

Metro | Agenda

Meeting: Metro Council
Date: Thursday, August 4, 2011
Time: 2 p.m.
Place: Metro Council Chambers

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS
3. ADMINISTRATION OF LARGE CONTRACTS AUDIT Flynn
4. BROWNFIELD TASK FORCE RECOGNITION Bateschell
5. CONSENT AGENDA
- 5.1 Consideration of the Minutes for July 14, 2011
- 5.2 **Resolution No. 11-4278**, For the Purpose of Creating and Appointing Members of the SW Corridor Plan Steering Committee.
- 5.3 **Resolution No. 11-4281**, For the Purpose of Confirming the Appointment of Members to the Oregon Zoo Bond Citizens' Oversight Committee.
- 5.4 **Resolution No. 11-4282**, For the Purpose of Establishing Additional One Percent for Art Program Guidelines for Oregon Zoo Ballot Measure 26-96 Construction Projects.
- 5.5 **Resolution No. 11-4283**, For the Purpose of Eliminating the Proposed Hippopotamus Exhibit Improvements from the Metro Council's Recommended List of Projects to be Funded by Metro Ballot Measure 26-29.
6. ORDINANCES - FIRST READING
- 6.1 **Ordinance No. 11-1263**, For the Purpose of Amending the FY 2011-12 Budget and Appropriations Schedule to Remodel Metro Regional Center to Accommodate the Consolidation of MERC and Metro Business Services and Declaring an Emergency.
7. CHIEF OPERATING OFFICER COMMUNICATION
8. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for August 4, 2011 Metro Council meeting

| | |
|---|--|
| <p>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, August 4 (Live)</p> | <p>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, August 7 <i>Date:</i> 2 p.m. Monday, August 8</p> |
| <p>Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 <i>Date:</i> 2 p.m. Monday, August 8</p> | <p>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, August 6 <i>Date:</i> 11 p.m. Sunday, August 7 <i>Date:</i> 6 a.m. Tuesday, August 9 <i>Date:</i> 4 p.m. Wednesday, August 10</p> |
| <p>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.</p> | <p>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.</p> |

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

ADMINISTRATION OF LARGE CONTRACTS AUDIT

Metro Council Meeting
Thursday, August 4, 2011
Metro Council Chamber



Administration of Large Contracts: *Improvements still needed*

July 2011
A Report by the Office of the Auditor

Suzanne Flynn
Metro Auditor

Audit Team:
Kristin Lieber
Senior Management Auditor
Michael Anderson
Senior Management Auditor



Knighton Award
for Auditing

Metro Audit Winner of ALGA 2009 Gold Award

The Office of the Auditor was awarded the Gold Award for Small Shops, which was presented at the 2010 conference of the Association of Local Government Auditors (ALGA). The winning audit was the *Oregon Zoo Capital Construction* audit, completed in November 2009.

Metro Ethics Line

The Metro Ethics Line gives employees and citizens an avenue to report misconduct, waste or misuse of resources in any Metro or Metropolitan Exposition Recreation Commission (MERC) facility or department.

The ethics line is administered by the Metro Auditor's Office. All reports are taken seriously and responded to in a timely manner. The auditor contracts with a hotline vendor, EthicsPoint, to provide and maintain the reporting system. Your report will serve the public interest and assist Metro in meeting high standards of public accountability.

To make a report, choose either of the following methods:

Dial 888-299-5460 (toll free in the U.S. and Canada)

File an online report at www.metroethicsline.org



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MEMORANDUM

July 27, 2011

To: Tom Hughes, Council President
Shirley Craddick, Councilor, District 1
Carlotta Collette, Councilor, District 2
Carl Hosticka, Councilor, District 3
Kathryn Harrington, Councilor, District 4
Rex Burkholder, Councilor, District 5
Barbara Roberts, Councilor, District 6

From: Suzanne Flynn, Metro Auditor 

Re: Audit of Large Contract Administration

The attached report covers our audit of the management of three of Metro's large contracts. This audit was included in our FY2010-2011 Audit Schedule.

The Metro Auditor's Office has issued a total of 18 audits related to contract management practices. This audit was placed on the schedule to determine if practices had improved and if the risks inherent in high dollar, multi-year contracts were being addressed. The audit focused on three contracts, two in Solid Waste Operations and one in Visitor Venues. While we recognize the complexity in providing contractor oversight, our audit determined that more work is needed to ensure that Metro receives the full value of these contracts.

We have discussed our findings and recommendations with Dan Cooper, Interim COO; Scott Robinson, Deputy COO; Teri Dresler, General Manager, Visitor Venues; Margo Norton, Director, Finance and Regulatory Services; Paul Slyman, Director, Parks and Environmental Services and their staff. My office will schedule a formal follow-up to this audit within 1-2 years. We would like to acknowledge and thank the management and staff in the Departments who assisted us in completing this audit.

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Summary

Past audits of various Metro programs found Metro was not well prepared to manage contracts. The Office of the Metro Auditor has conducted 18 audits with 82 recommendations related to Metro's contract management practices. The purpose of this audit was to determine if contract administration practices had improved and if the quality of services received were affected by the current management practices.

Contracts play an important role in Metro's ability to provide a wide array of services that include regional planning, solid waste disposal, and visitor facilities. Over the last five fiscal years, Metro issued more than 3,300 contracts worth a total of \$485 million, seven of which were worth \$234 million. Most contracts valued at more than \$5 million were for Metro's solid waste, performance and entertainment and consumer and trade show services. This audit focused on three large contracts worth \$130 million: two in solid waste operations and one to provide food and beverage services at the visitor facilities.

Contract administration works best when responsibility and authority are clearly assigned, procedures are clear, documentation occurs and action is taken. Metro had weaknesses in each of these areas. Once Metro awarded contracts, it did not clearly define who had responsibility and authority for enforcing them. In some cases, contract managers did not have the data they needed to effectively monitor requirements and, for the most part, Metro had no specific procedures directing how contracts should be managed. When poor performance occurred, it was not always clear what action contract managers should take.

We selected key contract requirements for the three contracts we studied to determine the effect of these weaknesses. For the two contracts for solid waste operations, we examined site staffing, preventative maintenance and material recovery. After tracking a sample of recyclable materials to disposal sites, we did not identify problems and determined that recyclables seemed to be disposed of as required. We found staffing at the facilities did not meet contract standards, and that preventative maintenance could be improved. We estimated that Metro potentially lost \$122,800 in payroll costs as a result of lower staffing. Additionally, Metro missed some opportunities to reduce costs in the area of maintenance and repairs.

For the contract to provide food and beverage services, we examined the quality of food and beverage operations and reserve account spending for maintenance and improvements. We studied the quality of food and beverages and customer service provided by catering services and at concessions. Quality for services at concessions was determined to be lower than expected. Ratings by event planners of

concessions found 13% at Expo and 24% at the Oregon Convention Center rated the quality as fair or poor. Ratings by “secret shoppers” posing as attendees at concession stands were also lower than the quality expected. Results for reserve account spending were mixed. While not tracked effectively, we found that equipment purchased could be located. We did not find important differences in reserve account spending between visitor facilities.

Contracts such as the ones studied in this audit are considered high risk because of their high dollar value and length of commitment. We made several recommendations that will help Metro reduce costs and improve the quality of the services provided.

Background

Contracts play an important role in Metro’s ability to provide a wide array of services that include regional planning, solid waste disposal and visitor facilities. Over the last five fiscal years, Metro issued more than 3,300 contracts worth a total of \$485 million, seven of which were worth \$234 million. Most contracts valued at more than \$5 million were for Metro’s solid waste, performance and entertainment and consumer and trade show services. This audit focused on three large contracts worth \$130 million; two in solid waste operations and one to provide food and beverage services at the visitor facilities (Exhibit 1).

Exhibit 1
Contracts reviewed

| | CONTRACTOR | | |
|-------------------------------|---|---|---|
| | Allied Waste | Recology | Aramark |
| Term | 7 years | 7 years | 5 years |
| Value | \$33 million | \$38 million | \$59 million* |
| Metro Contract Manager | Parks & Environmental Services | Parks & Environmental Services | Oregon Convention Center, Portland Center for the Performing Arts and Expo Center |
| Service | Transfer station operations, solid waste processing and material recovery at Metro South transfer station | Transfer station operations, solid waste processing and material recovery at Metro Central transfer station | Food and beverage services at all three facilities |

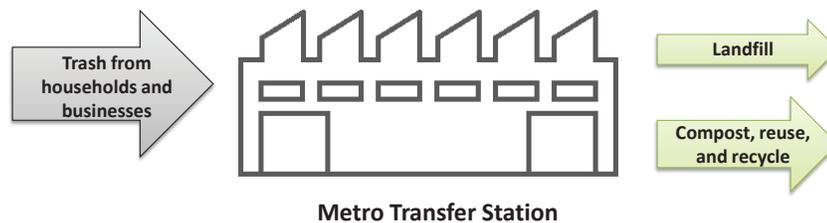
* Estimated using actual revenue generated in FY2009-10 and FY2010-11 and budget estimates for FY 2011-12, FY2012-13 and FY2013-14.

Source: Metro Auditor’s Office review of contracts

Transfer Station Contracts

Metro owns two transfer stations that process more than 40% of the region’s waste. Except for three holidays, these facilities operated year round, seven days a week. Metro South is located in Oregon City and Metro Central is located in Northwest Portland. Waste enters the facilities from businesses and the general public. Waste is then sorted and repacked for efficient transport. Waste leaves the facility to be recycled or sent to a landfill (Exhibit 2).

Exhibit 2
Transfer station operations



Source: Metro Auditor’s Office

The transfer station contractors own and maintain some of the equipment used to recycle and move waste around the facilities. Metro owns the land, buildings, truck scales and compactors used by the contractors. The transfer stations' contractors are responsible for maintenance of Metro's buildings and equipment. Metro shares the cost of maintenance and repairs with the contractor.

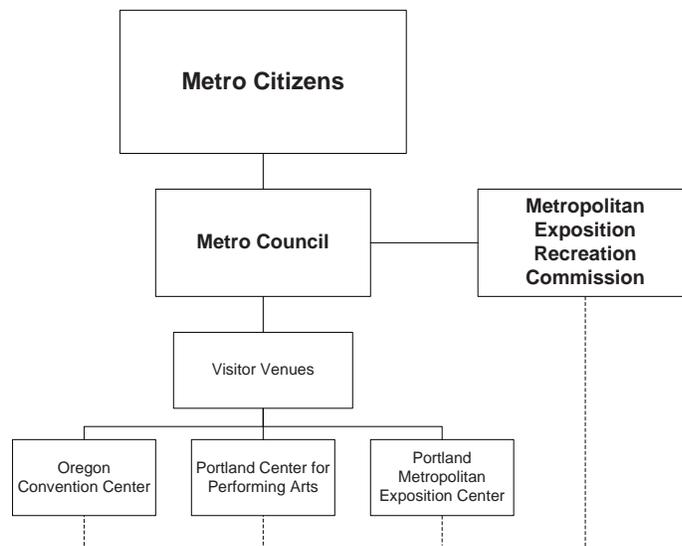
Metro has used contractors to process and dispose of waste at its transfer stations for more than 20 years. In early 2010, Metro signed new contracts for its transfer stations (Exhibit 1). Prior to that, from 1997 to 2010, both transfer stations were operated by Allied Waste.

Food and Beverage Contract

Metro operates three facilities that together drew 2 million visitors annually. These facilities include the Oregon Convention Center (OCC), the Portland Center for Performing Arts (PCPA) and the Portland Metropolitan Exposition Center (EXPO). Within Metro, these visitor facilities fall under the management of the Visitor Venues. The Metropolitan Exposition Recreation Commission (MERC) provides policy guidance (Exhibit 3). The three facilities fulfill different functions:

- OCC provides a place where out-of-state visitors can gather for regional and national consumer and business trade shows and conventions.
- PCPA is a collection of theaters and concert halls to host artistic performances.
- EXPO provides exhibition space for trade shows and public shows and events.

Exhibit 3
Organization of Metro's
Visitor Venues



Source: Metro Auditor's Office

Food and beverage options at OCC, PCPA and EXPO have been provided by contractors for more than 10 years. Food and beverage services cover everything from breakfast buffets and coffee breaks for a small group, to three-course catered dinner events for large groups, to concessions that sell fast food for large public events.

In late 2009, Metro signed a new contract with Aramark to provide food and beverage services. Metro first contracted with Aramark for food and beverage services in 1999. The current contract gives the contractor the exclusive right to sell catered meals and provide concession services. Aramark maintains the staff needed to cook and serve meals using Metro equipment.

Scope and methodology

The purpose of this audit was to assess if there were weaknesses in Metro's contract management practices that could reduce the effectiveness of its operations. We looked at three of Metro's largest contracts in depth. For each contract, our work was designed to accomplish the following:

- Determine the extent of contract monitoring.
- Assess the potential for contract violations.
- Determine whether key contract requirements and objectives were met.
- Determine if employees who administer contracts have accepted travel or gifts from contractors.

We used a risk assessment process to select the three contracts. We first identified Metro's largest contracts by total value and duration. Through interviews with Metro management, we narrowed the list to seven contracts of interest. We chose three contracts where we found the greatest risk of negative consequences if they were insufficiently administered. Two were for operations of waste transfer stations with differing goals and targets. One was for food and beverage services at Metro's visitor facilities. This contract was managed under a separate set of policies and procedures than the waste contracts, offering points of comparison between the two processes.

We selected key requirements from each contract for further testing. Non-compliance with these key requirements would impact Metro's effectiveness. Exhibit 4 on the following page lists the requirements we tested.

Exhibit 4
Contract requirements tested

| Contract | Allied Waste (Metro South transfer station) | Recology (Metro Central transfer station) | Aramark (food and beverage services) |
|--------------------|--|--|---|
| Requirement tested | <ul style="list-style-type: none"> • Staffing • Maintenance of facilities and equipment • Material recovery / recycling | <ul style="list-style-type: none"> • Staffing • Maintenance of facilities and equipment • Material recovery / recycling | <ul style="list-style-type: none"> • Quality of operations • Maintenance and improvements of facilities and equipment |

Source: Metro Auditor's Office analysis

To determine how the contractor delivered the services required under the contract, we spent 179 hours onsite observing contracted operations. The contractors allowed open access to their records and operations, as required by the contracts.

We determined compliance with the key contract requirements through independent testing, observation and analysis of data. For the Aramark contract, we conducted "secret shopper" visits to evaluate the quality of operations. We analyzed how much was spent to improve facilities and equipment and verified the status of a sample of equipment.

For the transfer station contracts, we analyzed contractor payroll data to determine compliance with staffing requirements. To determine whether contractors met maintenance requirements, we reviewed repair records for key equipment. We tracked a sample of loads of recyclable material to verify these recyclables were being disposed of as reported.

To understand how contracts should be managed, we reviewed agency policies and procedures, best practice literature and past audits. We conducted a content analysis of 18 prior audits with 82 recommendations related to Metro's contract management practices. We also looked at contract management practices within the federal government and other organizations.

As part of our audit work, we conducted tests to determine if employees who administered contracts had accepted travel or gifts from contractors. We did not find any indications of inappropriate gifts or travel.

This audit was included in the FY2009-10 audit schedule. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit findings. We have communicated additional information outside the scope of this audit in a separate letter to management.

Results

Contract administration is the set of activities performed after a contract is awarded to ensure requirements are met. It includes monitoring cost, schedule and quality to make sure work assigned to a contractor is fulfilled. Over the past 10 years, this office has issued several recommendations that Metro improve the administration of contracts. During this audit, we found Metro continued to have areas where it can improve.

