traffic congestion.

A new freeway corridor alternative corridor was also studied. It was identified as RC-16, a New Western Highway. This alternative functioned as a new freeway bypass to I-5 but did not provide direct freeway access to I-5 via Mill Plain.

It is also worth noting that in 2008 RTC completed a Transportation Corridor Visioning Study (<http://www.rtc.wa.gov/reports/vision/VisioningCorridors.pdf>) that studied new freeway corridors throughout Clark County per a new 50-year growth scenario and given those corridors how a corridor to the east and west might be connected across the Columbia River.

Given your specific concern as stated above, no a "third bridge option" as a new freeway starting at I-5 and Mill Plain was not fully vetted.

Sincerely,

RTC Chair, Washougal Councilperson Molly Coston

cc: RTC Board of Directors

Southwest Washington Regional Transportation Council



Washington State Senate

109B Irv Newhouse Building
P.O. Box 40417
Olympia, WA 98504-0417

Senator Don Benton
17th Legislative District

Olympia Ph: (360) 786-7632
District Ph: (360) 576-6059
E-mail: benton.don@leg.wa.gov

February 11, 2009

**Dear Governors' Christine Gregoire and Ted Kulongoski, Sponsor Agencies;
Southwest Washington Regional Transportation Council and CTRAN,**

Attached please find correspondence from Congressman Earl Blumenauer to the Director of the Oregon Department of Transportation, dated January 7, 2009

We would like to thank Congressman Earl Blumenauer for his leadership on the Columbia River Crossing project's need to follow the National Environmental Policy Act (NEPA) requirements, that all alternatives are thoroughly studied. A thorough study of all options to include data is a necessary requirement in the NEPA process. This valuable step in the NEPA process brings the best options to the forefront and creates cooperation between the sponsoring agencies, stakeholders, and taxpayers, and the ability to receive Federal funding for the project.

We are asking that the CRC project immediately commence a Supplemental EIS to fully study the "port-to-port connector" option RC-14.

The foci of the Columbia River Crossing are the economy, safety, and the environment. A thorough NEPA process will create comparable data that will answer questions of cost, land use, environmental justice, mobility, congestion relief, regional freight, the distribution of benefits, and impacts.

In summary, adherence to the National Environmental Policy Act is essential for promoting consensus among various stakeholders and for demonstrating transparency. The I-5 international highway system's importance is internationally known. An open and transparent process is needed to build stakeholders consensus that will propel and help develop this project to completion. A project as important and enormous as the Columbia River Crossing must have transparency and must provide credible comparable data on the "port to port connector."

We the undersigned, as elected officials, and with our constituents' best interests at the forefront of our actions, urge Southwest Regional Transportation Council, CTRAN and the Governors of Oregon and Washington, to direct CRC Project to proceed with a full Supplemental EIS on the "port to port connector" RC-14, starting in March 2009.

Thank you for your immediate attention to this very urgent matter.

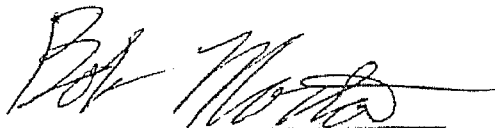
Respectfully submitted,



Senator Don Benton
17th District
Member of the
Senator's Joint CRC Oversight Committee



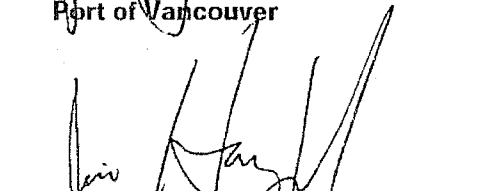
Senator Pam Roach
WA State Senator 31st District



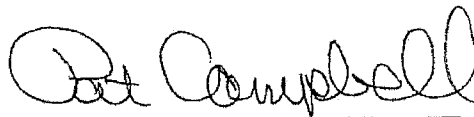
Senator Bob Morton
WA State Senator 7th District
Environment, Water & Energy Committee



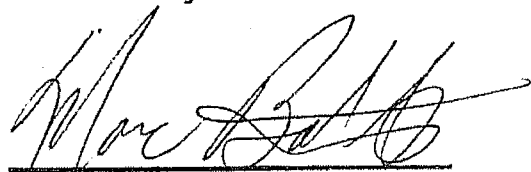
Commissioner Jerry Oliver
Port of Vancouver



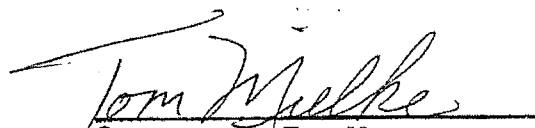
Senator Jim Honeyford
WA State Senator 15th District
Environment, Water & Energy Committee
Ways and Means Committee



Councilor Pat Campbell
Vancouver City Councilmen #6



Commissioner Marc Bolt
Clark County Commissioner
SW WA Regional Transportation Council

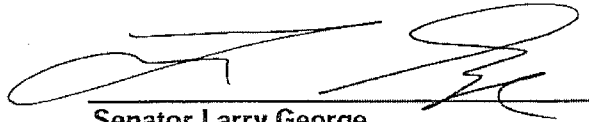


Commissioner Tom Mielke
Clark County Commissioner
SW WA Regional Transportation Council
CTRAN Board Member

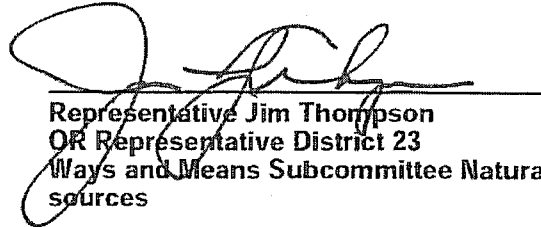


Senator Bob Mc Caslin
WA State Senator 4th District
Economic Development Trade and Innovation

In support of Senator Benton's letter to Governors Christine Gregoire and Ted Kulongoski, Sponsor Agencies; Southwest Washington Regional Transportation Council and CTRAN.

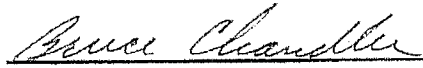


Senator Larry George
OR State Senator 13th District
Senator's Joint CRC Oversight Committee
Business and Transportation Committee



Representative Jim Thompson
OR Representative District 23
Ways and Means Subcommittee Natural Resources

In support of Senator Benton's letter to Governors Christine Gregoire and Ted Kulongoski, Sponsor Agencies; Southwest Washington Regional Transportation Council and CTRAN.