Contract administration works best when responsibility and authority are clearly assigned, procedures are clear, documentation occurs, and action is taken. Metro could strengthen each of these areas. Once Metro awarded contracts, it lacked clear definition of who had responsibility and authority for enforcing them. Contract managers did not have the data they needed to effectively monitor some requirements and Metro lacked procedures directing how contracts should be managed. When poor performance occurred, it was not always clear what action contract managers should take.

The current situation requires action because it can result in contract requirements not being met. Of the three contracts we examined, we found they operated as intended in some areas, but improvements were needed in others. At the visitor facilities, the quality of catering was high, but operations at concession stands may not have met the quality expected by Metro. At the transfer stations, we found material recovery operations appeared to be sound. However, our analysis found contractors did not meet contract requirements for staffing the facilities. Further, after reviewing maintenance at the transfer and visitor facilities, we found Metro could improve its processes to ensure assets were properly accounted for and controlled.

Metro could improve management of large contracts

Past audits of various Metro programs found Metro was not well prepared to manage contracts. While the audits looked at different programs at Metro, they reached similar conclusions. For example, a 2010 audit found problems with monitoring and enforcement of a contract in Metro's human resources department. A 2008 audit found no clear plan to monitor and enforce a hazardous waste disposal contract. A 2006 audit of the Planning Department identified concerns with administering consulting contracts.

Metro had a decentralized approach that resulted in inconsistent contract management. While there were instructions about issuing a contract, once a contract was awarded there was little guidance about managing it. As a result, some contracts had little oversight, while others had stronger management in place. For example, the audit of the hazardous waste disposal contract found staff had no guidelines about how to detect poor performance. The audit of the human resources department found the contractor had not been held accountable for the quality of services provided to Metro.

In an effort to strengthen contract management, Metro had identified some contracts as high risk contracts; however, this designation did not ensure risks were managed. A contract was designated high-risk if it was of large value, complex, or critical to operations, and a high risk contract required a written contract administration plan. While two of the contracts we examined were designated as high risk, we found the contract administration plans developed for these contracts did not address four essential elements.

Standard practices indicated that once a contract was awarded, contract management worked best when:

- Procedures were clear,
- Responsibility and authority were clearly assigned,
- Documentation occurred, and
- Action was taken.

We found Metro could improve in each of these areas. The Aramark contract was managed by a different department than the Recology and Allied Waste contracts. Although processes differed, we did not find that one system was better than the other. Exhibit 5 provides a comparison of the management of these contracts against standard practices.

Exhibit 5
Comparison of contract management processes

| Standard Practice | Recology and Allied Waste contracts | Aramark contract |
|--|--|--|
| Procedures are clear: Policies and procedures for administering contracts are clear and accessible to staff. | Metro required administration plans for some high risk contracts. More specific guidance for plans would be helpful. | MERC/Visitor Venues did not have policies and procedures for managing contracts. |
| Responsibility and authority assigned: Roles and responsibilities of staff who manage contracts are well-defined. | Responsibility assigned in administration plans, but some staff not performing roles. | Roles and responsibilities of staff who manage contracts were not well-defined. |
| Documentation occurs: Staff perform and document monitoring. Reports have sufficient detail to support monitoring. | Program documented monitoring; however, in some cases, program lacked data/analytics for adequate monitoring. | Monitoring could be performed and documented more consistently. In some cases, venues lacked data/analytics for adequate monitoring. |
| Action is taken: Staff follow process to address problems. | Program did not consistently document violations of staffing requirement, lessening the ability to take action. | Venues should take action to enforce requirements, such as inventory. |

Source: Metro Auditor's Office analysis

Aramark contract managed informally

Metro’s contract with Aramark was essential to operations of the three visitor facilities Aramark served. Food service revenue accounted for about 40% of sales at the facilities. We found the Aramark contract was managed informally and, as a result, this created a risk that certain requirements were not monitored.

We observed operations over three months to understand how the food and beverage contract was managed. Aramark and Metro staff appeared to work closely together to deliver quality services at the visitor facilities, with Aramark functioning more like a department than a contractor. Aramark management participated in department head meetings and senior management meetings. At these meetings, Aramark management, like other department heads, actively contributed to planning for upcoming events and conducting post-event analyses. Aramark and Metro staff attributed part of their success to the collaborative relationship developed between the two entities.

While we found this relationship in many ways met the facilities’ needs, some aspects of the contract management system could be improved. Management effectiveness is increased with a clear understanding of responsibilities and procedures. Currently, each of the directors is satisfied with the contractor’s performance. However, it is when performance is not satisfactory that clearly defined roles and procedures become important. We found that roles of the three directors who supervised the contractor were not well-defined and documented policies or procedures for administering contracts were not available. The absence of clear expectations about how the contract would be managed created the opportunity that certain requirements would not be monitored. For example, the contract stated Aramark was to conduct a complete inventory of equipment at least annually. This was not done at any of the three facilities. Purchases were entered into a shared information system, the Events Business Management System (EBMS), but the system was not used to generate inventory reports or conduct an inventory.

We found the directors needed certain data and analytics to monitor the contractor. Aramark provided two broad categories of services: catering and concession stand service. While we found the quality of catering was high, we observed there may be an opportunity to improve the quality of concession stand service. However, the data available on concession operations did not provide sufficient information to identify problem areas.

Management of transfer station contracts more systemized

Management of the transfer station contracts was more systemized, but more could be done to ensure the key elements were in place for effective contract administration. Metro required departments to develop a contract administration plan for high risk contracts before award. We found the process was not functioning as intended. The plans were too general to be an effective tool for contract administration.

The contract administration plans were brief and most of the language was generic enough that it could apply to any contract. The plans assigned responsibility to an operations manager, but did not provide clear guidance on how the contracts should be monitored. The plans stated simply:

“primary operational oversight is provided by an operations manager who provides day-to-day monitoring for compliance with contract requirements.”

The plans did not detail what day-to-day monitoring should occur, how it should be documented, and how and when action should be taken.

Regarding reporting requirements, the plans stated:

“contractor has extensive reporting requirements regarding all aspects of the work as detailed in the contract.”

If the plans had a list of the reports, their frequency, purpose and who should review them, this would be helpful for managing the contracts. Neither the contracts nor the plans had a single list of reporting requirements. Each contract contained more than fifty reporting requirements located throughout more than one hundred pages of contract documents.

Much effort had gone into developing systems to monitor contract requirements during the first year of operation, but some of these systems were not yet operational. Staff had made progress on the development of procedures. Contract requirements had been identified, checklists developed to track compliance, and documentation of contract oversight improved. Effort had focused on one contract deemed to be the higher risk, and staff had made headway on verifying documents required at inception had been received. Having a more detailed plan in place at the beginning of the contract period would have better prepared contract managers for their role.

Some contract requirements not met

Some key contract requirements in the Allied Waste, Recology, and Aramark contracts were not met as a result of the lack of a strong contract management system. These large contracts are critical for Metro to provide services to the public. When large contract management systems have weaknesses, Metro may not receive the services it contracted for.

We examined key contract requirements in all three large contracts. In the Allied Waste and Recology contracts, we examined site staffing, preventative maintenance and material recovery. We found that the sites were not staffed according to contract requirements and that preventative maintenance procedures could be improved.

We found that material recovery operations were generally sound. With the new transfer station contracts signed in 2010, Metro set goals

to increase recycling and reuse of waste at both facilities. According to Metro's data, these goals have been met. As part of our audit, we tracked a sample of recyclable materials from the transfer stations to disposal sites. We did not identify problems and determined that recyclables seemed to be disposed of as required.

In the Aramark contract, we examined the quality of food and beverage operations and reserve account spending on the maintenance and improvement of facilities. We found that concessions quality was lower than expected, but that catering quality was high and there were no important differences between the facilities in spending on maintenance and improvements.

**Transfer stations
do not meet staffing
requirements**

Maintaining transfer station staffing levels ensures that Metro's facilities are operated safely, that Metro's material recovery goals are met and that Metro receives the full value for its contracts. Metro needed to closely monitor contractor staffing, because the contractors save money when the facilities are not fully staffed. We found Metro did not effectively monitor site staffing levels and Allied Waste and Recology did not produce staffing compliance reports for contract managers.

Transfer station staffing was an important part of the two contracts. In awarding the contracts, the proposed number of staff was a factor in Metro's decision to choose Allied Waste and Recology to operate its transfer stations and in price negotiations. This importance was also reflected in Metro's transfer station contract documents. Each contract contained many staffing requirements that were important to operations, customer service, material recovery and site safety. For example, each contract contained employee training standards, dedicated staffing minimums based on job duties and minimum staffing levels that changed based on the time of day and where waste was accepted.

Contract staffing requirements were not designed to be static and gave room for flexibility. Allied Waste and Recology each had the option to alter their staffing plans to meet changing work load. To ensure proper staffing, the contractors were required to submit an updated staffing plan on a quarterly basis. Management noted that the amount of waste received at the facilities had declined in the past two years and this might explain a reduction in staffing levels. We found that updated staffing plans were not regularly submitted on a quarterly basis, as required.

We compared contract staffing requirements to actual staffing at the two facilities from May 2010 through November 2010. The contract documents described the staffing hours that were to be provided at each facility for each of the seasons, winter and summer. When we examined actual staffing hours, we found that staffing at both facilities did not meet the hours required in the summer schedule. Both Allied and Recology supplied staffing hours close to what was required in their winter schedules (Exhibit 6).

At Metro Central, we found that Allied provided 81% of the hours contracted for in the summer. Recology provided 89% of the hours in its summer schedule. Using very conservative methods, we calculated the value of the staffing hours that were not provided. For Allied, Metro's potential loss was \$85,000, and for Recology it was \$37,800.

Exhibit 6
Staffing hour comparison,
plan to actual
May through November, 2010

| | Allied Waste | Recology |
|---------------------------------------|--------------|----------|
| Summer | | |
| Expected hours according to contract* | 41,104 | 35,531 |
| Actual hours provided | 33,397 | 31,694 |
| Hours over/(under) | (7,707) | (3,837) |
| Winter | | |
| Expected hours according to contract* | 13,650 | 15,200 |
| Actual hours provided | 13,767 | 15,059 |
| Hours over/(under) | 117 | (141) |

* For 206 days included in analysis
Source: Metro Auditor's Office analysis

Metro staff had concerns about contractor compliance with staffing requirements, but did not have the data to substantiate these concerns. Metro did not require the contractors to provide regular reports on staffing levels and instead, relied on surprise visits to monitor compliance. Contractors were able to shift staff between buildings during visits, making verification difficult. When Metro staff noted staffing deficiencies, they were not consistently documented and procedures to hold the contractor accountable were not begun.

**Concession service
quality lower than
contract required**

Food and beverage service was important to OCC, PCPA and EXPO. It was a significant source of revenue, figured prominently in marketing materials for the three facilities and was the most important component of customer surveys administered by the three facilities. Food and beverages were delivered at catered events and at concessions as fast food. Our analysis indicated that the quality of food and beverages and customer service at the concessions may not meet contract standards. The management at OCC, PCPA and EXPO may be able to increase revenue by improving concessions quality above current levels.

Aramark had exclusive rights to provide concession services and sell catered meals at the three facilities. Food and beverage operations generated more than \$12.5 million in FY 2009-10, with concessions responsible for nearly 30% of revenue. Concession operations were the primary source of food and beverage revenue at EXPO and PCPA, while catering was at OCC.

The contract required that Aramark prepare and deliver high quality food and beverage service, but it did not define how “high quality” was measured. In order to assess the quality of service, we compared Aramark’s performance to the facilities’ targets for customer satisfaction. All three facilities tracked and reported on customer service scores where the goal was to reach or exceed a 95% satisfaction rate. These scores were reported in Metro’s FY 2009-10 Balanced Scorecard report, and included food and beverage operations at the three facilities.

We were not able to use the data in the Balanced Scorecard report because we did not find it accurately represented data on satisfaction and may have inflated satisfaction rates. For example, at EXPO, customers who gave service the lowest rating possible were considered to be 85% satisfied. In the absence of a definition of high quality and given the limitations of the data reported in the Balanced Scorecard report, we created our own measures of customer service using data provided by the venue directors of OCC, PCPA, and EXPO as well as data collected by this office.

The venue directors tracked customer service from two sources. The first source was from the event organizer, a paid professional who sets up events and works directly with the staff of the visitor facilities. All three facilities tracked event organizer customer service. The survey asked the event organizer to rate a variety of services using four categories: excellent, good, fair and poor. EXPO and OCC surveys contained specific questions about food and beverage quality.

The second source of customer service information was from a secret shopper, a professional who was paid to secretly attend events and judge quality from the perspective of an attendee. Only OCC and PCPA used secret shoppers. The secret shopper service gave the visitor facilities an objective method to determine how their facility was operating. Points were awarded and a score was totaled. Similar to EXPO’s event organizer survey, the design of the survey awarded the largest share of points to food and beverage quality. This illustrated its importance to the facilities.

According to event planners, the quality of concession services at OCC and EXPO may not have met the high quality standard of the Aramark contract. One out of eight event planners (13%) rated concessions food quality and customer service as fair or poor at EXPO in FY 2009-10. At OCC, nearly one quarter (24%) of event planners who rated concessions quality gave it a fair or poor rating in calendar year 2010.

The secret shopper ratings also revealed weaknesses in concession quality and described reasons for low scores (Exhibit 7). OCC received 85% of available points, PCPA 84% and EXPO 77% in 2010. Poor employee training was a leading cause of lost points. Employees were

missing name tags, did not warmly greet customers with a smile, count back change or maintain product signage. The condition of concession stands were also a problem. Stands were not clean, condiment counters were dirty and concession cart repairs were made with duct tape.

Exhibit 7
Secret Shopper food and beverage scores by facility 2010

| Secret Shopper Question Categories | Share of Points Received | | |
|---|--------------------------|------|------|
| | OCC | PCPA | EXPO |
| Food & Beverage Wait Time: Questions focus on whether there was a line, how long the wait time was, and if the wait was more than 5 minutes long. | 100% | - | 100% |
| Food & Beverage Quality: Questions determined if staff acted friendly, anticipated needs, maintained a professional atmosphere, maintained a clean work station, and properly processed the payment. | 82% | 80% | 75% |
| Food & Beverage Condition: Questions determined if food was properly priced, the condiment areas were clean and full, and if the food looked appealing and fresh. | 81% | 88% | 78% |
| Food & Beverage Bartender: Questions determined if the staff acted friendly, prepared and served the drink properly, and if the payment was processed correctly. | - | 88% | - |
| Total: Food & Beverage Questions Only | 85% | 84% | 77% |
| All Other Categories: Questions measure overall experience, ease of parking, restroom cleanliness, facility safety and general repair, facility cleanliness, and how easy it was to purchase a ticket and enter the event. | 91% | 90% | - |
| Total: All Secret Shopper Questions | 89% | 88% | 77% |

Source: Metro Auditor's Office analysis of surveys

Metro could save money by better managing facilities and equipment

Metro provided most of the property and equipment used by the three contractors. The value of these assets was substantial, in each case worth millions of dollars. The requirements for property management were outlined in each contract. Under the contracts, the contractors were responsible for ensuring appropriate use, maintenance and repair of the equipment. Metro and the contractors shared the cost of repair and replacement.

We found Metro could save money by improving how it managed facilities and equipment. Metro could:

- better enforce contract provisions requiring contractors to account for and maintain the property in their possession, and
- collect money Metro was owed due to damages caused by customers.

**Improve management
of transfer station
maintenance and repairs**

Oversight of the maintenance programs at the transfer stations illustrated how Metro could save money by more actively managing contract requirements. Metro could better define roles and responsibilities, improve data it received to verify compliance and take action to save money when costs could be transferred to the contractor.

Metro needed to manage the contractors' maintenance activities effectively because there was a financial incentive for the contractors not to perform all the activities required. Under the contract, the contractor was responsible for 100% of the costs of preventative maintenance and 50% of the cost of other repairs and replacement, up to a cap. The contractor was required to pay for repairs and replacement, even if the service was due to normal wear and tear. Preventative maintenance meant normal care of the equipment and facilities, following manufacturer recommendations. Repair and replacement services were a broad category that could include fixing a roof, repairing a compactor or replacing a conveyor belt. As a result of how costs were split, Metro paid for none of the cost of preventative maintenance, but at least half of the cost of repair and replacement. This could create an incentive not to perform all the preventative maintenance activities required and instead wait until the equipment needed to be repaired or replaced.

Among Metro staff, roles and responsibilities for oversight of maintenance could be more clearly defined. The contract administration plans described the engineering section of Metro as providing oversight and monitoring of maintenance. In practice, engineers did not perform this function. They were instead involved on a case-by-case basis on projects. They did not review the maintenance plans.

Reports submitted by the contractors could be improved to better verify maintenance was in compliance. Both contractors used computer-based maintenance tracking systems. Contractors submitted reports from these systems on a monthly basis. However, some equipment required daily or weekly maintenance. The reports submitted showed whether maintenance had occurred within the month, but not how often. We inspected the maintenance systems at both sites. We found maintenance records kept by Allied Waste were up-to-date. In contrast, Recology's maintenance records showed weekly maintenance was overdue on the conveyors and compactors. If Metro relied on the monthly reports, it would not be aware of a problem as long as the maintenance was performed in the week prior to issuing the report.

We found Metro could take action that would have saved it money. In April 2010, for the first time since it opened in 1990, operations at the Metro Central solid waste transfer station changed hands. Recology took over operations of the facility previously operated by Allied Waste. During the transition to the new contractor, repairs that could have been performed under the previous contractor were completed under the new

contract. As a result, Metro lost the opportunity to shift part of the cost to the previous contractor.

At the beginning and closing of contracts, Metro and the contractor were to inspect Metro-furnished equipment and facilities and prepare a list of items requiring repair. Final payment was not to be made until all repairs were completed. As required, inspections of the facility were done by both the outgoing and incoming contractors with the participation of Metro staff. These inspections did not agree on the condition of the facility. The incoming contractor identified significant repairs needed to the conveyor systems that were not noted by the outgoing contractor. Although Metro staff participated in both inspections, the discrepancies in the two assessments were not reconciled.

When Recology assumed management, they immediately began repairs identified in their inspection. Although Metro concurred these repairs were necessary, they had not included them on the list of repairs required to close out the previous contract. If Metro had completed the repair under the previous contract, we estimated a savings of \$20,000.

Tracking of equipment could be improved

Metro owned the food service equipment used by Aramark, but did not enforce a requirement that Aramark maintain an inventory of the property. Under the contract, Aramark was required to perform a complete inventory of equipment at least annually. While we did not find evidence that Metro was missing equipment, not enforcing this provision created risks. First, keeping an accurate inventory can help identify and prevent theft. For example, Aramark purchased items that could be at risk of theft, such as laptop computers and espresso machines. Second, without an inventory, Metro relied on Aramark employees to remember where equipment was located. Despite not having an inventory, key employees were able to locate equipment purchased from memory. This might present a challenge if these employees left because Metro might not be able to find its equipment.

Consistent follow up on liability claims needed

When Metro received accident reports from contractors, it did not always follow up on liability claims. Although Metro contracted out for the operation of its transfer stations, it still had responsibilities as the owner of the property. If a customer damaged the facility, Metro managed the liability claim and collected payment. We found two cases totaling \$28,000 where Metro was owed money because of accidents that it did not promptly collect.

- In 2009, a garbage truck hit a door at Metro South. The repair cost \$8,688. The company's insurer contacted Metro to pay for the damage. It later notified Metro that the case would be closed due to lack of response. During the course of the audit, we learned Metro had not responded. The Risk Management office has since contacted the company's insurer and collected the money.

- In 2009, a different garbage truck damaged a door at Metro South. Metro paid \$19,400 to repair the door and contacted the company for reimbursement. After the company disputed the claim, Metro did not promptly pursue collections. Metro's Risk Management office has since received reimbursement.

Metro did not have an effective process for accidents like these. When an accident occurred, the contractor recorded the details on an accident log and submitted it to Metro. The contract manager notified Metro's risk manager, who handled the liability claim.

In both of the incidents above, the breakdown occurred, not with the contractor, but once Metro was notified. Metro's contract manager notified the risk manager of the accidents, but, beyond that, there was little communication about claims. This process should be improved to ensure Metro collects the money it is owed.

Recommendations

In order to put in place the basic components of a contract management system of clear procedures, assigned responsibility and authority, regular documentation, and appropriate action, Metro should:

1. Apply policy for identifying and managing high-risk contracts consistently.
2. Improve contract administration plans by:
 - a. Developing procedures for how compliance with high-risk contract requirements will be documented.
 - b. Developing procedures for how contract requirements will be monitored, and by whom.
 - c. Determine contractor-generated reports that will be required for monitoring purposes.
 - d. Develop procedures stating when action will be taken in response to poor performance, and by whom.
3. Clearly assign roles, responsibility and authority for contract monitoring and enforcement.

In order to improve management of assets used by contractors, Metro should:

4. Ensure inventory is properly accounted for.
5. Verify contractors have an adequate system to control for proper use, maintenance and reporting of property.
6. Ensure Metro collects money it is owed for liability claims.

Management Response



Date: July 21, 2011

To: Suzanne Flynn, Metro Auditor

From:  Scott Robinson, Deputy Chief Operating Officer

 Teri Dresler, General Manager of Visitor Venues

 Paul Slyman, Parks and Environmental Services Director

 Margo Norton, Finance and Regulatory Services Director

CC: Dan Cooper, Acting Chief Operating Officer

Jeff Blosser, Oregon Convention Center Executive Director

Robyn Williams, Portland Center for the Performing Arts Executive Director

Chris Bailey, Expo Director

Darin Matthews, Chief Procurement Officer

William Jemison, Risk Manager

Re: Management Response to Administration of Large Contracts Audit

This memorandum represents Metro management's response to the Administration of Large Contracts Audit Report that we received on July 6, 2011.

First, we would like to thank you and your office for conducting this audit as part of your planned 2011 audit schedule. We appreciate the diligence shown by your staff in researching and preparing this report on three of the largest and most complex contracts in place at the agency.

We support your overall recommendations and agree with the underlying premise that contract administration is most successful when responsibility and authority are clearly assigned, procedures are clear, documentation occurs and action is taken.

We believe our work to include performance based measures in contracts you reviewed is consistent with best business practices. We are working hard to move away from mandated staffing levels and other typical government requirements to more nimble and market based approaches to contracting. We firmly believe that incentives and rigorous

measures of performance are better ways to deliver efficient and effective public services. That is why we specifically structured our transfer station contracts to focus on pay for performance. We simply believe it makes more sense to allow our contractors the flexibility they need to shape staffing to respond to the amount of business coming through the door. We believe that this approach to managing our contractors is more in line with efficient business practices and that it will yield the highest end result in serving the public.

Despite this difference in how we view the transfer station contracts, we support the recommendations on contract administration and believe they are an important step in our work to improve consistency and accountability across the agency. Your recommendations will also help us continue our efforts to merge Metro and MERC venue business practices.

More detailed responses to each recommendation are provided below:

Recommendation 1

Apply policy for identifying and managing high-risk contracts consistently.

Response

Management recognizes the value of consistent practices across the agency. Work to integrate the practices of the three MERC venues with other Metro operations is underway. While these practices have differed in the past, we are working with the MERC Commission to bring them into alignment where specific business requirements of the MERC venues are not adversely impacted in executing their mission. Specifically, Procurement Services, a division of Finance and Regulatory Services, will provide instructions and training for departments about designating high risk contracts at the time of solicitation development, and will provide review and approval of contract management plans.

Contract administration plans will be approved by Procurement Services prior to the contract moving from "open" to "approved" status. Management will require these procedures be used on all high risk contracts. Appropriate personnel will receive the same training and instructions related to proper handling of these contracts.

Recommendation 2

Improve contract administration plans by:

- a. Developing procedures for how compliance with high-risk contract requirements will be documented.

Response:

New procedures identify how contract requirements will be documented for the two transfer station contracts. Extensive checklists identify each requirement, frequency for review and links to related documents. Per the auditor

recommendation, we will identify the purpose of each requirement and assign responsibility to a position for ensuring each requirement is met. These procedures will be listed in the contract administration plans as well. We anticipate using the work of the Parks and Environmental Services staff as a template for use in other contract administration plans. These recent plans better identify risk events, potential impacts, and planned responses.

While contract administration procedures and processes are in place at the MERC venues, we will improve the documentation and clarify accountability for each requirement. Procedures for managing high risk contracts will be formalized to align with the overall agency policy at Metro.

- b. Developing procedures for how contract requirements will be monitored, and by whom.**

Response:

In addition to the umbrella contract administration plan, each high risk contract has or will develop a reporting checklist that tracks the contract requirement, the metric used, the source of the data for the metric, the responsible party and the frequency of reporting. For the two transfer station contracts, all requirements are now on one checklist.

The MERC venues will be using a similar template that identifies each requirement, the source document to monitor the requirement, the person responsible for monitoring, the report, and the frequency of reporting for the Aramark contract.

- c. Determine contractor-generated reports that will be required for monitoring purposes.**

Response:

We believe we have the required data and reports to effectively manage high risk contracts, including the transfer station contracts. We continue to improve the various reports we produce and review. We have provided guidance to the contractors regarding their preventive maintenance tracking and reporting systems, which are nearly complete. The transfer station contracts do not require detailed staffing reports, but Metro the right to inspect the contractors' business records, including payroll records, should the need arise.

MERC venue directors have access to the reports and data necessary to appropriately manage their food and beverage operations. Staff are creating an inventory of the reports and mapping their use to provide improved administration of the Aramark contract.

- d. Develop procedures stating when action will be taken in response to poor performance, and by whom.**

Response:

In addition to monthly operational reviews, the Metro Parks and Environmental Services have dedicated staff who regularly conducts site inspections at both transfer stations. Any performance problems are immediately brought to the attention of the contractors for remediation. Our contractors are generally prompt to respond to concerns. When a formal response is required to address contract performance, the department staff work with Procurement and Office of Metro Attorney to provide remedy under the contract provisions.

MERC venue directors meet on a quarterly basis with their on-site food and beverage managers to discuss financial and operational performance. In addition, the directors and other management staff attend many events and observe service and taste products. In most cases, management and contractor are notified immediately when a problem is encountered. The venue directors are ultimately responsible for managing their venue and the food and beverage service.

Recommendation 3

Clearly assign roles, responsibility and authority for contract monitoring and enforcement.

Response:

See response for recommendation 2a above describing the contract administration matrix which identifies all contract requirements, their purpose, frequency for submittal or action, and responsibilities by position.

MERC is in the process of developing a matrix of contract monitoring responsibilities that spans the authority of the general manager, venue directors, accounting and finance staff.

Other Considerations Mentioned

To improve management of assets used by contractors, Metro should:

1. Ensure inventory is properly accounted for.

Response:

Metro currently maintains and updates an asset inventory on an annual basis. In addition, Metro contracts for an independent physical observation and inventory, including a condition assessment, every 3 to 5 years.

The MERC venues recently completed a physical inventory, including asset tags in conjunction with Aramark for both the Expo and PCPA facilities. The Oregon Convention Center update will be complete by September 2011.

2. Verify contractors have an adequate system to control for proper use, maintenance, and reporting of property.

Response:

Preventive maintenance procedures and reporting requirements for transfer station contractors were changed with the inception of the new contracts in April 2010 and have been communicated to the contractors. Contractors were required to develop computerized systems to track and report all maintenance activities. These systems are nearly complete and functional.

In addition to the computerized system, staff developed a written procedure to guide the contractors on preventive maintenance and repairs.

3. Ensure Metro collects money it is owed for liability claims.

Response:

Risk Management, a division of Finance and Regulatory Services, will establish and maintain an aging report for all open liability claims tendered to an external party. The status of each tendered claim will be reviewed by the Risk Manager every thirty days. Claims remaining open after 60 days will be reviewed with the affected department to determine if there are any significant business reasons that would preclude more assertive claims handling.

In addition to the recommendation there is one additional item discussed in the report that management believes warrants a response:

1. Site staffing: We found Metro did not effectively monitor site staffing levels and Allied and Recology did not produce staffing compliance reports for contract managers. When we examined actual staffing hours, we found that staffing at both facilities did not meet the hours required in the summer schedule. We found that Allied provided 81% of the hours contracted for in the summer. Recology provided 89% of the hours in its summer schedule. We calculated the value of the hours that were not provided. For Allied, Metro's potential loss was \$85,000, and for Recology it was \$37,800. We found that updated staffing plans were not regularly submitted on a quarterly basis, as required.

Response:

As mentioned on page 1, Metro pays its transfer station contractors for performance as opposed to specific levels of staffing. Both contractors performed all services and met the requirements of the contracts. The contractors have the flexibility to adjust

their staffing levels based on changes in the number of customers and the volume of incoming discards. If there is minimal activity due to inclement weather or some other reason, the contractors may close a receiving bay and reduce personnel. Conversely, during busy periods, if they need more personnel to properly operate the facilities, they are required to provide them at no additional cost to Metro. All quarterly staffing plans have been submitted by the contractors, as required. In addition, the plans comply with the standards set forth in the contracts under On-Site Personnel Requirements Staffing Minimums (Section 19.0 for Metro South; 20.0 for Metro Central) within the Operating Requirements.

We appreciate the efforts of you and your staff in conducting this audit and the insight that it provides for continuing our process improvement efforts.



METRO

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Agenda Item Number 4.0

BROWNFIELD TASK FORCE RECOGNITION

Metro Council Meeting
Thursday, August 4, 2011
Metro Council Chamber



Date: July 25, 2011
To: Metro Council
From: Miranda Bateschell, Senior Regional Planner
Cc: John Williams
Re: Brownfield Task Force Recognition
2008-2011 EPA Grant Summary

The Metro Brownfields Recycling Program began in 2006 from a \$200,000 grant from the U.S. Environmental Protection Agency. Due to the success of the program, EPA awarded the program another community-wide assessment grant in 2008. As part of the Making the Greatest Place Initiative, this program offers technical and financial assistance to spur cleanup of contaminated sites, reduce liability, and improve the viability of sites for redevelopment and restoration to the local community. The Brownfields Task Force, appointed by Metro Council in 2007, directs the programs efforts and selects grant recipients. The Task Force represents a broad range of elected officials, real estate investors, and community development professionals.