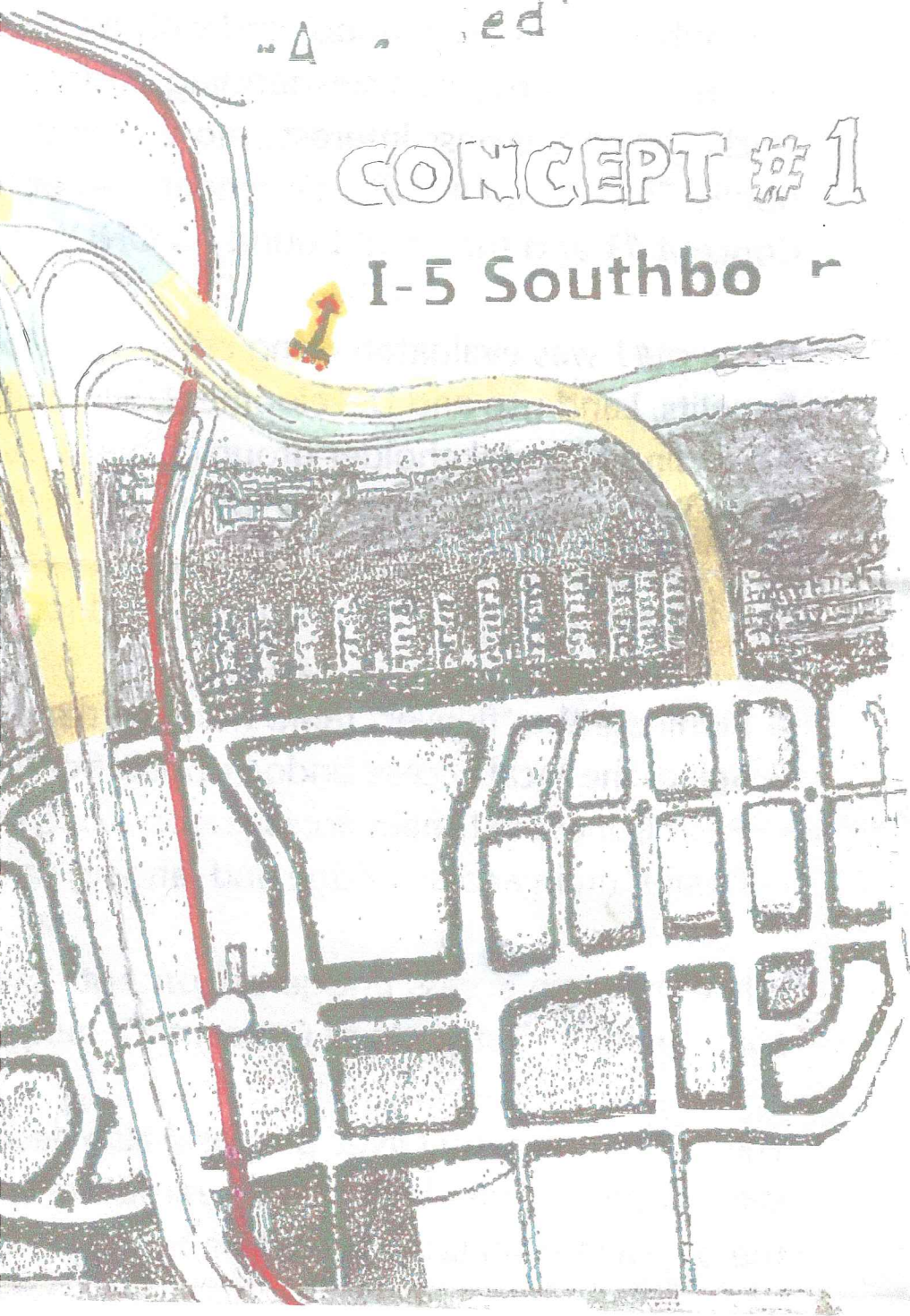

Representative Bruce Chandler
WA State Representative 15th District
Commerce and Labor Committee
Ways and Means Committee

Senator Larry George
OR State Senator 13th District
Senator's Joint CRC Oversight Committee

ed

CONCEPT #1

I-5 Southbo



Metro testimony June 23rd

Arthur Lewellan

Personal analysis leads me to conclude that the Columbia River Crossing I-5 Bridge Project is nowhere near shovel-ready or at least 2 years behind schedule. The proposed Hayden Island Interchange (Concept 'D') is the principle shortcoming.

Concept 'D' is absolutely unacceptable because it increases traffic hazards in number and severity, because it reduces Hayden Island land valuation and development potential, and because it has a higher environmental impact.

The Hayden Island interchange which I believe should be back on the table for further consideration is Concept #1 Off-Island Access, formally but insufficiently or unfairly studied in 2010.

It is very important to note how Concept#1 eliminates the Hayden Island segment 'merge problem' and how this in turn justifies reducing the number of Main Span lanes from 6+ to 5+ lanes, a major cost reduction.

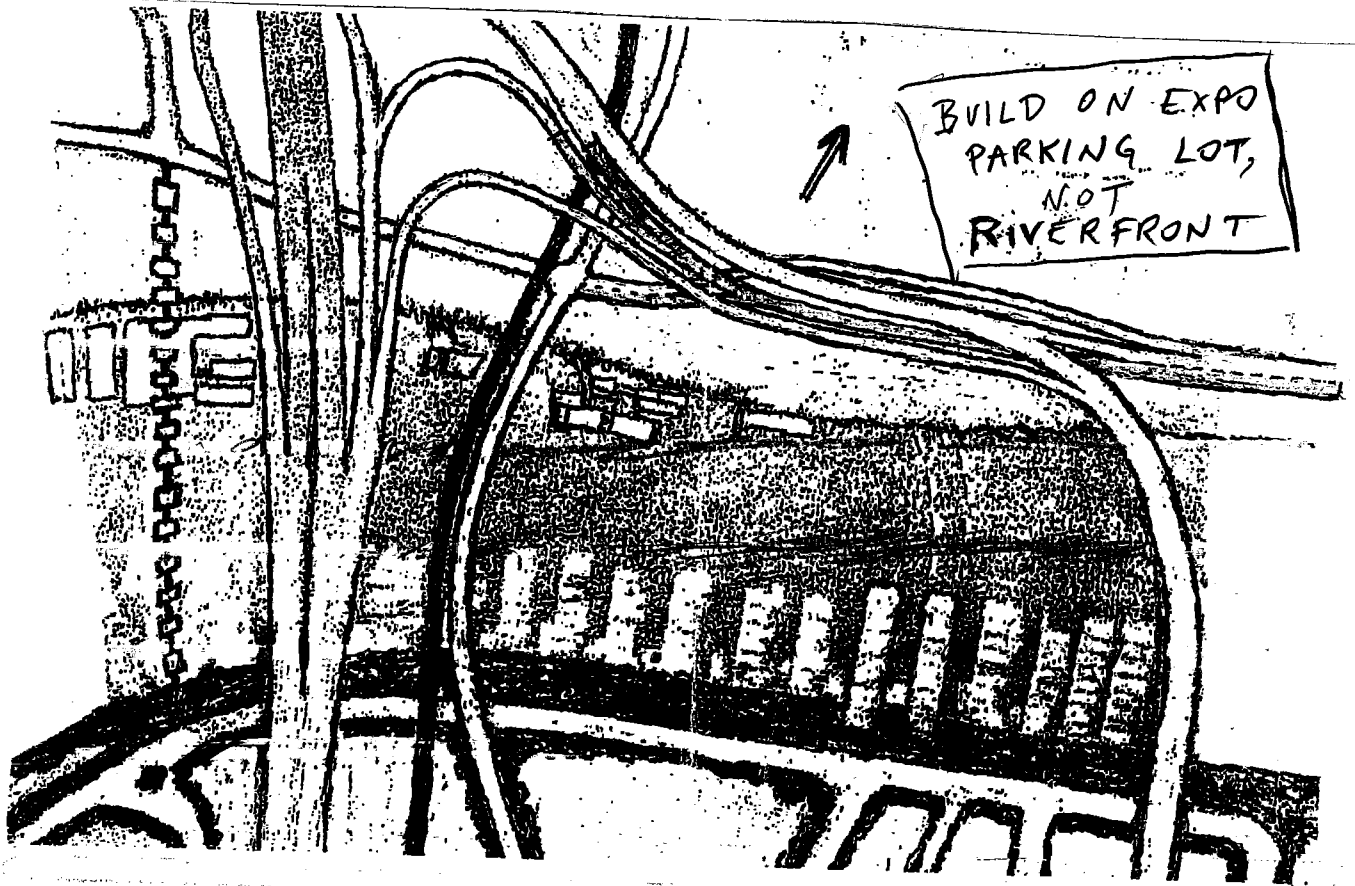
Regarding Main Span design:

I prefer a cable-stayed design. I believe its cost can be reduced and any impairment to Pearson Airfield minimized. The proposed cable-stay design had 3 footings. With 4 or 5 footings, (as with the stressed-truss design), their overall height is shorter and their affect upon Pearson Airfield operations minimized. Cost reduction is achieved with fewer lanes, certainly.