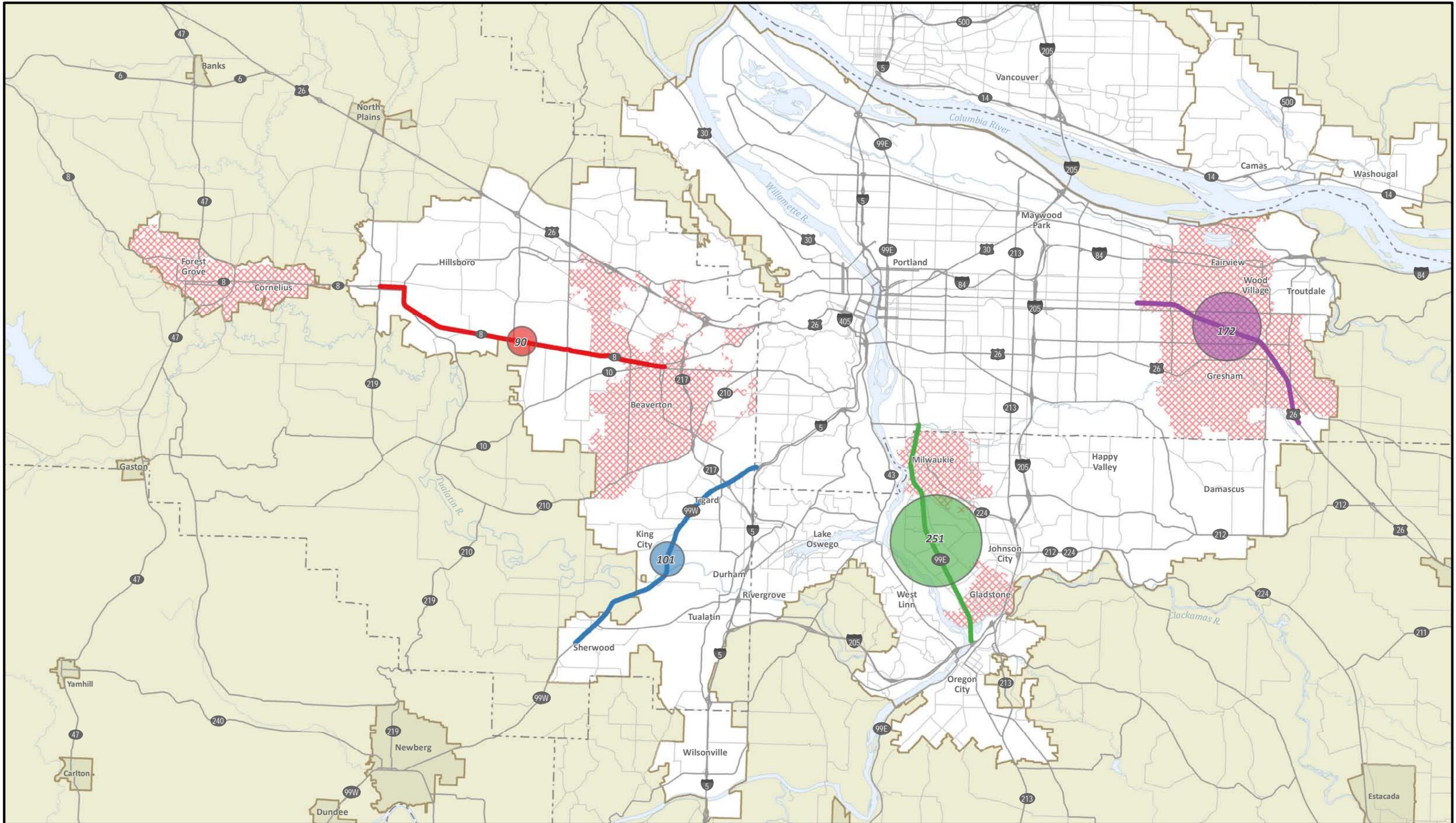
With assistance from the Brownfields Task Force, Metro's program provided significant technical and financial assistance to six properties under the 2008-2011 EPA grant. The Task Force used their brownfield and redevelopment expertise and followed the prioritization criteria adopted by Council to set grant recipient priorities. Starting with the grant's target communities, the Task Force prioritized four corridors for staff to focus outreach and research. Through various databases, staff identified over 600 potential brownfield sites in these corridors, and used these sites to facilitate conversations with local community representatives to identify local investment priorities and opportunities. After evaluating site eligibility and applying the prioritization criteria to several sites identified through this process, the Task Force recommended the final grant recipients. The two maps, attached, depict the identification and selection of the program's grant recipients.

Attached is a copy of Metro's Brownfields Recycling Program summary, which describes the program's accomplishments over the past five years. The summary is accompanied by a tracking sheet which quantifies program outcomes as well as individual site profile sheets, one for each grant recipient, which highlights the investment on these properties made possible through the grant.

As Metro's Brownfields Recycling Program expends the last of the 2008 EPA Community-wide Petroleum Assessment Grant, it is a pleasure to share with you highlights of how this program has helped encourage redevelopment of brownfield sites in the region over the past five years. The brownfields program:

- Invested \$270,000 in assessment and clean up planning on thirteen sites, leveraging \$216,000 in additional assessment and cleanup funds;
- Removed six underground storage tanks on commercial properties;
- Initiated cleanup at three sites, enabling site improvements, sale, and park redevelopment on site;
- Partnered with the Natural Areas Program and THPRD to complete an assessment and cleanup action plan resulting in a Prospective Purchasers Agreement with ODEQ;
- Helped leverage a grant of \$125,000 from Business Oregon to THPRD to remediate the corner parcel to complete an existing park; and
- Obtained two No Further Action letters, helping these properties re-renter the real estate market and secure financing.

The completion of the 2008 grant concludes the current focus of the Brownfields Recycling Program. In the next fiscal year, the program will focus on scoping brownfield reinvestment needs in the region and identifying potential solutions for Metro Council consideration and regional discussion. As program manager, I sincerely thank you and the members of the Task Force for helping Metro's Brownfields Recycling Program become a regional success. To continue to support brownfield redevelopment through the region, I encourage you to share these program materials and success stories in your work with our local government partners and other stakeholders when attending meetings and events.



Brownfields Recycling Program

Identifying Potential Grant Recipients
July, 2011



- Target cities
- Urban growth boundaries
- Neighbor cities

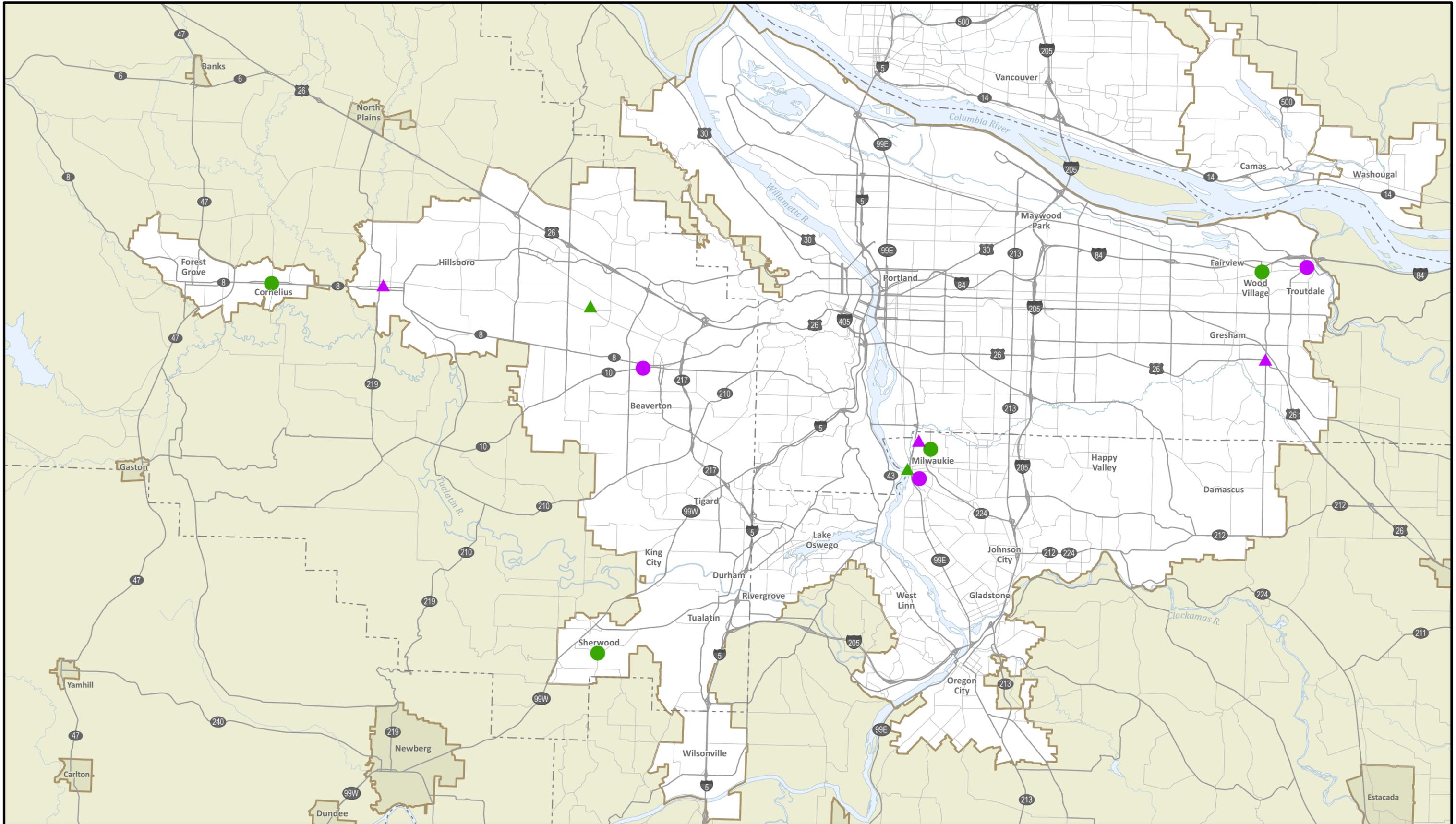
- T-V Hwy corridor
- 99W corridor
- 99E corridor
- Hwy 26 corridor

- T-V Hwy corridor sites researched
- 99W corridor sites researched
- 99E corridor sites researched
- Hwy 26 corridor sites researched

*Size of circle indicates number of sites researched

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





Brownfields Recycling Program

2006-2011 Grant Recipients
July, 2011



-  Urban growth boundaries
-  Neighbor cities

-  2006-2008 grant, Recipients of technical assistance
-  2006-2008 grant, Recipients of assessment funds
-  2008-2011 grant, Recipients of technical assistance
-  2008-2011 grant, Recipients of assessment funds

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The Brownfields Recycling Program has provided Metro and its local partners an understanding of the true impact of brownfields on their community development aspirations. The identification and remediation of environmental contaminants on these properties allow us to utilize our land to its full extent, as developments that bring jobs, housing, and parks to the residents of our communities.

– Tom Hughes, Metro Council President

EPA GRANT SUMMARY 2006-2011

Brownfields Recycling Program

Many properties in communities throughout the Portland metropolitan area sit underutilized because of real or perceived environmental contamination. Redevelopment of these sites is often overlooked due to concerns about liability and the cost of assessment and cleanup. In 2008, through a \$200,000 grant from the U.S. Environmental Protection Agency, Metro continued the operation of its brownfields recycling program to provide technical and financial assistance to local jurisdictions, landowners and other stakeholders.

As part of the Making a Great Place initiative, the Metro Council is committed to fostering redevelopment of underutilized land and promoting revitalization of neighborhoods. Turning brownfield sites into usable developments helps use land more efficiently and returns these properties back to the tax rolls of local governments. The redevelopment of these sites provides economic, environmental and health benefits that reinvigorate communities.

Metro's efforts focus on identifying and assessing petroleum-based brownfield sites primarily in economically disadvantaged areas in major transportation corridors. Metro focuses on sites in communities that do not have established brownfields programs. As such, Metro is not involved with brownfield sites located in Portland.

This report summarizes the work that was accomplished with the 2006 and 2008 grant funds from EPA.

Program accomplishments

- Reviewed more than **3,000** potential brownfield sites from the Oregon Department of Environmental Quality database
- Identified over **600** potential brownfield sites in the target communities
- Six Phase I assessments completed
- Seven Phase II assessments completed
- One redevelopment plan completed
- Assisted in the creation of a prospective purchasers agreement to facilitate a sale
- Initiated the clean up of three properties in the region
- Helped leverage over **\$200,000** of federal, state, local and private funds for properties that participated in the program

Sherwood redevelopment site



This program site is located in Sherwoods Old Town along a frequent transit route.



The property once housed a service station, photographed here in 1937.



As part of the assessment under this grant, the extensive soil sampling included removal of four underground storage tanks.



Several redevelopment projects are planned or have recently been completed nearby. With cleanup complete, this site is ready for redevelopment.

DETAILS OF SPECIFIC SITES

Beaverton

The Tualatin Hills Park and Recreation District sought to acquire a property in Beaverton to expand park facilities. This property was once the site of a gas station. The district needed to know the extent of petroleum contamination before it purchased the site to ensure it will be safe for public use. The site is adjacent to a creek and there was potential contamination of the storm sewer system. Metro determined that there was one remaining underground storage tank along with residual petroleum products associated with previous tanks and a fuel pump island. Working closely with Oregon Department of Environmental Quality, additional assessment was completed, along with a redevelopment plan, to finalize a PPA (Prospective Purchasers Agreement) between the park district and DEQ. THPRD closed on the property in early June 2011 and is moving forward with plans to remediate the contamination and expand the existing park.

Troutdale

A property owner of a site in downtown Troutdale had already performed environmental assessment and cleanup on several portions of the property, which includes a historic service station. Running up against expiring funds, the owner applied to Metro's program to cover the remaining costs. Metro provided grant funding to assess the remainder of the site, including water and soil sampling and a beneficial water use survey for the surrounding properties. The property is located along the historic Columbia River Highway within the Troutdale Urban Renewal Area. Upon completion of the assessment work, the property owner intends to market the property for sale and redevelopment.

Downtown Milwaukie

The City of Milwaukie owns four separate, but contiguous, properties in downtown, located adjacent to a future stop on the MAX light rail extension, scheduled to begin construction in late 2011. Previously, during a demolition of an existing building on the property, the city had found a leaking heating oil Tank, and were concerned that additional tanks could appear once redevelopment started. Metro funded a detailed geophysical survey of the property to look for additional sources of potential contamination. No further tanks were found during this assessment. Grant funds were also utilized to assess the large amount of fill material on the property, due to its proximity to Kellogg Creek. The creek is part of the city's revitalization efforts downtown, and will be brought back to its original conditions as fish habitat. Additional funds from Clackamas County were leveraged to extend testing on the fill for hazardous substances and on an adjacent, but privately owned, property in an attempt to prepare the entire block for redevelopment.

Wood Village

The City of Wood Village wanted to re-locate its city offices and allow the current site to redevelop with a mix of housing and businesses. Metro provided grant funds to identify petroleum contamination on the site which allowed the city to remove the contamination, increasing the site's market value, preparing it for new uses.

Cornelius

A property owner in Cornelius where a gas station was located in the 1930s was concerned about potential contamination and the cost of cleanup. The site is on a corner lot on a main street with high redevelopment potential. Grant funds were used to fund a Phase 1 assessment which defined the range of potential contamination and cost estimates associated with those conditions.

Sherwood

A property owner of a site in downtown Sherwood that was a service station in the 1940s wanted to sell the property but didn't know what type or how much contamination might be on the site. Metro provided grant funding to assess the site which allowed for the eventual removal of four underground storage tanks. The assessment leveraged cleanup from DEQ, returning the property to the market. Given its downtown location in an urban renewal district, the site has a high redevelopment potential for jobs, commercial uses and housing.

Milwaukie

A property owner in Milwaukie wanted to sell a former gas station. Because of past uses, the owner knows that contamination exists on the property. The owner was not able to sell the property until the contamination and potential liability was defined. Metro provided grant funds to identify the extent of contamination and connected the property owner with the Oregon DEQ for ongoing management of the contamination. Metro also provided information on cleanup resources and potential insurance recovery options.

EDUCATION AND TECHNICAL ASSISTANCE

- Provided technical assistance to a business owner in Milwaukie who was purchasing a gas station from the parent company. This assistance allowed the buyer to perform a more informed negotiation for the purchase of the property and saved the owner \$20,000.
- Assisted property owners in Beaverton who owned property that had been a gas station. The property is close to the Elmonica MAX station and the owners were interested in selling the property but did not know the extent of contamination on the site. The city requires master planning for this site and surrounding properties. Staff brought together Metro's Transit-oriented Development Program, Oregon Solutions, and the City of Beaverton to determine if surrounding property owners would agree to be involved in a collaborative master planning process. While an assessment was not conducted for this property, staff and the environmental consultant worked with the property owners to help them understand their options and potential cleanup costs.
- Provided technical assistance to the City of Hillsboro as they explored the redevelopment of a city-owned parcel along the MAX Blue Line in downtown Hillsboro. Metro reviewed the existing material related to the site, including a Phase I performed by TriMet when the Blue Line was under construction, and advised the city regarding future assessment needs as they solicited bids for redevelopment from the private sector.
- Assisted the City of Milwaukie with a site along McLoughlin Boulevard that they were seeking to acquire from the Oregon Department of Transportation. The site is the current location of equipment storage and various office spaces. The city was interested in the property as a sports park/entertainment development that

(education and technical assistance: continued)



This program site in Wood Village is located along the Halsey Street corridor, an area designated for vertical, residential and commercial mixed-use development. The assessment work leveraged cleanup and site improvements by the city.



The City of Milwaukie hopes to leverage redevelopment of this parcel with the soon-to-be constructed light rail extension into downtown.



This program site in Milwaukie is a popular community auto repair facility which also operated as a gas station until 1986. With clarity on how to manage existing soil conditions, this site can move toward sale or redevelopment.



This program site in Beaverton needed an assessment to determine if the site could be used to expand current park facilities. THPRD has purchased the property and cleanup is scheduled for summer 2011.

NEXT STEPS

Although Metro has not formally applied for additional funding from EPA, the organization is moving forward to examine the scope of the region's brownfields and potential options for expanding the program's focus. Using a targeted approach, Metro will choose three of the 2040 Design Types for detailed analysis of existing brownfield sites. One center, corridor and employment area will be chosen from throughout the region and the results of each will be used to inform the ongoing regional conversation regarding how brownfields impact redevelopment.

For more information

www.oregonmetro.gov/brownfields

Stay in touch with news, stories and things to do.

www.oregonmetro.gov/connect

Your Metro representatives

Metro Council President – Tom Hughes

Metro Council – Shirley Craddick, District 1; Carlotta Collette, District 2; Carl Hosticka, District 3; Kathryn Harrington, District 4; Rex Burkholder, District 5; Barbara Roberts, District 6.

Auditor – Suzanne Flynn

(education and technical assistance: continued)

would have access to the future MAX Green Line, set to begin construction in late-2011. Metro convened ODOT, the City of Milwaukie and Business Oregon to determine what funding sources could be used to move the

project forward. Additionally, Metro will be providing technical assistance with the formal application to the State of Oregon in an attempt to use state funds to move the project forward.

OUTREACH AND COORDINATION

- A technical workshop for developers, lenders, local government staff and community leaders was organized to discuss opportunities available through the brownfields program. A panel of property owners and developers who successfully completed brownfields redevelopment projects in the region discussed their experiences.
- Metro sponsored, along with Pacific Northwest Title of Oregon, a continuing education class for commercial brokers and property managers on how to address liability concerns of possible brownfield sites and what public resources are available for the redevelopment of these properties.
- Metro collaborated with other agencies with brownfields programs, including the cities of Portland and Gresham, Clackamas County, the Oregon Department of Environmental Quality and the Oregon Economic and Community Development Department. This collaboration included the facilitation of training and workshops, participation on Metro's Brownfields Task Force, and sharing information and resources. As inquiries are made, Metro serves as a resource helping connect people with appropriate agencies.
- Metro drafted, printed and distributed flyers to local building permit counters. This flyer provides information about Metro's brownfields program and is targeted to property owners, developers and potential purchasers of brownfields sites.
- A website devoted to the brownfields program was developed (www.oregonmetro.gov/brownfields) that provides information including application and referral forms for potential sites to be considered for assessment funding.
- Staff presented information at multiple State of Oregon and Western Regional Brownfield conferences on Metro's experiences in building a regional brownfields inventory and identifying and prioritizing potential program sites.
- Metro distributed news releases to regional and neighborhood news media on the awarding of the grant and the process for applying for funding as well as local brownfield redevelopment projects.

Metro Brownfields Recycling Program
Tracking Investments and Measurable Outcomes
EPA Grant Funds 2006 - 2011

| Background | | | | Type of Assistance | | | | Cleanup Actions Taken | | | | | | | |
|-------------------------|---|--------|-------|----------------------|---------|----------|--------------------|-----------------------|---------------|-------------------|------------------|----------------------|-----------------------|-------------|-----|
| Project Name | Project Location | Status | Acres | Technical Assistance | Phase I | Phase II | Redevelopment Plan | Soil Treated | Water Treated | # of LUST Removed | # of UST Removed | Bio-Remediation Used | Institutional Control | NFA issued? | PPA |
| THPRD Site-1st Grant | 13660 SW Farmington Road (Beaverton) | Closed | 0.5 | | 1 | 1 | | | | | | | | | |
| THPRD Site-2nd Grant | | Closed | | | | 1 | 1 | yes | yes | | 1 | | yes | | 1 |
| Setnicker Site | 17030 SW Baseline Road (Beaverton) | Closed | 1.08 | 1 | | | | | | | | | | | |
| Statton Site | 1021 Baseline (Cornelius) | Closed | 0.26 | 1 | 1 | | | | | | | | | | |
| Kanso/Arco Site | 10966 McLoughlin Boulevard (Milwaukie) | Closed | 0.38 | 1 | | | | | | | | | | | |
| Stein Property | 9391 SE 32nd Avenue (Milwaukie) | Closed | 0.24 | | 1 | 1 | | | | | | | | | |
| Stapp Property | 22461 SW Pine Street (Sherwood) | Closed | 0.23 | | 1 | 1 | | yes | | 2 | 2 | | | 1 | |
| Wood Village City Hall | 2205 NE 238th Drive (Wood Village) | Closed | 5.75 | | 1 | 1 | | yes | | | 1 | | | 1 | |
| Downtown Milwaukie Site | 11100 McLoughlin Boulevard | Closed | 0.47 | | 1 | 1 | | | | | | | | | |
| ODOT Staging Site | 9002 SE McLoughlin Boulevard (Milwaukie) | Active | 8.7 | 1 | | | | | | | | | | | |
| Handy Site | 146 W. Columbia River Highway (Troutdale) | Active | 0.12 | 1 | | 1 | | | | | | | | | |
| Hillsboro DT Site | Corner of SE 2nd and SE Washington | Closed | 0.6 | 1 | | | | | | | | | | | |
| TOTAL | | | 18.33 | 6 | 6 | 7 | 1 | 3 | | 2 | 4 | | | 2 | 1 |

Metro Brownfields Recycling Program
Tracking Investments and Measurable Outcomes
EPA Grant Funds 2006 - 2011

| Background | | | | Investments (\$) | | | | | | | Measurable Actions | | | | | | |
|-------------------------|---|--------|-------|------------------|--------------|-----|--------------|---------------|---------|---------------|--------------------------|------------------------------|------------------------------------|----------------------------|-------------------------------|------------------------------------|-------------------------------------|
| Project Name | Project Location | Status | Acres | Metro | DEQ | EPA | Local | OECD | Private | Total Other | Sq. Ft. of EMP generated | New dwelling units generated | Sq. Ft. of new building construct. | Sq. Ft. of new green space | On-site construct. value (\$) | pre-remediation assessed tax value | post-remediation assessed tax value |
| THPRD Site-1st Grant | 13660 SW Farmington Road (Beaverton) | Closed | 0.5 | \$ 15,558 | | | | | | \$ - | | | | | | \$ 248,290.00 | tbd |
| THPRD Site-2nd Grant | | Closed | | \$ 54,409 | | | \$ 48,805 | \$ 126,272 | | \$ 175,077 | | | | | | | |
| Setnicker Site | 17030 SW Baseline Road (Beaverton) | Closed | 1.08 | | | | | | | \$ - | | | | | | \$ 423,410.00 | tbd |
| Statton Site | 1021 Baseline (Cornelius) | Closed | 0.26 | \$ 3,817 | | | | | | \$ - | | | | | | \$ 126,500.00 | tbd |
| Kanso/Arco Site | 10966 McLoughlin Boulevard (Milwaukie) | Closed | 0.38 | | | | | | | \$ - | | | | | | \$ 369,470.00 | tbd |
| Stein Property | 9391 SE 32nd Avenue (Milwaukie) | Closed | 0.24 | \$ 38,749 | | | | | | \$ - | | | | | | \$ 95,821.00 | tbd |
| Stapp Property | 22461 SW Pine Street (Sherwood) | Closed | 0.23 | \$ 52,650 | \$ 30,052 | | | | | \$ 30,052 | | | | | | \$ 181,830.00 | tbd |
| Wood Village City Hall | 2205 NE 238th Drive (Wood Village) | Closed | 5.75 | \$ 18,896 | | | \$ 2,080 | | | \$ 2,080 | | | | | | | tbd |
| Downtown Milwaukie Site | 11100 McLoughlin Boulevard | Closed | 0.47 | \$ 24,669 | | | \$ 8,845 | | | \$ 8,845 | | | | | | \$ 322,760.00 | tbd |
| ODOT Staging Site | 9002 SE McLoughlin Boulevard (Milwaukie) | Active | 8.7 | \$ 2,618 | | | | | | \$ - | | | | | | \$ 4,765,591.00 | tbd |
| Handy Site | 146 W. Columbia River Highway (Troutdale) | Active | 0.12 | \$ 56,442 | | | | | | \$ - | | | | | | \$ 133,550.00 | tbd |
| Hillsboro DT Site | Corner of SE 2nd and SE Washington | Closed | 0.6 | \$ 1,173 | | | | | | \$ - | | | | | | \$ 391,530.00 | tbd |
| TOTAL | | | 18.33 | \$ 268,980.40 | \$ 30,052.00 | | \$ 59,730.44 | \$ 126,272.00 | 0 | \$ 216,054.44 | | | | | | | |

Beaverton Park Reinvestment

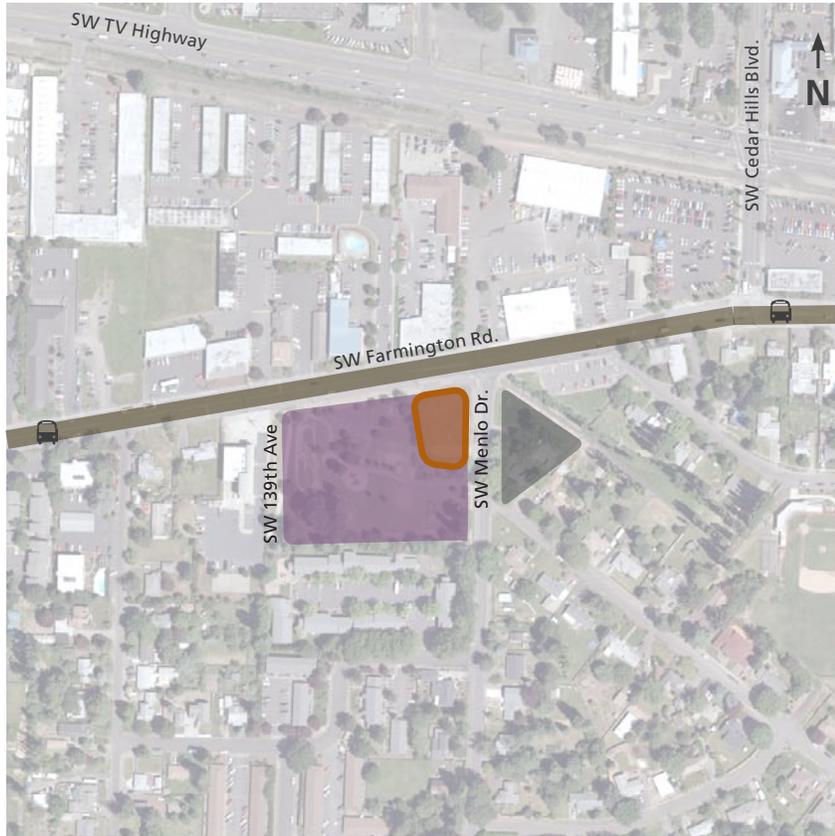
Tualatin Hills Park and Recreation District plans to expand its park facilities along a corridor targeted for higher densities of mixed residential and commercial uses.

What is the Metro Brownfields Recycling program?

Funded through Environmental Protection Agency grants, the Metro brownfields program helps find new life for property sites that might otherwise go undeveloped for years.

Metro works with local communities to identify potential brownfield sites that may have been contaminated by petroleum-based products – old gas stations, car dealerships and auto body shops are likely contenders. Metro staff facilitates environmental site assessments to determine the extent of any contamination and potential cleanup costs.

The program connects property owners and buyers to potential resources to finance cleanups and performs outreach with developers and nonprofit community development organizations to connect sites with those interested in cleaning them up for redevelopment purposes.



**13360 SW Farmington Rd.
Beaverton, Ore.
Washington County**

**8 miles from
downtown Portland**

**Past use:
gas station**

Site area: 0.64 acres

**Zoning: GC
(general commercial)**

Legend

-  Metro brownfields program site
-  Existing Park
-  Planned restoration project
-  Redevelopment corridor
-  Bus route



Metro brownfields program site: aerial view



Metro brownfields program site: street view

Site description

The site is located on Farmington Road, just minutes from downtown Beaverton. It is adjacent to an existing 2.5 acre park that includes a playground, basketball courts and BMX track. Tualatin Hills Park and Recreation District plans to clean up the site in order to expand the existing park. Located in a low- to moderate-income area with few open spaces, an expanded park will provide much needed space to support the planned increase of residential and commercial growth.

Metro Brownfields Recycling Program investment

- Phase II testing completed in 2010
- Identification and removal of existing underground storage tank and extent of soil contamination determined
- THPRD entered into a prospective purchasers agreement with DEQ in June, 2011, acquiring the property
- \$93,772 in public money was invested in assessment of the property and cleanup planning
- \$126,272 awarded by the State of Oregon for cleanup of the site



Downtown fountain



The Round: Transit Oriented Development



Cedar Hills Park



Beaverton Transit Center

Tualatin Hills Park and Recreation District and the City of Beaverton

The Park District's mission is to provide natural areas, high quality park and recreational facilities, and services and programs that meet the needs of the diverse communities it serves.

- The city is well connected to the Portland metropolitan area by MAX light rail, TriMet buses and the highway system.
- Beaverton is the second-largest city in Washington County and the third-largest city in the region.
- There is an employment emphasis on a mix of industries including technology, manufacturing, apparel and export trade.
- Tualatin Hills Park and Recreation District provides year-round recreational and educational opportunities.
- The area has a 25-mile network of bike trails.
- A park is located within a half mile of every home.
- The district has more than 200 park sites, 60 miles of trails, and 1,300 acres of nature preserve in addition to eight swim centers and six recreation centers.