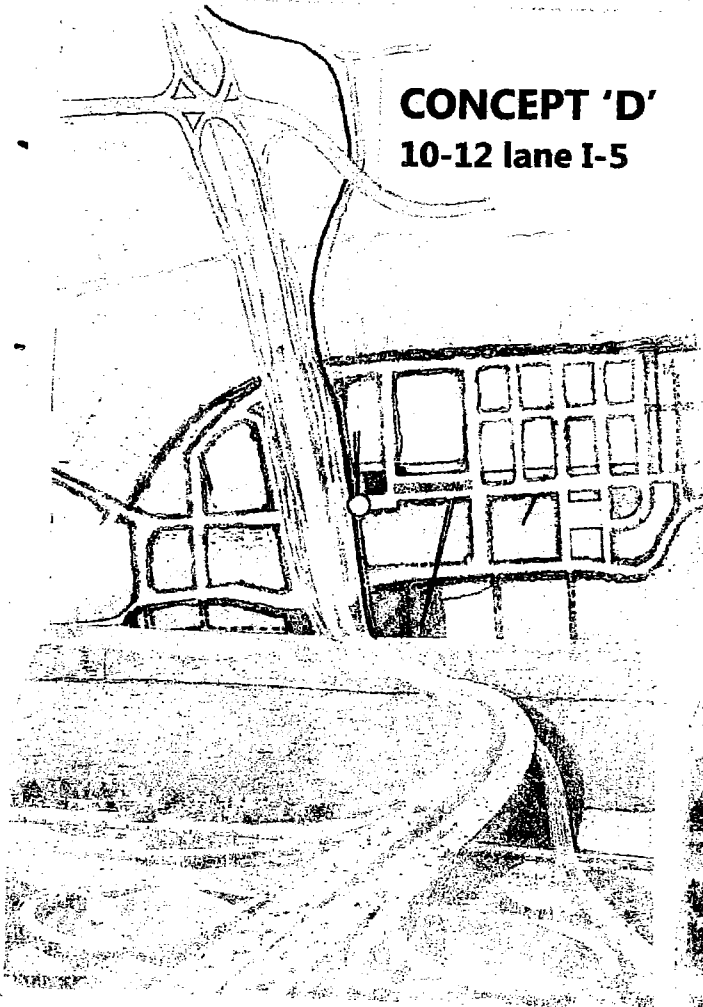
Regarding alternatives:

I support improvements to the downstream railroad bridge.

I support considering a separate MAX bridge that lands closer to the Vancouver Amtrak station even though it further unravels CRC design work.

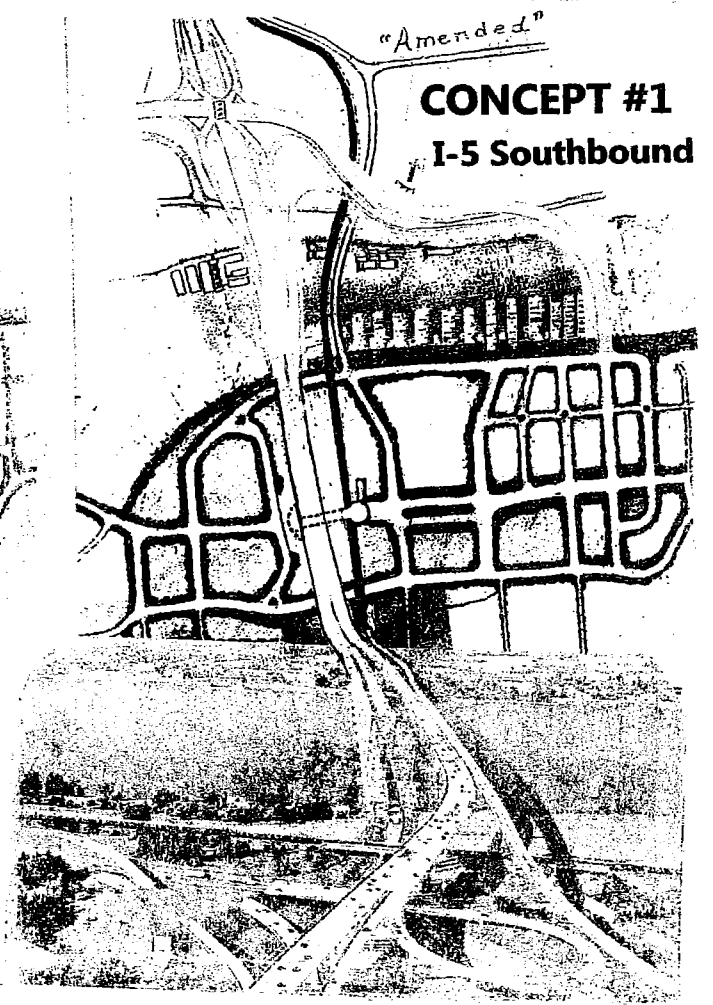


CONCEPT 'D'
10-12 lane I-5



"Amended"

CONCEPT #1
I-5 Southbound





METRO COUNCIL MEETING

Meeting Summary

June 16, 2011

Metro Council Chambers

Councilors Present: Council President Tom Hughes and Councilors Carl Hosticka, Barbara Roberts, Rex Burkholder, Kathryn Harrington, Carlotta Collette and Shirley Craddick

Councilors Excused: None

Council President Tom Hughes convened the regular Council meeting at 2:03 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Les Poole, 15115 SE Lee, Milwaukie: Mr. Poole addressed the Council on the Portland to Milwaukie Light Rail project. He stated that in 2008 the Metro Council approved the project's Land Use Final Order (LUFO) which included two potential termini; he spoke to the Park Avenue terminus option located south of Milwaukie. He encouraged the Council to delay the Park Avenue extension and build the light rail to the Minimum Operable Segment in Milwaukie. He cited the terminus cost, the Kellogg Creek Bridge and impacts to the creek as reasoning.

3. CONSENT AGENDA

Motion:	<p>Councilor Carlotta Collette moved to adopt the June 16 consent agenda:</p> <ul style="list-style-type: none">• Consideration of the Minutes for June 9, 2011• Resolution No. 11-4266, For the Purpose of Amending the 2010-13 Metropolitan Transportation Improvement Program (MTIP) to Add the Going Street Bike/Pedestrian: North Vancouver Avenue – North Channel Avenue Project.• Resolution No. 11-4269, For the Purpose of Adopting the Hearings Officer's Proposed Order Regarding Metro Contract No. 928937 and Authorizing the Chief Operating Officer to Issue a Final Order.
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Councilor Hosticka noted that the June 9 council minutes stated that at the time of the meeting the Metro Council did not actively promote nor oppose House Bill 3225. However, on June 9 the legislative conference committee met, considered and approved revised legislation that included proposed amendments submitted by Metro. As such, Metro did eventually support the bill as amended.

Vote:	Council President Hughes and Councilors Roberts, Collette, Harrington, Hosticka, Craddick, and Burkholder voted in support of the motion. The vote was 7 aye, the motion <u>passed</u> .
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4. ORDINANCES – FIRST READING

- 4.1 **Ordinance No. 11-1262**, For the Purpose of Amending the FY 2010-11 Budget and Appropriations Schedule and Declaring an Emergency.

Second read, public hearing, and Council consideration and vote are scheduled for June 23, 2011. Council President Hughes has been assigned as carrier for the legislation.

5. ORDINANCES – SECOND READING

- 5.1 **Ordinance No. 11-1253A**, For the Purpose of Adopting the Annual Budget For Fiscal Year FY 2011-12, Making Appropriations, Levying Ad Valorem Taxes, Authorizing an Interfund Loan and Declaring Emergency.

Council President Hughes passed the gavel to Deputy Council President Hosticka to officiate the meeting while he carried the legislation.

Motion:	Council President Hughes moved to adopt Ordinance No. 11-1253A.
Second:	Councilor Collette seconded the motion.

Council President Hughes introduced Ordinance No. 11-1253A.

Councilor Hosticka opened a public hearing on Ordinance No. 11-1253A:

- Sue Marshall, Tualatin River Keepers: Ms. Marshall expressed support for Councilor Hosticka's proposed budget amendment for planning and design for a publically accessible Tualatin canoe launch. She emphasized that the Tualatin River Keepers (TRK) have been a good non-profit partner to Metro. TRK have raised over \$1 million in funds for restorations projects in the region. She expressed the TRK support for and commitment to this project.
- Brian Wegener, Tualatin River Keepers: Mr. Wegener was also in support of the Tualatin canoe launch project. He emphasized past partnerships with TRK and the organization's ability to leverage additional funds. He stated that the 2001 Green Ribbon Committee recommended 15 Metro sites for development using 1995 voter-approved bond measure funds. Tualatin River access ranked 11 on the list; the 1-10 ranked projects (with the exception of 1 project) have been fully completed and/or trail sections have been completed.

Council discussion included ownership, and operation and management of existing boat docks in the region. Mr. Wegener confirmed that while TRK does not own or operate any of the existing launches, they do maintain a cooperative agreement with City of Tualatin for TRK events at the Hwy 99W Bridge and have a partnership with the City of Tigard for the launch in Cook Park for canoe rentals.

Additional discussion included the Green Ribbon Committee membership and limited operating and maintenance dollars. Staff clarified that the 1995 bond measure identified the Tualatin River access area as one of 14 target areas for acquisition, but did not allocate bond funds for site development; instead it indicated that funds were to be used for purchased for the purpose of future site development.

Seeing no additional citizens who wished to testify, the public hearing was closed.

Ms. Margo Norton of Metro briefly overviewed the set of 14 proposed technical amendments. The technical amendments, requested by the departments, represent the actions, projects or activities that have been approved by the Council for FY 2010-11, but were not able to be completed during the fiscal year. Approval of the technical amendments would roll the funding over into FY 2011-12 budget year.

Motion:	Council President Hughes moved to adopt the proposed technical amendments as a whole.
Second:	Councilor Collette seconded the motion.

Vote:	Council President Hughes and Councilors Roberts, Collette, Harrington, Hosticka, Craddick, and Burkholder voted in support of the motion. The vote was 7 aye, the motion <u>passed</u> .
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Mr. Dan Cooper of Metro provided a brief update on the Tuesday, June 14 work session. On Tuesday, councilors identified and discussed potential funding sources for the 7 councilor-proposed amendments. He recommended the Council consider alternative funding sources prior to allocating monies from the Opportunity Fund and reserve the Fund for Council opportunities that arise during FY 2011-12.

He recommended that the Council take action at the June 16 meeting on 4 of the 7 projects that received general consensus at Tuesday's work session:

- (1) Development Center Funding for Downtown Revitalization and Placemaking,
- (2) Eco-Efficient Employment in Action,
- (3) Regional Brownfield Problem Solving, and
- (4) Parcelization – Supporting Redevelopment with Lot Assembly Tools.

The 4 projects total \$350,000 leaving a balance of \$446,411 in the Opportunity Fund for the 3 remaining projects: (1) Climate Initiatives Program Staff, (2) Master Plan Updates and Partnership Development for Howell Territorial Park, and (3) Planning and Design for a Publically Accessible Tualatin Canoe Launch. Council will schedule additional time at the June 21 work session for further discussion on the remaining 3 amendments and in the meantime, staff will continue to work with the respective councilors on project scope and/or funding details.

Councilor Harrington distributed revised council proposals for the development center funding, eco-efficient employment and regional brownfields projects. (Handouts included as part of the meeting record.)

Motion:	Council President Hughes moved to adopt the following 4 councilor proposed amendments in full: (1) Development Center Funding for Downtown Revitalization and Placemaking, (2) Eco-Efficient Employment in Action, (3) Regional Brownfield Problem Solving, and (4) Parcelization – Supporting Redevelopment with Lot Assembly Tools.
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Second:	Councilor Collette seconded the motion.
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Vote:	Council President Hughes and Councilors Roberts, Collette, Harrington, Hosticka, Craddick, and Burkholder voted in support of the motion. The vote was 7 aye, the motion <u>passed</u> .
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Council directed staff to draft a "B" version of the legislation for their consideration. Second reading, public hearing and Council consideration and vote on Ordinance No. 11-1253B is scheduled for June 23, 2011.

6. CHIEF OPERATING OFFICER COMMUNICATION

Mr. Cooper reminded councilors that a tour of Gilliam County has been scheduled for Friday, June 17.

7. COUNCILOR COMMUNICATION

Council discussion included the recent OMPOC and 2nd Annual Intertwine meetings/events, Housing and Urban Development (HUD) grants, and councilor tours at Metro site locations including Graham Oaks and Chinook Landing.

8. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 3:02 p.m. The Metro Council convened in the annex for two executive sessions. Council will reconvene the next regular council meeting on Thursday, June 23 at 2 p.m. in the Metro Council Chambers.

9. EXECUTIVE SESSION HELD PURSUANT WITH ORS 192.660(2)(e). DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO NEGOTIATE REAL PROPERTY TRANSACTIONS.

10. EXECUTIVE SESSION HELD PURSUANT WITH ORS 192.660(2)(d). DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO CARRY ON LABOR NEGOTIATIONS.

Prepared by,



Kelsey Newell,
Regional Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 16, 2011

Item	Topic	Doc. Date	Document Description	Doc. Number
3.1	Minutes	6/9/11	60911 Council Minutes	61611c-01
5.1/5.2	Memo	6/16/11	Recommendation for Funding Councilor Amendments	61611c-02
5.1/5.2	Handout	N/A	Revised Council Proposal – Downtown Revitalization & Placemaking	61611c-03
5.1/5.2	Handout	N/A	Revised Council Proposal – Parcelization	61611c-04
5.1/5.2	Handout	N/A	Revised Council Proposal – Eco-Efficient Employment	61611c-05
5.1/5.2	Handout	N/A	Revised Council Proposal – Regional Brownfields	61611c-06
5.1/5.2	Letter	6/14/11	Letter of Support for Councilor-Proposed Amendment submitted by Sam Adams	61611c-07
5.1/5.2	Letter	6/9/11	Letter of Support for Councilor-Proposed Amendment submitted by Lila Wickam (Multnomah Co. Health Dept.)	61611c-08
5.1/5.2	Letter	6/9/11	Letter of Support for Councilor-Proposed Amendment submitted by Mike Houk (Urban Greenspaces Institute)	61611c-09
5.1/5.2	Letter	6/9/11	Letter of Support for Councilor-Proposed Amendment submitted by Lisa Adatto (Climate Solutions)	61611c-10
5.1/5.2	Letter	6/1/11	Letter of Support for Councilor-Proposed Amendment submitted by Deborah Kafoury	61611c-11
5.1/5.2	E-mail	6/6/11	E-mail of Support for Councilor-Proposed Amendment submitted by Susan Bliss	61611c-12

5.1/5.2	Letter	6/1/11	Letter of Support for Councilor-Proposed Amendment submitted by Lynn Carver (Tualatin River Keepers)	61611c-13
5.1/5.2	Letter	6/13/11	Letter of Support for Councilor-Proposed Amendment submitted by Roy Rogers (Clean Water Services)	61611c-14
5.1/5.2	E-mail	6/4/11	Letter of Support for Councilor-Proposed Amendment submitted by Helen Durst	61611c-15
5.1/5.2	E-mail	6/2/11	Letter of Support for Councilor-Proposed Amendment submitted by Rhett Lawrence	61611c-16
5.1/5.2	Letter	6/9/11	Letter of Support for Councilor-Proposed Amendment submitted by Terry Goldman (Wash. Co. Visitors Assoc.)	61611c-17
5.1/5.2	Letter	6/10/11	Letter of Support for Councilor-Proposed Amendment submitted by Lou Ogden (City of Tualatin)	61611c-18
5.1/5.2	E-mail	6/7/11	Letter of Support for Councilor-Proposed Amendment submitted by Genevieve Ford	61611c-19
5.1/5.2	Letter	6/6/11	Letter of Support for Councilor-Proposed Amendment submitted by Sharon Rollins	61611c-20
5.1/5.2	Letter	6/2/11	Letter of Support for Councilor-Proposed Amendment submitted by Gregg Childs	61611c-21
5.1/5.2	Letter	6/13/11	Letter of Support for Councilor-Proposed Amendment submitted by Rocky Houston (Oregon Parks & Rec.)	61611c-22
5.1/5.2	Letter	6/1/11	Letter of Support for Councilor-Proposed Amendment submitted by Wayne Shuyler (State Marine Board)	61611c-23
5.1/5.2	Letter	6/9/11	Letter of Support for Councilor-Proposed Amendment submitted by Craig Dirksen (City of Tigard)	61611c-24

5.1/5.2	Letter	6/13/11	Letter of Support for Councilor-Proposed Amendment submitted by Brian Wegener/Monica Smiley (TRK)	61611c-25
5.1/5.2	Letter	6/14/11	Letter of Support for Councilor-Proposed Amendment submitted by Jonathan Schlueter (Westside Economic Alliance)	61611c-26
5.1/5.2	Letter	6/2/11	Letter of Support for Councilor-Proposed Amendment submitted by Christopher Williams	61611c-27
5.1/5.2	Letter	6/7/11	Letter of Support for Councilor-Proposed Amendment submitted by Matt Wingard	61611c-28
5.1/5.2	E-mail	6/2/11	Letter of Support for Councilor-Proposed Amendment submitted by David & Margaret Zeps	61611c-29
5.1/5.2	Letter	5/18/11	Letter of Support for Councilor-Proposed Amendment submitted by Denny Doyle (City of Beaverton)	61611c-30
5.1/5.2	Letter	5/16/11	Letter of Support for Councilor-Proposed Amendment submitted by Jerry Willey (City of Hillsboro)	61611c-31
5.1/5.2	Letter	5/17/11	Letter of Support for Councilor-Proposed Amendment submitted by Sam Adams & Amanda Fritz	61611c-32
5.1/5.2	Letter	6/6/11	Letter of Support for Councilor-Proposed Amendment submitted by Jerry Willey (City of Hillsboro)	61611c-33



Jeff Cogen, Multnomah County Chair

501 SE Hawthorne Blvd., Suite 600
Portland, Oregon 97214
Phone: 503-988-3308
Email: mult.chair@multco.us

June 17, 2011

Metro Council
600 NE Grand Avenue
Portland, OR 97232

Dear Council President Hughes and Metro Councilors,

I would like to express my support for the Climate Initiatives Program Staff budget amendment that will continue funding for a staff position to coordinate and manage Metro's climate change initiatives.