For further information

Department of Environmental Quality file
LUST 34-91-0083
deq12.deq.state.or.us/FP20/

Metro Brownfields Recycling Program
brownfields@oregonmetro.gov
503-797-1817
www.oregonmetro.gov/brownfields

Tualatin Hills Park and Recreation District
Hal Bergsma: Director of Planning
503-645-6433
www.thprd.org

Demographic information

| | 1-mile | 2-mile | 3-mile |
|--|-----------|-----------|-----------|
| Population, 2000 | 18,215 | 60,274 | 125,454 |
| Population, 2009 | 20,040 | 65,647 | 142,862 |
| Estimated population, 2014 | 21,012 | 68,927 | 152,378 |
| Projected annual population growth, 2009-14 | 0.95% | 0.98% | 1.30% |
| Median household income, 2009 | \$46,079 | \$56,195 | \$61,345 |
| Median home value, 2009 | \$250,277 | \$290,456 | \$319,699 |
| Median age, 2009 | 32.8 | 34.2 | 34.3 |
| Percent college graduate (adults over 25), 2009 | 29.6% | 34.5% | 37.8% |

Source: U.S. Census ESRI Business Analyst

Cornelius

Main Street reinvestment

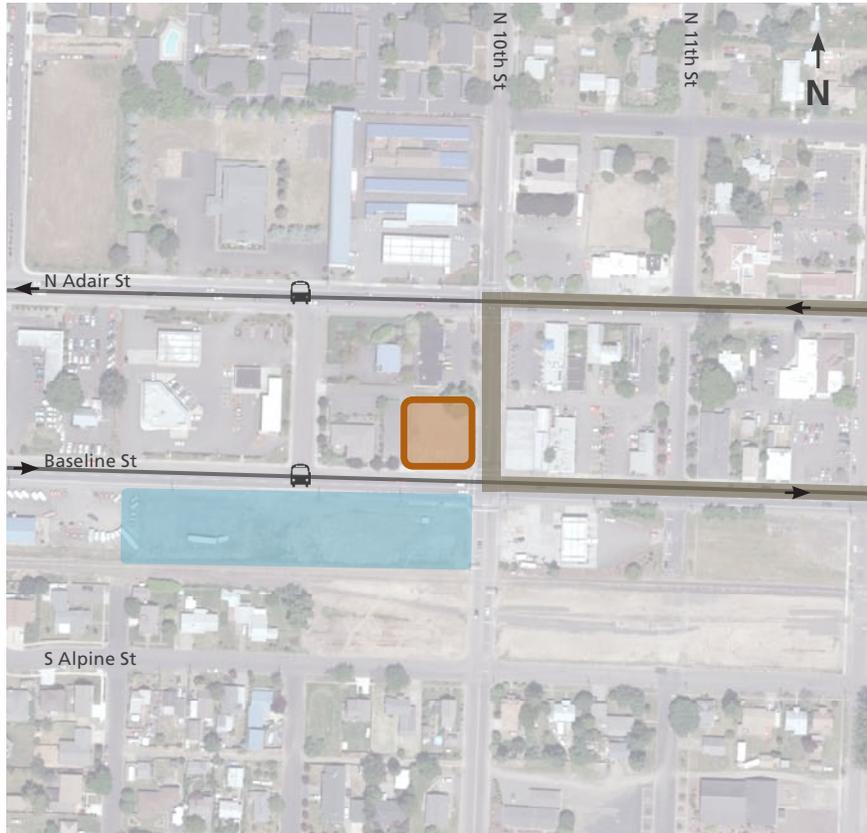
The City of Cornelius has invested significant public resources along Baseline Road and the 10th street area, spurring recent investment in downtown.

What is the Metro Brownfields Recycling program?

Funded through Environmental Protection Agency grants, the Metro brownfields program helps find new life for property sites that might otherwise go undeveloped for years.

Metro works with local communities to identify potential brownfield sites that may have been contaminated by petroleum-based products – old gas stations, car dealerships and auto body shops are likely contenders. Metro staff facilitates environmental site assessments to determine the extent of any contamination and potential cleanup costs.

The program connects property owners and buyers to potential resources to finance cleanups and performs outreach with developers and nonprofit community development organizations to connect sites with those interested in cleaning them up for redevelopment purposes.



**990 Baseline St.
Cornelius, Ore.
Washington County**

**25 miles from
downtown Portland**

**Past use:
gas station**

Site area: 0.26 acres

**Zoning: C
(commercial)**

Legend

-  Metro brownfields program site
-  Redevelopment opportunity
-  Recent/ future street improvements
-  Bus route



Metro brownfields program site: aerial view



Metro brownfields program site: street view

Site description

The site is currently undeveloped and is located in Cornelius' downtown. Surrounding land use includes commercial and professional uses. The City of Cornelius has plans for improvement projects adjacent to the property on both Baseline and North Adair streets. These include street and sidewalk improvements as well as the development of a Main Street Plan that establishes a Main Street Commercial District from 10th to 20th streets.

Metro Brownfields Recycling Program investment

- Historical and regulatory background assessment completed
- Technical assistance is available for additional assessment work
- \$3,817 invested in technical assistance



Street beautification project



Street trees



Sidewalk improvements



Stormwater swale

Downtown Cornelius

Located 25 miles west of Portland, Oregon, and 10 miles east of the Coast Range in the fertile Tualatin River Valley, Cornelius is surrounded by high-tech industries, nurseries and farmland. Cornelius, population 10,955, is a small but growing city in the heart of the Silicon Forest of Oregon.

- Significant public infrastructure investments as a part of the Cornelius Main Street improvement project include: sidewalk widening, bike lane installations, on-street parking additions, stormwater management improvements, curb extensions and reduced turning radii.
- Pedestrian and streetscape improvements include: street trees, decorative pedestrian scale lighting and street furniture.
- Local services cater to a diverse population, including the largest Hispanic grocery store in Oregon.
- Plans are being considered to redevelop a nearby property into a park and recreation facility.



For further information

Department of Environmental Quality file

LUST 34-94-0007
deq12.deq.state.or.us/FP20/

Metro Brownfields Recycling Program

brownfields@oregonmetro.gov
 503-797-1817
www.oregonmetro.gov/brownfields

Property owner

Dr. Statton
 1610 North Adair St.
 Cornelius, OR 97113
 503-357-4482

Demographic information

| | 1-mile radius | 2-mile radius | 3-mile radius |
|--|---------------|---------------|---------------|
| Population, 2000 | 10,749 | 17,420 | 27,049 |
| Population, 2009 | 11,680 | 19,381 | 30,357 |
| Estimated population, 2014 | 12,266 | 20,445 | 32,250 |
| Projected annual population growth, 2009-14 | 0.98% | 1.08% | 1.22% |
| Median household income, 2009 | \$55,481 | \$52,636 | \$54,351 |
| Median home value, 2009 | \$215,829 | \$222,138 | \$234,538 |
| Median age, 2009 | 30.5 | 30.8 | 31.8 |
| Percent college graduate (adults over 25), 2009 | 11.4% | 13.2% | 16.5% |

Source: U.S. Census ESRI Business Analyst

Milwaukie

Corridor reinvestment

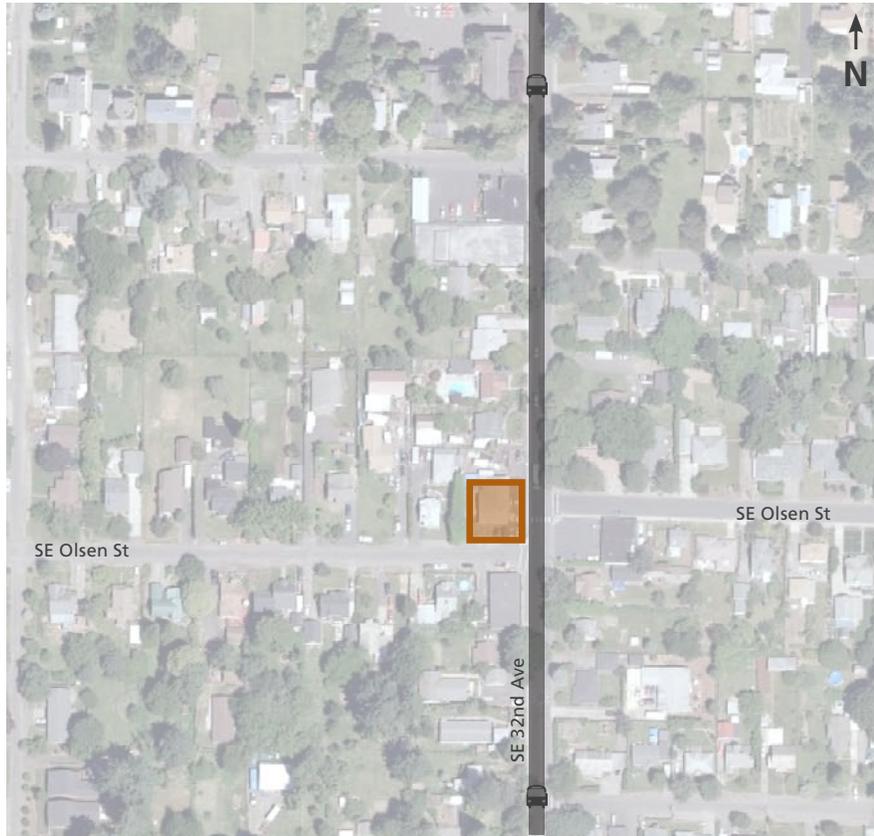
The City of Milwaukie's comprehensive plan calls for continued investment in its downtown and along the 32nd Avenue corridor.

What is the Metro Brownfields Recycling program?

Funded through Environmental Protection Agency grants, the Metro brownfields program helps find new life for property sites that might otherwise go undeveloped for years.

Metro works with local communities to identify potential brownfield sites that may have been contaminated by petroleum-based products – old gas stations, car dealerships and auto body shops are likely contenders. Metro staff facilitates environmental site assessments to determine the extent of any contamination and potential cleanup costs.

The program connects property owners and buyers to potential resources to finance cleanups and performs outreach with developers and nonprofit community development organizations to connect sites with those interested in cleaning them up for redevelopment purposes.



9391 SE 32nd Ave.
Milwaukie, Ore.
Clackamas County

6 miles from
downtown Portland

Past use:
fuel station

Site area: 0.23 acres
Zoning: C
(commercial)

Legend

-  Metro brownfields program site
-  Recent or planned improvement projects
-  Bus route



Metro brownfields program site: aerial view



Metro brownfields program site: street view

Site description

The former Stein fuel station currently operates as an auto mechanics shop. It lies on a corridor with commercial activities that is surrounded by residential development. The City of Milwaukie's comprehensive plan calls for the redevelopment of the 32nd Avenue corridor into a higher density mix of uses and services for the surrounding households.

Metro Brownfields Recycling Program investment

- Phase I and II environmental assessments completed 2008
- Metro completed a beneficial water use determination study to help prepare the site for sale and redevelopment; 2008
- Technical assistance is available to identify potential cleanup funds
- Property owner is involved in ongoing monitoring and mitigation
- Metro invested \$38,749 for assessment of this property



City Hall



Farmers market



Downtown



Recent development

The City of Milwaukie

In 2015 the region's light rail will make its way from downtown Portland to Milwaukie. The city is highly involved in plans around the new station areas and terminus and sees this as a great opportunity for investing in their downtown.

- Milwaukie is located at the junction of Highways 99E and 224, near I-205.
- Ongoing city investments will help grow its business base, including McLoughlin Boulevard improvements, Riverfront Park and North Main Street development.
- Located along the scenic Willamette River, the city is immediately adjacent to the City of Portland.
- Named as one of the 50 best locations in the nation to raise a family.
- The city offers diverse housing opportunities from affordable to upscale condominiums, as well as single family houses.
- Enterprise zone property tax abatements are available.



- New light-rail line will run from Portland to downtown Milwaukie starting in 2015.
- Waterfront Park Plan currently being developed. The plan will reconfigure and revitalize the waterfront area of downtown Milwaukie and improve connections to the Willamette River.

Source: The City of Milwaukie Website: www.cityofmilwaukie.org

For further information

Department of Environmental Quality file

LUST 03-96-0379
deq12.deq.state.or.us/FP20/

Metro Brownfields Recycling Program

brownfields@oregonmetro.gov
503-797-1817
www.oregonmetro.gov/brownfields

City of Milwaukie

Kenny Asher, Community Development Director
503-786-7608
www.cityofmilwaukie.org

Property owner

BAS, Inc.
19363 Willamette Drive, #171
West Linn, OR 97068

Demographic information

| | 1-mile radius | 2-mile radius | 3-mile radius |
|--|---------------|---------------|---------------|
| Population, 2000 | 14,021 | 50,629 | 112,271 |
| Population, 2009 | 14,601 | 53,257 | 119,100 |
| Estimated population, 2014 | 14,898 | 53,257 | 123,135 |
| Projected annual population growth, 2009-14 | 0.40% | 0.53% | 0.67% |
| Median household income, 2009 | \$60,213 | \$55,432 | \$57,364 |
| Median home value, 2009 | \$253,810 | \$246,649 | \$265,019 |
| Median age, 2009 | 39.8 | 38.4 | 38.4 |
| Percent college graduate (adults over 25), 2009 | 20.6% | 22.8% | 27.3% |

Source: U.S. Census ESRI Business Analyst

Sherwood

Old Town reinvestment

The City of Sherwood envisions a mixed-use project with possibilities for commercial and office uses and workforce or market-rate housing.

What is the Metro Brownfields Recycling program?

Funded through Environmental Protection Agency grants, the Metro brownfields program helps find new life for property sites that might otherwise go undeveloped for years.

Metro works with local communities to identify potential brownfield sites that may have been contaminated by petroleum-based products – old gas stations, car dealerships and auto body shops are likely contenders. Metro staff facilitates environmental site assessments to determine the extent of any contamination and potential cleanup costs.

The program connects property owners and buyers to potential resources to finance cleanups and performs outreach with developers and nonprofit community development organizations to connect sites with those interested in cleaning them up for redevelopment purposes.



22461 SW Pine St.
Sherwood, Ore.
Washington County

17 miles from
downtown Portland

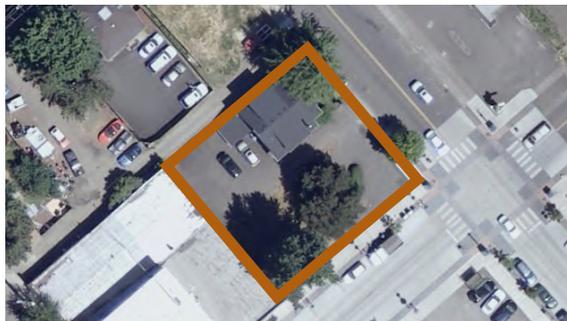
Past use:
gas station

Site area: 0.23 acres

Zoning: RC
(retail commercial)

Legend

-  Metro brownfields program site
-  City owned redevelopment opportunity
-  Privately owned redevelopment opportunity
-  Recent or planned city projects
-  Bus route



Metro brownfields program site: aerial view



Metro brownfields program site: street view

Site description

The site is located in Sherwood's Old Town within the city's urban renewal area. Recent investments include street improvements and a new city hall and public library project. Adjacent properties, city-owned and privately held, are available or planned for sale or redevelopment, including Cannery Square, a mixed-use redevelopment project with a public plaza.

Metro Brownfields Recycling Program investment

- Phases I and II environmental assessments completed
- Underground storage tanks removed
- Cleaned up with \$30,000 in DEQ funds
- Received No Further Action notice June 2011
- Metro invested \$52,650 for assessment of this site.