Metro plays an important leadership role in our region's response to climate change. While the work being done to meet House Bill 2001 requirements is important and substantial, there is a regional need for broader leadership from Metro on climate change. Metro has enabled capacity building at the local level by serving as a vital source of information, tools, and technical assistance for local government partners -- including Multnomah County.

With this funding, Metro will continue to play a critical role in our climate change work here at Multnomah County. Recent examples of this support include surveying the community about regional perspectives on climate change and convening a discussion on best practices when communicating about climate change. In the future, an important opportunity exists for Multnomah County to partner with Metro Climate Initiative Program staff to identify how actions to prevent and prepare for climate change will impact the most vulnerable in our community.

I understand that Metro's leadership role on climate change will be impacted by the termination of this staff position, and am concerned that this will limit Metro's capacity to work with local jurisdictions to develop and advance regional strategies to address climate change. I therefore fully support Councilor Burkholder's efforts to ensure that this staff position remains funded, and look forward to continuing our working relationship.

Sincerely,

Multnomah County Chair Jeff Cogen



Date: June 23, 2011

To: Tom Hughes, Council President
 Members of the Metro Council

From: Dan Cooper, Acting Chief Operating Officer

Cc: Senior Leadership Team
 Finance Team
 Council Policy Coordinators

Re: **Summary of Councilor Amendments as of June 23, 2011**

Amendments included in B version	Title	Appropriate Now for FY 11-12	Hold to complete Parks Inventory/ Analysis	Available Funds
				\$796,411
Collette/ Harrington #1	Development Center Funding for Downtown Revitalization and Placemaking	\$ 170,000		\$ 626,411
Collette #2	Eco-Efficient Employment in Action	\$ 50,000		\$ 576,411
Harrington #1	Regional Brownfield Problem Scoping	\$ 65,000		\$ 511,411
Harrington #2	Parcelization – Supporting redevelopment with lot assembly tools	\$ 65,000		\$ 446,411
	Total Spending	\$ 350,000		
Amendments for consideration 6/23				
	Balance Remaining			\$ 446,411
Burkholder #2	Master plan updates and partnership development for Howell Territorial Park		withdrawn	
Hosticka #1	Planning and design for a publicly accessible Tualatin River canoe launch	100,000		
Burkholder #1	Climate Initiatives Program Staff	\$ 135,000		
	Total	\$ 235,000		
	Remaining Balance in Opportunity Fund			\$ 211,411

Short Title

Planning and design for a publicly accessible Tualatin River canoe launch

Concise Description

The Tualatin River is an outstanding regional natural resource for both wildlife and the public. Unfortunately, with limited public access sites, few are able to experience the surprising beauty of the Tualatin River. This amendment proposes to provide funding for the identification of, and preparation of grant applications and design for, a publicly accessible canoe launch on the Tualatin River. Actual construction may be funded through other sources including grants and financial support from stakeholders.

As identified in the 1992 Metropolitan Greenspaces Master Plan, Metro has supported the concept of a “water trail” on the Tualatin River. Through the 1995 Natural Areas bond measure, Metro purchased over 398 acres for habitat restoration and access along the Tualatin. None of this land has been developed for access thus far. Providing an access point to this water trail would offer new recreation opportunities and increase public awareness of water quality issues and wildlife habitat protection.

Currently there is some access to the river but it falls short of the Greenspaces Master Plan vision and the potential of the river. There are boat launch facilities in Tualatin and Tigard which provide access to only four miles of the river. The next access point is twenty-seven miles upstream in Hillsboro at the boat launch at Rood Bridge Park. However, the stretch of river in between offers a world-class paddling experience including proximity to the Tualatin River National Wildlife Refuge as well as several Metro natural area properties.

This budget amendment will deliver on promises by providing public access to one of Metro’s properties on the Tualatin River Water Trail.

Objective

This proposal would provide funding to begin the first phase of the Tualatin River Water Trail effort. The desired outcome of the first phase is to conduct the necessary planning and feasibility studies so that Metro is able to apply for a State Local Government Grant through the Oregon Parks and Recreation Department in April 2012.

The planning process would conduct a selection process to identify a preferred launch site and enable Metro to begin applying for grants and other funding for construction of the launch site.

This proposal would provide funds to:

1. Review relevant planning studies, zoning, and permit requirements
2. Identify stakeholders and convene an advisory team

3. Engage the local partners to identify operations and maintenance capacity
4. Develop criteria to compare quality of access, best linkage potential, ease of construction and long term maintenance.
5. Develop concept design for the most suitable Metro owned property; considering the launch site configuration, approximate size and location of parking, restrooms, and docks.
6. Prepare estimate of probable cost for the construction and maintenance of the launch site.
7. Prepare outreach materials and conduct public workshop to share project information.
8. Investigate funding opportunities and prepare capital grant applications.

Draft Schedule: July 2011 – April 2012

The above tasks would be conducted primarily by consultants, with assistance from in-house staff. During the project, staff and stakeholders will pursue construction funding for the project. This work includes identifying partner contributions, management arrangements, preparation of one or more grant applications and soliciting support. Staff will setup the project with clear milestones and check points to ensure that the project is feasible and that funds are not expended prematurely. Staff will continuously monitor the feasibility of the project, and if any major obstacles are encountered such as environmental contamination of potential sites, land use and/or transportation permit denials, the project and any expenditures will be halted pending further review by staff and the Metro Council.

The second phase of the project would be started if funding for construction were obtained, either through the State Local Government Grant program or another source. It is anticipated that any grant awards would likely be received in FY 2012-13.

Duration (put an 'x' in the appropriate line, for specific length write in the length)

XX One time Specific length: _____ _____ On-going

Cost Estimate

The budget for the above scope of work is \$100,000. Metro Sustainability Center can incorporate the role of a project manager into their annual work plan. This proposal will not generate revenue.

Funding Options

Funding of the \$100,000 should be made available from the Opportunity Fund or from the funds in the amount of approximately \$238,000 that were in excess as a result of the transfer of 2.8 FTE from the Risk Fund to the General Fund.

Relationship to other programs

Development of a publicly accessible launch site on the Tualatin would advance the Water Trail as well as several other initiatives and programs. This proposal complements Metro's ongoing commitment to the development of a water trail on the Tualatin as originally envisioned in the 1992 Metro Greenspaces Master Plan. The Master Plan identified that "Metro and cooperators in the Greenspaces program

will...promote access to river systems for recreation, education and enjoyment of these regional resources by the public in a manner consistent with protection of natural resource values.”

In addition to the 1995 Natural Areas Bond discussed previously, the 2006 Natural Areas Program (Resolution 07-3849) formally allowed Metro to make acquisitions for the Tualatin River Trail. Tier 1 objectives for the Tualatin River Greenway include “Protect(ing) natural areas adjacent to existing public lands to provide public access and improve wildlife habitat protection.”

This budget amendment also directly supports two of the six desired outcomes for the region adopted by the Metro Council. One outcome this proposal aligns with is making Vibrant Communities by providing recreational opportunities and access to nature to enhance the health and quality of life for people. The other desired outcome this proposal aligns with is ensuring Clean Air and Water by protecting and enhancing the region’s natural assets.

This budget proposal would also support the vision of The Intertwine Alliance by creating additional opportunities for residents to connect with nature and recreate within proximity of the metropolitan region.