Cannery redevelopment



Farmer's market



Historic downtown Sherwood



Recent development

Old Town Sherwood

Sherwood desires a vibrant downtown filled with unique businesses that complement existing and emerging business clusters, enhance the local economy and improve quality of life.

- Strong population growth and high incomes.
- Young, upwardly mobile family market.
- Growing visitor, employment and pass through customer markets; 4,809 visitors to the Sherwood Visitor Center.
- \$13 million in public investment over last five years: library, city hall, streetscape and property purchases; over \$5 million in additional investment on the drawing board, located near the site.
- Significant private investment in recent years including McCormick Building Condominiums and Old Town Lofts.
- Significant civic and business anchors in downtown draw strong foot traffic; Let's Make Music draws 500 clients daily, U.S. Bank attracts over 200 customer visits per day.
- Emphasis on locally-owned, high-quality businesses.
- Clean, safe, positive public image.
- Greenways and walk-ways add to positive impression.



- Quality built environment, including downtown way-finding signage for shoppers.
- Several well attended downtown events: Music on the Green, Cruisin' – 18,000 spectators; Great Onion Festival – 4,500 attendees; Farmer's Market, Art Walk, Robin Hood Festival.
- Engaged business community that is ready to get involved in downtown's next steps. The Chamber of Commerce has about 500 members, up 30 percent from 2007 to 2008.

Source: Downtown Sherwood Market Study; Marketek, June 2008

For further information

Department of Environmental Quality file

LUST 34-08-0937
deq12.deq.state.or.us/FP20/

Metro Brownfields Recycling Program

brownfields@oregonmetro.gov
 503-797-1817
www.oregonmetro.gov/brownfields

City of Sherwood, Economic Development

Tom Nelson; Economic Development Manager
nelson@ci.sherwood.or.us
 503-625-4247

Property owner

Ana Stapp
Ana39s@hotmail.com

Demographic information

| | 1-mile | 2-mile | 3-mile |
|--|-----------|-----------|-----------|
| Population, 2000 | 9,899 | 12,802 | 17,380 |
| Population, 2008 | 12,843 | 17,901 | 24,413 |
| Estimated population, 2013 | 15,019 | 21,192 | 28,974 |
| Projected annual population growth, 2008-13 | 3.18% | 3.43% | 3.49% |
| Median household income, 2008 | \$83,220 | \$86,968 | \$86,414 |
| Median home value, 2008 | \$361,628 | \$364,515 | \$376,657 |
| Median age, 2008 | 32.3 | 32.9 | 35 |
| Percent college graduate (adults over 25), 2008 | 47% | 47.9% | 48.4% |

Source: U.S. Census ESRI Business Analyst

Wood Village

Corridor reinvestment

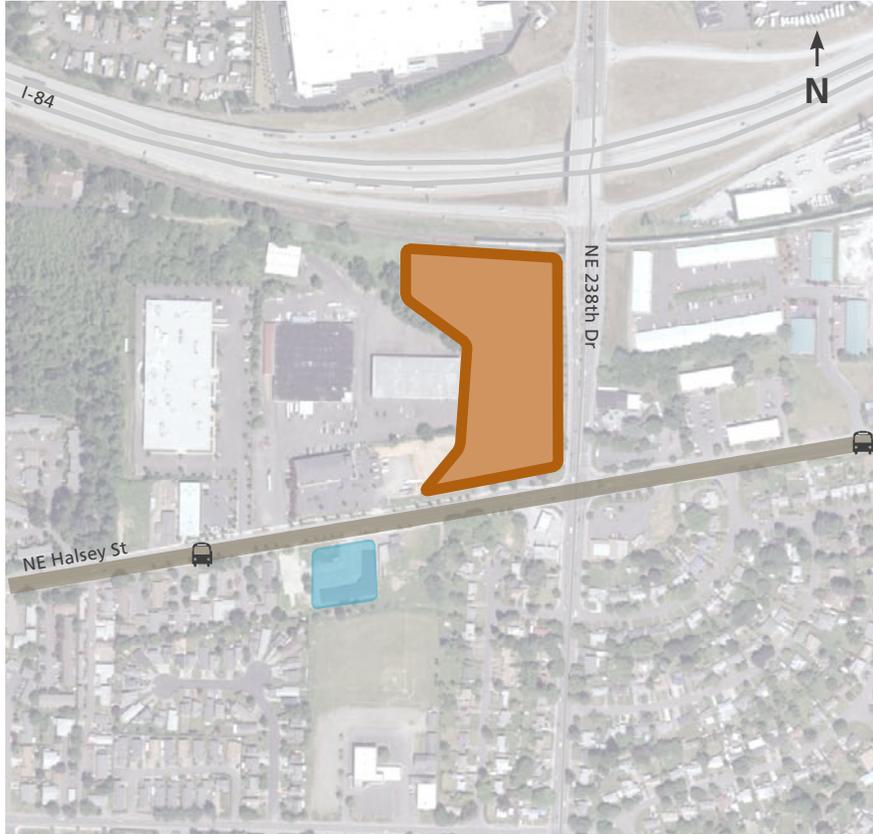
The City of Wood Village would like to redevelop the site in order to advance the city's efforts to increase development activities along the Halsey Street corridor.

What is the Metro Brownfields Recycling program?

Funded through Environmental Protection Agency grants, the Metro brownfields program helps find new life for property sites that might otherwise go undeveloped for years.

Metro works with local communities to identify potential brownfield sites that may have been contaminated by petroleum-based products – old gas stations, car dealerships and auto body shops are likely contenders. Metro staff facilitates environmental site assessments to determine the extent of any contamination and potential cleanup costs.

The program connects property owners and buyers to potential resources to finance cleanups and performs outreach with developers and nonprofit community development organizations to connect sites with those interested in cleaning them up for redevelopment purposes.



**2055 NE 238th Dr.
Wood Village, Ore.
Multnomah County**

**15 miles from
downtown Portland**

**Past use:
lumber retail facility/
public works yard**

Site area: 5.73 acres

**Zoning: NC
(Neighborhood
commercial)**

Legend

-  Metro brownfields program site
-  Redevelopment corridor
-  Privately owned redevelopment
-  Bus route



Metro brownfields program site: aerial view



Metro brownfields program site: street view

Site description

The site, currently owned by the City of Wood Village, consists of five adjacent land parcels totaling 5.73 acres. Existing development on the property includes the Wood Village City Hall, a well house with a city water supply well and a storage building. The area surrounding the site is developed with a mix of retail, commercial buildings and service stations. The city has made a significant public-private investment in the Halsey Street Conceptual Design Plan and implemented financial incentives for this corridor.

Metro Brownfields Recycling Program investment

- Phase I and II environmental assessments completed in 2008
- Assessments leveraged cleanup and site improvements by the City of Wood Village
- \$20,976 in public funds invested



City Hall pre-assessment



Tank removal on site



City Hall improvements



Recent local development

The City of Wood Village

The City of Wood Village began as one of Oregon's first planned communities in order to house workers from the Reynolds Aluminum factory during World War II. Recent updates to the city's zoning code and demonstrated reinvestment in its major corridors show its commitment to investing in a variety of housing options and employment services to support its residents.

- Wood Village lies along Interstate 84 and is nestled between Troutdale, Fairview and Gresham.
- East Multnomah County is one of the fastest growing areas in the region.
- The city lies on the main access road to Mount Hood and is part of the Mt. Hood Scenic Byway Corridor.
- Wood Village has nearly 3,000 residents as well as more than 100 commercial, industrial and manufacturing businesses within one square mile.
- Development of the site should be compatible with the city's Neighborhood Commercial zone and the Halsey Street Conceptual Design Plan. The development should be mixed use and seeks to attract other mixed-use projects to the area.



- Recent employment numbers have increased 116 percent from 2000 to 2006.
- Newly completed mixed-use project on Halsey Boulevard near the site includes plans for senior housing mixed with commercial and office uses.

For further information

Department of Environmental Quality file
LUST 26-08-1451
deq12.deq.state.or.us/FP20/

Metro Brownfields Recycling Program
brownfields@oregonmetro.gov
503-797-1817
www.oregonmetro.gov/brownfields

City of Wood Village
Bill Peterson, City Administrator
503-489-6856

Demographic information

| | 1-mile radius | 2-mile radius | 3-mile radius |
|--|---------------|---------------|---------------|
| Population, 2000 | 7,400 | 27,657 | 60,693 |
| Population, 2009 | 9,046 | 32,320 | 36,957 |
| Estimated population, 2014 | 9,721 | 34,481 | 74,202 |
| Projected annual population growth, 2009-14 | 1.45% | 1.30% | 1.19% |
| Median household income, 2009 | \$57,606 | \$62,336 | \$57,512 |
| Median home value, 2009 | \$232,500 | \$253,244 | \$250,978 |
| Median age, 2009 | 30.0 | 33.1 | 32.8 |
| Percent college graduate (adults over 25), 2009 | 18.9% | 20.2% | 18.7% |

Source: U.S. Census ESRI Business Analyst

Local development photo courtesy of Ross Chapin Architects

Printed on recycled-content paper. 09214-5
Summer 2011

Milwaukie

Downtown reinvestment

The City of Milwaukie has made the southern portion of its downtown the focus of long-term revitalization efforts.

What is the Metro Brownfields Recycling program?

Funded through Environmental Protection Agency grants, the Metro brownfields program helps find new life for property sites that might otherwise go undeveloped for years.

Metro works with local communities to identify potential brownfield sites that may have been contaminated by petroleum-based products – old gas stations, car dealerships and auto body shops are likely contenders. Metro staff facilitates environmental site assessments to determine the extent of any contamination and potential cleanup costs.

The program connects property owners and buyers to potential resources to finance cleanups and performs outreach with developers and nonprofit community development organizations to connect sites with those interested in cleaning them up for redevelopment purposes.



11100 SE McLoughlin Blvd.
Milwaukie, Ore.
Clackamas County

6 miles from downtown Portland

Past use:
residential/commercial

Site area: 0.81 acres
Zoning: DOS
(downtown open space)

Legend

 Metro brownfields program site

 Bus route



Metro brownfields program site: aerial view



Metro brownfields program site: street view

Site description

The site is owned by the City of Milwaukie and consists of four contiguous parcels that are currently vacant. The parcels represent an important redevelopment opportunity in the city's downtown revitalization efforts, and will have direct transit service from the future extension of the MAX Green Line into Milwaukie.

Metro Brownfields Recycling Program investment

- Phase I and II environmental site assessments were completed in 2010.
- Metro sampled locations near Kellogg Creek to rule out any issues related to contamination of an important water resource.
- Metro partnered with Clackamas County to fund hazardous materials assessment on the properties.
- No contamination issues were identified, and the city has a clearer picture of how to market the property for future redevelopment.



City Hall



Farmer's market



Downtown



Recent development

The City of Milwaukie

In 2015 the region's light rail will make its way from downtown Portland to Milwaukie. The city is highly involved in plans around the new station areas and terminus, and sees this as a great opportunity for investing in its downtown.

- Milwaukie is located at the junction of Highways 99E and 224, near I-205.
- Ongoing city investments will help grow its business base, including McLoughlin Boulevard improvements, Riverfront Park and North Main Street development.
- Located along the scenic Willamette River, the city is immediately adjacent to Portland.
- Named as one of the 50 best locations in the nation to raise a family.
- The city offers diverse housing opportunities from affordable to upscale condominiums, as well as single family houses.
- Enterprise zone property tax abatements are available.
- Waterfront Park Plan currently being developed. The plan will reconfigure and revitalize the waterfront area of downtown Milwaukie and improve connections to the Willamette River.



- New light-rail line will run from Portland to downtown Milwaukie starting in 2015.

Source: The City of Milwaukie Website: www.cityofmilwaukie.org

For further information

Metro Brownfields Recycling Program

brownfields@oregonmetro.gov

503-797-1817

www.oregonmetro.gov/brownfields

City of Milwaukie

Kenny Asher, Community Development Director

503-786-7608

www.cityofmilwaukie.org

| By the numbers | Milwaukie Town Center | Town Center average | One-mile buffer |
|--------------------------------|--------------------------|------------------------|--------------------|
| Net acreage | 418 | 222 | 4,049 |
| Total population | 3,694 | 2,326 | 31,373 |
| Total employees | 3,368 | 1,745 | 13,393 |
| Non-SOV mode share (all trips) | 50% | 52% | n/a |
| Market value per square foot | \$26 | \$39 | \$24 |
| People per acre | 16.9 | 20.1 | 11.1 |
| Dwelling units per acre | 4.5 | 5.0 | 3.4 |
| Total businesses per acre | 0.52 | 0.73 | 0.16 |
| Home ownership | 38.6% | 47.4% | 53.0% |
| Median household income | \$48,115 | \$60,133 | \$57,750 |
| Median household size | 2.07 | 2.42 | 2.24 |
| Median age | 38.3 | 36.0 | 39.8 |

Troutdale

Corridor reinvestment

The City of Troutdale made their historic main street the focus of new development in the Troutdale Town Center.

What is the Metro Brownfields Recycling program?

Funded through Environmental Protection Agency grants, the Metro brownfields program helps find new life for property sites that might otherwise go undeveloped for years.

Metro works with local communities to identify potential brownfield sites that may have been contaminated by petroleum-based products – old gas stations, car dealerships and auto body shops are likely contenders. Metro staff facilitates environmental site assessments to determine the extent of any contamination and potential cleanup costs.

The program connects property owners and buyers to potential resources to finance cleanups and performs outreach with developers and nonprofit community development organizations to connect sites with those interested in cleaning them up for redevelopment purposes.



9391 SE 32nd Ave.
Milwaukie, Ore.
Multnomah County

16 miles from
downtown Portland

Past Use:
fuel station, auto repair

Site area: 0.38 acres
Zoning: CBD
(central business district)

Legend

 Metro brownfields program site

 Bus route



Metro brownfields program site: aerial view



Metro brownfields program site: street view

Site description

The former auto and airplane repair site is privately owned and partially vacant. The parcels represent an important redevelopment opportunity on the western edge of the Historic Columbia River Scenic Highway, which runs through downtown Troutdale.

Program investment

- Phase II environmental site assessment was completed in 2011
- Metro sampled multiple locations on the property to adequately delineate areas of impacted soil
- The property owner is currently seeking a No Further Action notice from DEQ
- State of Oregon funds will be used to finalize any remaining assessment or remediation necessary to obtain the NFA



Columbia River Highway



Main street Troutdale



Columbia River Highway downtown



Downtown

Troutdale

Located at the confluence of the Sandy and Columbia Rivers, Troutdale is known as the "Gateway to the Gorge." The proximity to outdoor recreation makes the city a destination for tourists and residents alike.

- The area serves as destination shopping at the Columbia Gorge Outlet Mall and along the historic main street downtown.
- Troutdale continues to invest in employment areas north of I-84, as it attempts to draw more traded sector jobs to the region.
- Downtown is part of an existing urban renewal area.
- Enterprise zone property tax abatements are available.
- The area is home to Mt. Hood Community College.