Stakeholders

One of the primary stakeholders for this proposal is the Tualatin Riverkeepers (Riverkeepers). The Riverkeepers are a nonprofit organization working to protect and restore the Tualatin River. The Riverkeepers have been a strong partner with Metro and their support continues. They, along with their hundreds of volunteers, have directly worked to restore over 200 acres of floodplain along the Tualatin thus improving water quality, reducing flooding and improving habitat for fish and wildlife. The Riverkeepers aspire to have a launch facility every five miles on the river and this budget proposal would align with their goals. The Riverkeepers are committed partners on this project and will help solicit funding through grant applications and more direct requests for financial support.

Other stakeholders would include Washington County, the City of Tualatin, U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, and Clean Water Services. The positive effects of this proposal would be felt by residents throughout the region who would have greater opportunities for direct access to nature and world-class public paddling opportunities.

Council Proposals For Budget Amendment Discussion

Councilor Rex Burkholder	Revised # 1
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Short Title

Climate Initiatives Program Staff

Concise Description

Create limited duration position to: complete Climate Preparation plan in coordination with state and local partners; provide coordination with external partners as well as within Metro; support other climate change related activities; and, prepare recommendations for continuing progress towards regional desired outcome of climate leadership.

Work to date

Being a leader in responding to the challenge posed by climate change is one of the six desired outcomes for the region. As a regional government responsible for land-use and transportation planning, as well as solid waste reduction and disposal, Metro has an important leadership role to play not only in climate mitigation activities such as reducing greenhouse gas emissions, but in climate preparation activities as well. Metro has taken leadership by initiating the cross-agency Climate Smart Communities program which encompasses the totality of Metro's climate work and advances the Metro Council's objectives to develop technical capacity, engage regional partners, integrate climate change action into current work and ultimately help prepare the region for a changing future.

Per Council action with the passage of Resolution 08-3971, there has been dedicated funding for the past two fiscal years for a limited duration 1 FTE staff person in the Sustainability Center to coordinate Metro's climate-related programs and activities and manage an extensive portfolio of climate related initiatives focusing on both internal and external climate mitigation and preparedness efforts. The passage of this resolution elevated the issue of Climate Change as a main area of focus for the Metro Council. The portfolio of the work included working with regional partners to develop the Climate Prosperity Greenprint and a climate preparedness planning framework, developing a capacity building plan for local governments, and working with an internal steering committee of department directors and program managers to integrate a climate change lens into all programs and policies at Metro. Major tasks have been completed as part of that work, specifically the completion of the Climate Prosperity Greenprint, the regional greenhouse gas inventory, and greenhouse gas toolkit. While these projects represent important climate mitigation milestones, additional work remains in the area of climate preparedness, capacity building with local jurisdictions, and continued coordination of internal and external climate activities such as possible greater collaboration with Willamette Valley governments on the issue of climate preparation.

Budget proposal

With the expiration of the 2 year limited term duration established by Metro Council for the climate initiatives coordinator position, future Metro climate change work will be integrated into existing projects and programs or, if resources are not available, reduced or abandoned. This proposal is based on the premise that while there will be continuing climate work integrating climate change concerns into Metro's planning, natural areas and resource conservation missions, we will forego opportunities to strengthen this work and meet our climate leadership desired outcome.

This budget amendment proposes extending this limited duration position for another year, at the rate of 1 FTE, to lead and coordinate Metro's multi-disciplinary approach to climate change to meet local, regional, and state goals and aspirations for climate change mitigation and preparedness. Funds are also requested for materials and services to facilitate this work. This amendment intends to ensure that there is staff devoted to coordinating Metro's response to climate change.

Funding this position will ensure that Metro continues to lead the region in an integrated approach to climate change, and that efforts relating to the region's response to climate change are comprehensive, coordinated and leveraged. The scope of work for this position will focus on five areas: 1) building on our ongoing transportation, land use and natural areas work to develop a climate change preparation plan for Metro and assist in facilitating implementation of preparedness actions around the region; 2) Continuing to build capacity and regional leadership around climate issues both on mitigation and preparedness strategies, and leveraging the convening and stakeholder engagement that is planned as part of the climate scenarios work; 3) ensuring that Metro's internal climate-related programs and policies are coordinated and implemented across program areas and identifying opportunities for coordinated implementation with regional partners; 4) provide support for other efforts as directed, and for which there is staff time, which could include addressing health and equity issues with climate change or Climate Prosperity Greenprint implementation; and 5) prepare an analysis of progress toward regional Climate leadership .

A proposed workplan is as follows:

1: *Climate Change Preparation Plan (50%).*

As with climate mitigation activities several years ago, the topic of climate preparation is gaining attention. As research forecasting future climate change impacts becomes available, there has been increasing recognition that preparedness, and not only mitigation, should be a primary focus of climate change work. Specific tasks in this work program include both internal and external activities, including capacity building and convening with local jurisdictions to address the emerging work being done in this area.

2: *Capacity building and regional leadership (20%).*

A capacity building plan has been developed to equip regional elected officials and staff with access to information, knowledge, and training that enables them to effectively address climate change mitigation risks and opportunities. Parts of this plan have been implemented

while some have not due to current priorities and resource levels. In addition, a strong focus of this work is to boost the capacity of local jurisdictions to address climate change preparedness. This work acknowledges that the HB 2001-mandated efforts will engage in some convening activities and will leverage those events.

3: *Coordination and collaboration (20%).*

A range of activities to address climate change are taking place at Metro. To ensure that these activities are coordinated and leveraged, this position will track, and coordinate where appropriate, the various climate change related activities taking place across the agency. Additionally, a key piece of this coordination will be to integrate the emerging work being done around climate preparedness into the current mitigation work. Another key role is to serve as the focal point for managing Metro's response to external requests for participation in climate-related activities.

4: *Support other efforts as directed (5%).*

A portion of this position will be reserved for addressing issues other climate change issues that emerge. This work could include working with local partners, like Multnomah County Health Department, on emerging issues around health and equity in climate change and the implementation of the Climate Prosperity Greenprint.

5: *Prepare analysis of progress toward regional Climate leadership (5%)*

By the end of the fiscal year, analyze agency programs with regard to addressing climate change and recommend most effective means of forwarding the Regional Desired Outcome of Climate Leadership.

If Metro is to provide leadership on climate change in the region, it is crucial that internal and external climate initiatives are coordinated and leveraged and that initiatives are fully developed and shepherded into implementation. Proceeding with the non-extension of this expiring limited duration Planner position removes the mechanism for coordination, leaves no central authority for monitoring and evaluating outcomes, and will impact the successful continuation and completion of some major initiatives. Furthermore, eliminating this Planner position could leave elements of climate preparedness work unfinished, particularly collaborating with other jurisdictions, research institutions and the business community on developing preparedness strategies. Finally, many jurisdictions have said they rely upon Metro for policy development, analytic tools and technical assistance to cope with the implications of climate change and eliminating this position would limit Metro's ability to work with those jurisdictions to build capacity and share information.

Objective

The intent of this budget amendment is to create a one year extension of the expiring limited duration position for a climate initiatives Planner. This position will be responsible for the five main work program elements described above. Ultimately this position will ensure that progress is made toward meeting the objectives and expectations set by the Council for the climate

initiatives underway at Metro, be responsible for ongoing tracking and accountability, and ensure that Metro provides regional climate change leadership.

Duration (put an 'x' in the appropriate line, for specific length write in the length)

 X One time _____ Specific length: _____ On-going

Cost Estimate

Resources needed per year:

Personnel	1.0 FTE Senior Regional Planner: \$110,000 salary and fringe benefits
Materials & Services	\$25,000

Funding Options

The funding will come from the Opportunity Fund.

Relationship to other programs

This proposal would enable the ongoing coordination of all of the existing programs and projects related to climate change that are occurring at Metro. It would complement the House Bill 2001 scenarios planning and development of GHG emissions tools that will continue in the Research Center and Planning and Development, as well as Metro initiatives including the solid waste road map, waste reduction and mobility corridor studies.

Stakeholders

Stakeholders include Metro Councilors who have set objectives and expectations for the climate initiatives underway at Metro, which may not be met absent of comprehensive coordination of climate change activities. Other stakeholders include local governments and jurisdictions looking to Metro for policy development and leadership on climate change as well as analytical tools and technical assistance to develop and implement their own responses to climate change. Greenlight Greater Portland, the Portland Sustainability Institute, Oregon State's Climate Change Research Institute, the State of Oregon, and the Climate Leadership Initiative are other organizations that have partnered with Metro on climate activities and have a stake in seeing the work continued or implemented. Finally, the region as a whole has a stake in the success of Metro's climate initiatives which will help the region mitigate and adapt to the impacts climate change.

“Healthy Homes. Healthy Families.”

Hispanic Outreach Campaign



Why market specifically to Hispanic families?



BUSY



**Over 52 million
Hispanics in the U.S.**

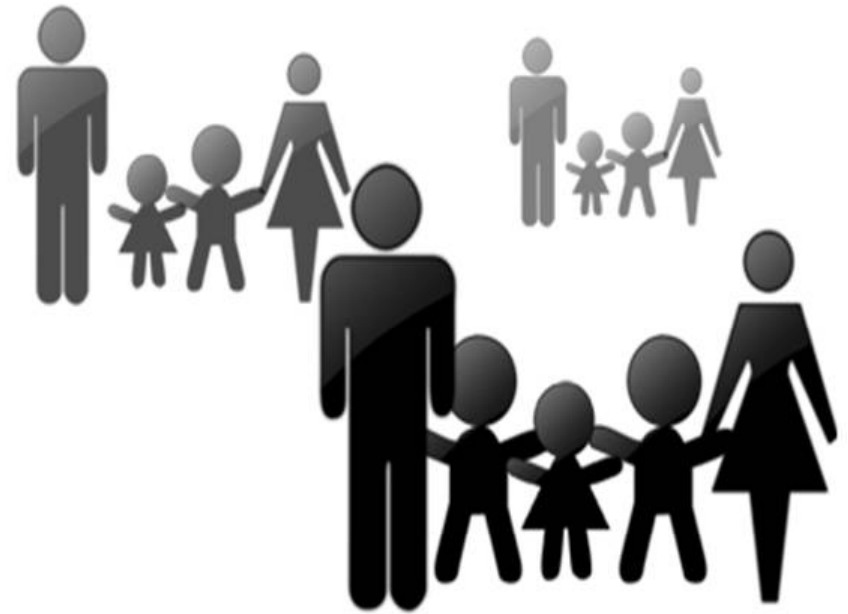
**16% of the U.S.
population today**



2011



2030



2050

**Hispanic
buying
power
exceeds
\$1 trillion.**

**IZO Public Relations &
Marketing**



**Hispanic
women are
starting
businesses
faster than
any other
market
segment.**

**U.S. Census Bureau:
Survey of Business
Owners**





**Latinos make up 12% of
Oregon's population.**

U.S. Census Data

**Hispanics are the largest
“non white” segment in the
region.**

Multnomah County = 11%

Washington County = 16%

Clackamas County = 8%

U.S. Census Data





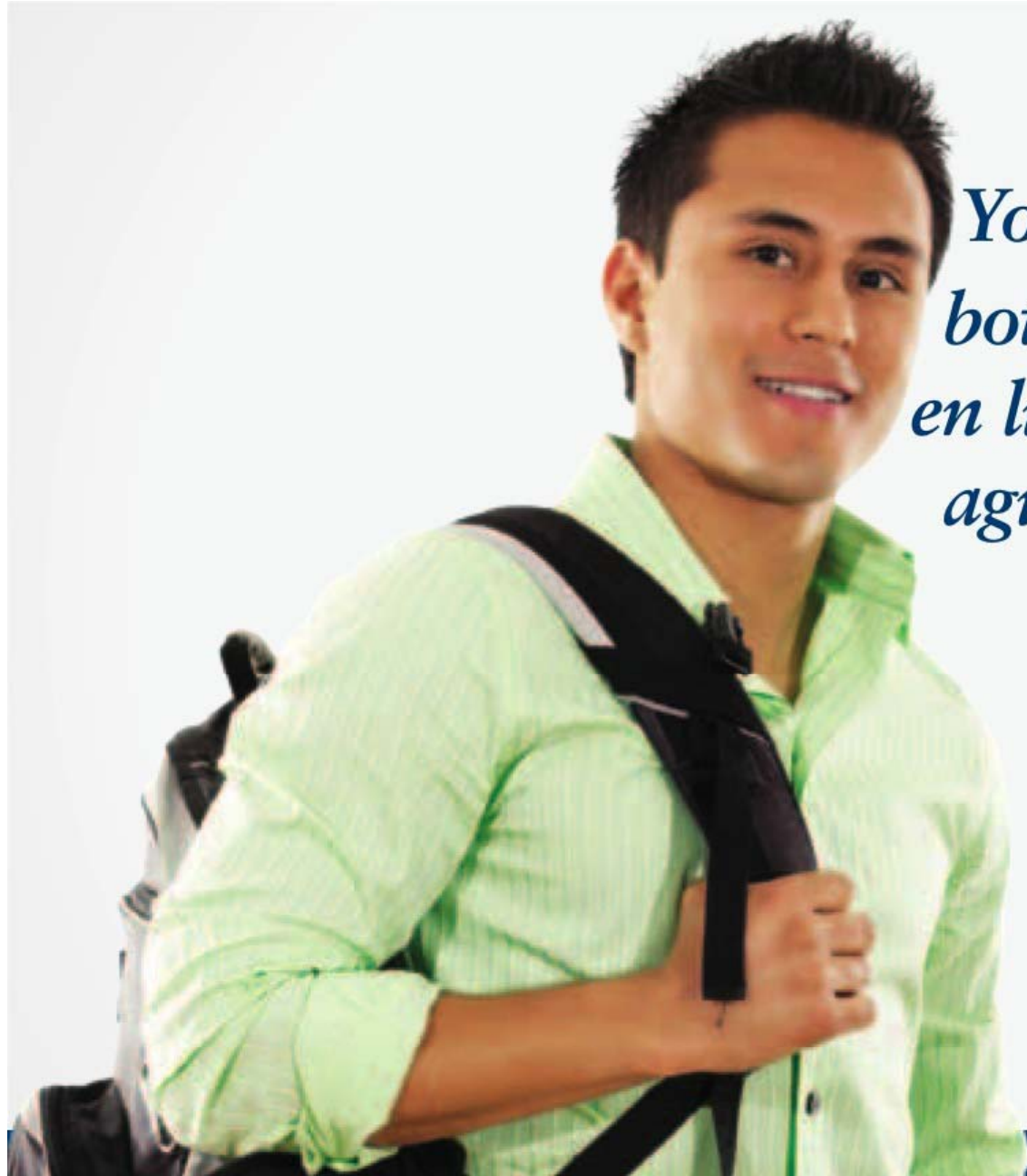
Somos Oregonenses y nosotros reciclamos.



**We're Oregonians and we recycle
(we're recyclers).**

**Aunque vengamos de
diferentes lugares, todos
somos oregonenses.**





*Yo tomo agua en
botella **reusable**
en lugar de gastar en
agua embotellada.*



*Yo uso los recipientes vacíos de
mantequilla para guardar comida
y **reducir** el desecho de
plásticos en la basura.*

*Yo **reuso**
los frascos de
vidrio vacíos
para guardar
tuercas y tornillos.*







**En español?
¿Por qué?**


English ads are 27% less effective than Spanish ads in terms of communication.



Roslow Research Group, Spanish vs. English Ad Effectiveness Study

English ads are 38% less effective than Spanish ads in terms of recall.



A woman with dark hair, wearing a blue hoodie and a black beanie, is smiling and holding a yellow tool. She is standing in a field with dry grass and some green plants. The background is slightly blurred, showing more of the field and some trees in the distance.

**English ads
are 70% less
effective than
Spanish ads in
terms of
persuasion.**

Roslow Research Group, Spanish vs. English Ad Effectiveness Study

Top 5 Insights





1. Understand our audience's motivation.

- **Save time.**
- **Save money.**
- **Do what's best for my family.**

2.

keep it
simple.



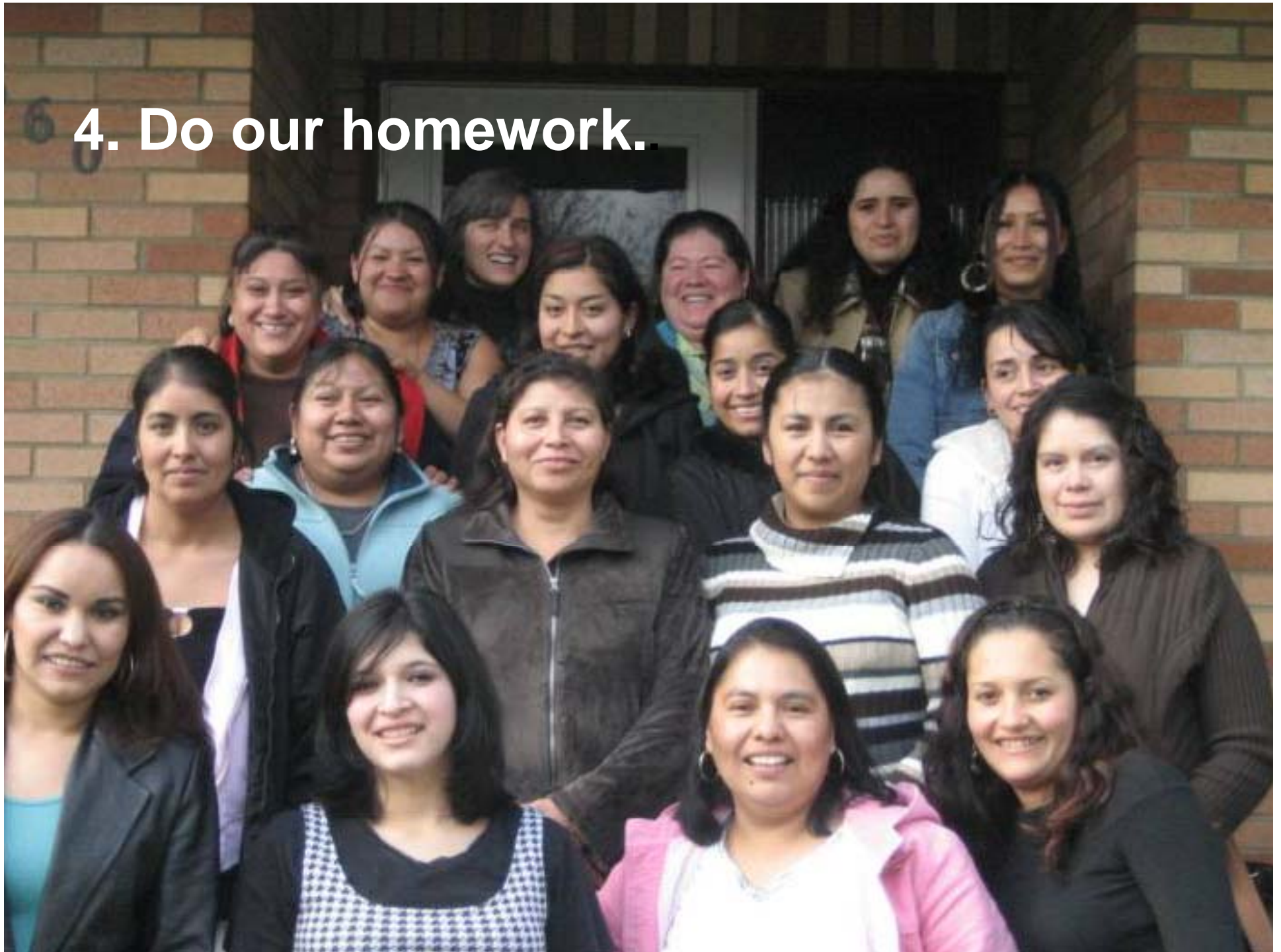
3.

**Don't assume people
know the**

“why”

**behind green
behaviors.**

4. Do our homework.



5. Partner with experts.



**What's next
for the
project?**

For Metro?



Billboard

Somos Oregonenses y Nosotros Reciclamos.



We're Oregonians and we recycle
(we're recyclers).

Direct Mail

Somos oregonenses y nosotros reciclamos.



We're Oregonians and we recycle (we're recyclers).

Direct Mail

**Aunque vengamos de
diferentes lugares, todos
somos oregonenses.**



Even though we come from different places, we are all Oregonians.

Direct Mail



*Yo tomo agua en
botella **reusable**
en lugar de gastar en
agua embotellada.*

I drink from a reusable water bottle instead of buying expensive disposable bottles.

Direct Mail



By using butter container to store leftover food, I help reduce waste.
I reuse glass jars to store nuts and bolts in my garage.

Direct Mail



**Los oregonenses reciclamos
y estamos orgullosos de ello.**

Continúa contribuyendo a cuidar la comunidad.
No sólo ahorras dinero sino que también protege
el medio ambiente.

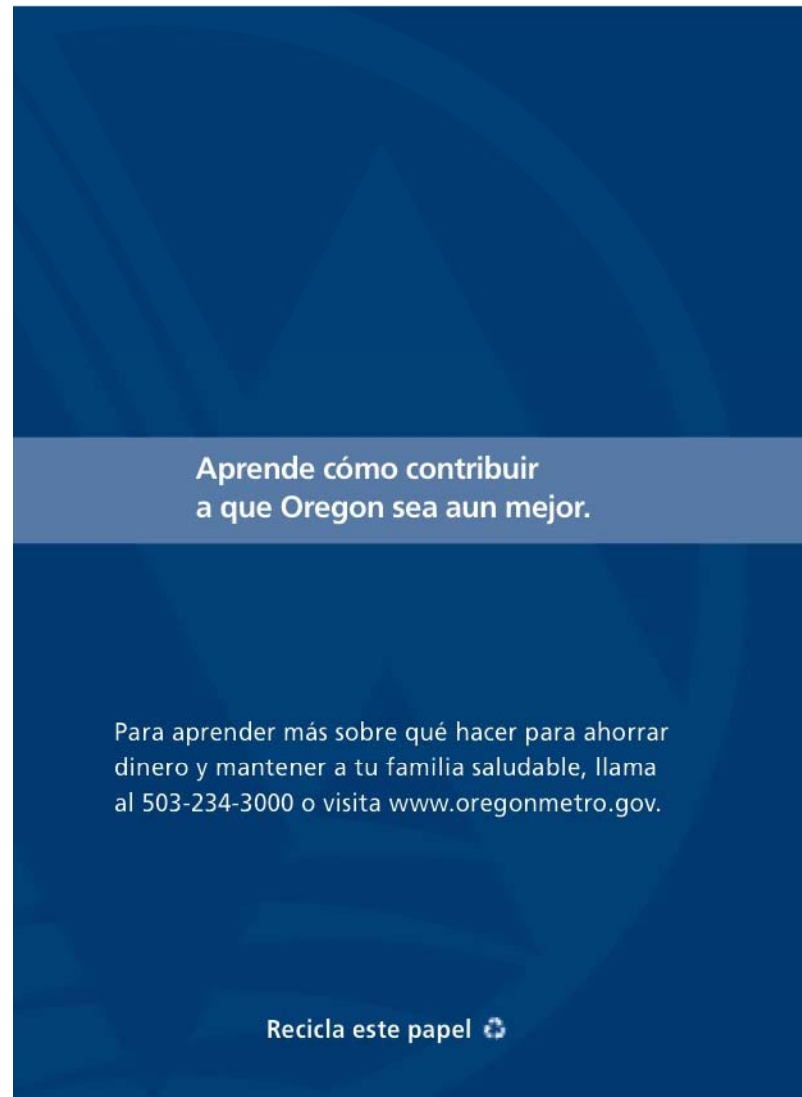
*Yo voy en bicicleta
al trabajo para
**ahorrar dinero
y mantenerme
saludable.***

Esta pieza es de papel es reciclable. ♻️

Oregonians recycle. We're proud of this. Whatever it is you do that contributes to the bigger picture, keep doing it. We're not only saving money, we're caring for our beautiful community by reducing waste.

I ride my bike to work to save money and stay healthy.

Direct Mail



Aprende cómo contribuir
a que Oregon sea aun mejor.

Para aprender más sobre qué hacer para ahorrar
dinero y mantener a tu familia saludable, llama
al 503-234-3000 o visita www.oregonmetro.gov.

Recicla este papel ♻

Learn how you can help make Oregon a better place.
To learn more about how to save money and keep your family healthy, call 503-234-3000 or visit www.oregonmetro.gov.