For further information

Metro Brownfields Recycling Program

brownfields@oregonmetro.gov

503-797-1817

www.oregonmetro.gov/brownfields

City of Troutdale

Rich Faith, Community Development Director

503-674-7261

www.ci.troutdale.or.us

Property owner

Gene Handy, 503-348-1101

Neil Handy, 503-348-1100

146 W. Columbia River Highway

Troutdale, OR 97060

| By the numbers | Troutdale Town Center | Town Center average | One-mile buffer |
|--------------------------------|--------------------------|------------------------|--------------------|
| Net acreage | 343 | 222 | 4,287 |
| Total population | 1,924 | 2,326 | 17,519 |
| Total employees | 775 | 1,745 | 6,861 |
| Non-SOV mode share (all trips) | 54% | 52% | n/a |
| Market value per square foot | \$17 | \$39 | \$12 |
| People per acre | 7.9 | 20.1 | 5.7 |
| Dwelling units per acre | 2.5 | 5.0 | 1.5 |
| Total businesses per acre | 0.23 | 0.73 | 0.06 |
| Home ownership | 61.9% | 47.4% | 63.4% |
| Median household income | \$58,685 | \$60,133 | \$65,196 |
| Median household size | 2.53 | 2.42 | 2.91 |
| Median age | 34.3 | 36.0 | 31.6 |

METRO BROWNFIELDS TASK FORCE ROSTER (7/19/11)

| Name | E-mail | Address |
|---|--|---|
| Jenn Bildersee City of Portland | Jennifer.bildersee@portlandoregon.gov | 1120 SW 5 th Ave., Room 1000 Portland, OR 97204 |
| Catherine Arnold Beaverton City Council | carold@ci.beaverton.or.us | PO Box 4755 Beaverton, OR 97076 |
| Scott Beard Pacific Continental Bank | Scott.beard@therightbank.com | 222 SW Columbia St., Ste. 1650 Portland, OR 97201 |
| Hal Busch Gladstone City Council | halbusch@comcast.net | 6640 Parkway Dr. Gladstone, OR 97027 |
| Joshua Caldwell S D Deacon Corp or Oregon | Joshua.caldwell@deacon.com | 901 NE Glisan St., Ste. 100 Portland, OR 97232 |
| Mimi Doukas Cardno WRG | Mimi.doukas@cardnowrg.com | 5415 SW Westgate Dr., Ste. 100 Portland, OR 97006 |
| Karen Homolac Business Oregon | Karen.homolac@state.or.us | 775 Summer St. NE, Ste. 200 Salem, OR 97301 |
| Aaron Matusick Bittner & Hahs PC | amatusick@bittner-hahs.com | 4949 SW Meadows Rd., Ste. 260 Lake Oswego, OR 97035 |
| James McGrath CH2M Hill | James.mcgrath@ch2m.com | 2020 SW 4 th Ave. Portland, OR 97201 |
| Renate Mengelberg – Chair City of Canby | Mengelbergr@ci.canby.or.us | PO Box 930 Canby, OR 97013 |
| Cara Nolan CB Richard Ellis | Cara.nolan@cbre.com | 1300 SW 5 th Ave., Ste. 3000 Portland, OR 97201 |
| Peter Serrurier Stoel Rives LLP | plserrurier@stoel.com | 900 SW 5 th Ave., Ste. 2600 Portland, OR 97204 |
| Ramsay Weit Community Housing Fund | ramsay@thecommunityhousingfund.org | 3700 SW Murray Blvd., Ste. 190 Beaverton, OR 97005 |
| Rebecca Wells-Albers Dept. of Environmental Quality | Wells-albers.rebecca@deq.state.or.us | 811 SW 6 th Ave. Portland, OR 97204 |

Updated 4/10/09; 4/13/09; 4/22/09; 4/23/09; 5/18/09; 7/19/11

Agenda Item Number 5.1

Consideration of the Minutes for July 14, 2011

Consent Agenda

Metro Council Meeting
Thursday, August 4, 2011
Metro Council Chamber



METRO COUNCIL MEETING

Meeting Summary

July 14, 2011

Metro Council Chambers

Councilors Present: Deputy Council President Carl Hosticka and Councilors Barbara Roberts, Rex Burkholder, Carlotta Collette and Shirley Craddick

Councilors Excused: Council President Tom Hughes and Councilor Kathryn Harrington

Deputy Council President Carl Hosticka convened the regular Council meeting at 2 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Art Lewellan 3205 SE 8th Ave., Apt. 9, Portland: Mr. Lewellan stated that he was not opposed to the Columbia River Crossing (CRC) project, but that the Hayden Island interchange – as currently proposed – is below standards. He was in support of the Hayden Island Concept “D” interchange. He recommended building a southbound bridge only; he cited reduced costs are reasoning. (Written testimony included as part of the meeting record.)

Council recommended that Mr. Lewellan forward his comments to the CRC project, as the Metro Council is not involved in the technical design of the bridge.

John Charles, Cascade Policy Institute: Mr. Charles addressed the Council on high capacity transit and Resolution No. 11-4265. Mr. Charles was not in support of the resolution citing lack of consumer demand for HCT, lack of ridership despite Transit Oriented Development (TOD) investments, and Metro’s definition of HCT. He was in support of increased bus service verses HCT. (Written testimony included as part of the meeting record.)

3. CONSIDERATION OF THE MINUTES FOR JUNE 30, 2011

| | |
|---------|--|
| Motion: | Councilor Barbara Roberts moved to adopt the June 30, 2011 Council Minutes |
|---------|--|

| | |
|-------|---|
| Vote: | Deputy Council President Hosticka and Councilors Roberts, Collette, Craddick, and Burkholder voted in support of the motion. The vote was 5 aye, the motion passed. |
|-------|---|

4. RESOLUTIONS

4.1 Resolution No. 11-4265, For the Purpose of Adopting the Regional High Capacity Transit System Expansion Policy Implementation Guidance.

| | |
|---------|--|
| Motion: | Councilor Carlotta Collette moved to adopt Resolution No. 11-4265. |
| Second: | Councilor Rex Burkholder seconded the motion. |

Councilor Collette introduced Resolution No. 11-4265. In June 2010, the Metro Council adopted the 2035 Regional Transportation Plan which included a framework for expanding the region’s high capacity transit system. The RTP called for Metro to develop the details and a refined, systematic approach for the system expansion policy. Approval of the resolution would accept the HCT SEP implementation guidance – a report that is intended to prepare local jurisdictions for potential future transit investments and illustrate how local communities can build their capacity to support HCT. While the report does not guarantee funding, the implementation guidance will help inform future decisions in advancing the next HCT corridor when resources become available. The Joint Policy Advisory Committee on Transportation (JPACT) unanimously approved Resolution No. 11-4265 on July 14, 2011.

Vote:

| |
|---|
| Deputy Council President Hosticka and Councilors Roberts, Collette, Craddick, and Burkholder voted in support of the motion. The vote was 5 aye, the motion <u>passed</u> . |
|---|

4.2 Resolution No. 11-4279, For the Purpose of Authorizing the Metro Chief Operating Officer to Execute an Agreement with the Oregon Zoo Foundation.

| | |
|---------|---|
| Motion: | Councilor Shirley Craddick moved to adopt Resolution No. 11-4279. |
| Second: | Councilor Collette seconded the motion. |

Councilor Craddick introduced Resolution No. 11-4279. Over the past year, Metro, the Oregon Zoo and the Oregon Zoo Foundation have work diligently to update the joint operating agreement originally executed in 1985. The agreement, which supports each entity to further the zoo’s mission of “inspiring the community to create a better future for wildlife”, will:

- Establish clearer defined and understood roles and responsibilities that reflect the joint vision of creating a world-class zoo;
- Represent a sincere commitment by the partners to meet specific objectives in a collaborative manner while maintaining autonomy;
- Establish a new fiscal relationship that is mutually supportive of operational efficiency and focused on the achievement of the Oregon Zoo’s mission; and
- Increase accountability and transparency between the two organizations through semi-annual meetings between the Metro Council and the OZF board.

Approval of the resolution would authorize the Metro Chief Operating Officer to execute an agreement between Metro and the OZF.

Council thanked the OZF for their work, contributions to date, and their continued partnership.

Vote:

Deputy Council President Hosticka and Councilors Roberts, Collette, Craddick, and Burkholder voted in support of the motion. The vote was 5 aye, the motion passed.

5. CHIEF OPERATING OFFICER COMMUNICATION

Mr. Scott Robinson of Metro provided an update on the upcoming ZooLaLa event, recent Diversity Action Team meetings, and the City of Portland's decision to delay action on the Recology composting facility's land use appeal.

6. COUNCILOR COMMUNICATION

Council discussion included updates on the recent Metro Policy Advisory Committee (MPAC) and JPACT meetings, Oregon City's community development projects, and Metro's Oxbow Park.

7. ADJOURN

There being no further business, Deputy Council President Hosticka adjourned the regular meeting at 2:37 p.m. The Metro Council will hold a retreat on July 28. Council will reconvene the next regular council meeting on Thursday, August 4 at 2 p.m. in the Metro Council Chambers.

Prepared by,



Kelsey Newell,
Regional Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JULY 14, 2011

| Item | Topic | Doc. Date | Document Description | Doc. Number |
|-------------|--------------|------------------|---|--------------------|
| 2.0 | Testimony | N/A | Written testimony submitted by Art Lewellan | 71411c-01 |
| 2.0 | Testimony | 7/14/11 | Written testimony submitted by John Charles | 71411c-02 |

Agenda Item Number 5.2

Resolution No. 11-4278, For the Purpose of Creating and
Appointing Members of the SW Corridor Plan Steering
Committee.

Consent Agenda

Metro Council Meeting
Thursday, August 4, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CREATING AND) RESOLUTION NO. 11-4278
APPOINTING MEMBERS OF THE SW)
CORRIDOR PLAN STEERING COMMITTEE) Introduced by Acting Chief Operating Officer
Dan Cooper with the concurrence of Council
President Tom Hughes

WHEREAS, the Metro Council has made a commitment to Making a Great Place through its work with local leaders and residents throughout the region to create prosperous and sustainable communities for present and future generations; and

WHEREAS, the adopted long-range blueprint for the future, the 2040 Growth Concept, reflects that commitment and guides the region’s land use and transportation development in alignment with it; and

WHEREAS, the Metropolitan Policy Advisory Committee and Metro Council have adopted the following Six Desired Outcomes to guide its efforts in the region:

- Vibrant communities - People live, work and play in vibrant communities where their everyday needs are easily accessible.
- Economic prosperity - Current and future residents benefit from the region’s sustained economic competitiveness and prosperity.
- Safe and reliable transportation - People have safe and reliable transportation choices that enhance their quality of life.
- Leadership on climate change - The region is a leader in minimizing contributions to global warming.
- Clean air and water - Current and future generations enjoy clean air, clean water, and healthy ecosystems.
- Equity - The benefits and burdens of growth and change are distributed equitably.

WHEREAS, the Regional Transportation Plan (RTP) is a central tool for implementing the 2040 Growth Concept and emphasizes outcomes, system completeness and measurable performance in order to realize adopted land use plans, and hold the region accountable for making progress toward regional and State goals to reduce vehicle miles traveled and greenhouse gas emissions; and

WHEREAS, the Metro Council accepted the Regional High Capacity Transit System Plan by Resolution No. 09-4052 (For the Purpose of Accepting the Regional High Capacity Transit System Tiers and Corridors, System Expansion Policy Framework and Policy Amendments for Addition to the 2035 Regional Transportation Plan, State Component) on July 9, 2009, for addition to the 2035 Regional Transportation Plan; and

WHEREAS, the Southwest Corridor Refinement Plan was adopted by Metro Council Resolution No. 10-4119 (“For the Purpose of Updating the Work Program for Corridor Refinement Planning through 2020 and Proceeding with the Next Two Corridor Refinement Plans in the 2010-2013 Regional Transportation Plan Cycle”) as one of the next regional priorities for Corridor Refinement Plans on February 25, 2010; and

WHEREAS, the 2035 Regional Transportation Plan and its components were adopted as the state and federally-recognized metropolitan transportation plan by Ordinance No. 10-1241B (“For the Purpose of Amending the 2035 Regional Transportation Plan (Federal Component) and the 2004 Regional Transportation Plan to Comply with Federal and State Law; To Add the Regional Transportation Systems Management and Operations Action Plan, the Regional Freight Plan and the High Capacity Transit System Plan; To Amend the Regional Transportation Functional Plan and Add it to the Metro Code; To Amend the Regional Framework Plan; and To Amend the Urban Growth Management Functional Plan”); and

WHEREAS, the establishment of a Steering Committee will contribute valuable guidance toward completion and adoption of the Southwest Corridor Plan, which will include an implementation strategy for the plan area; and

WHEREAS, Steering Committee membership should include elected officials and representatives of project partner agencies; and

WHEREAS, the Metro Councilors from District 3 and District 6 will serve as the Steering Committee co-Chairs; and

WHEREAS, it is expected that the Steering Committee will be needed for approximately 24 months; now therefore

BE IT RESOLVED that the Metro Council, in order to fulfill adopted goals through development of a transportation system that furthers said goals:

1. Hereby establishes the Southwest Corridor Plan Steering Committee to fulfill the charge set forth in Exhibit A.
2. Hereby appoints the represented positions listed in Exhibit B, attached and incorporated into this resolution, to be members of the Southwest Corridor Plan Steering Committee.
3. Directs the Southwest Corridor Plan Steering Committee to meet at project milestones, with administrative and technical support from Metro staff, and to submit recommendations to the Council at project milestones.
4. Appoints Steering Committee members for a one-year term, which shall be automatically renewed for an additional term unless explicitly terminated, but not to exceed three years.

ADOPTED by the Metro Council this 4th day of August, 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

EXHIBIT A TO RESOLUTION NO. 11-4278

Southwest Corridor Plan Steering Committee Charge

The Steering Committee makes decisions on project milestones and recommends action on the Southwest Corridor Plan and Implementation Strategy to the adopting bodies. This committee, to be chaired by Metro, will be made up of elected officials from each jurisdiction with a decision-making role in developing the components of the Southwest Corridor Plan and the Southwest Corridor Implementation Strategy. The Metro Council will establish the Steering Committee and criteria for membership, and each jurisdiction will appoint an individual who meets the criteria. The group is anticipated to meet quarterly, or as needed, from September 2011 through the development of the Southwest Corridor Plan and the Southwest Corridor Implementation Strategy.

The Southwest Corridor Plan Steering Committee is charged with working toward the successful creation of the Southwest Corridor Plan and Implementation Strategy. The Steering Committee members are specifically tasked with the following responsibilities.

- Follow decision-making protocols as established by the committee.
- Provide information to and from constituents and the Southwest Corridor Implementation Partners regarding the process, substance, and implementation of the Southwest Corridor Plan.
- Represent constituents' perspectives, concerns and priorities.
- Receive input from, and provide guidance to, the Project Management Group and the Project Team Leaders (described in Appendix 1) at project milestones, which may include:
 - Project goals;
 - A problem statement based on desired outcomes for the plan area;
 - A methodology for assessing the effectiveness of strategies in meeting the plan goals and objectives;
 - A wide range of alternative strategies for testing;
 - Prioritized strategies;
 - Identified commitments to support the strategies; and
 - An Implementation Strategy for the Southwest Corridor.
- Recommend a Plan and Implementation Strategy (including phasing and funding for physical improvements and commitments and timeframe for implementing land use and related policy changes) for the plan area to the project participants, as appropriate.
- Provide leadership, foster the creation of partnerships, and encourage local actions to implement the plan.

EXHIBIT B TO RESOLUTION NO. 11-4278

Members of the Southwest Corridor Plan Steering Committee

Metro District 3 Councilor and District 6 Councilor

Elected officials from cities of Portland, Tigard, Tualatin, Sherwood and King City

Multnomah County Commissioner

Washington County Commissioner

ODOT, Region 1 Manager

TriMet, General Manager

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4278, FOR THE PURPOSE OF CREATING AND APPOINTING MEMBERS OF THE SOUTHWEST CORRIDOR PLAN STEERING COMMITTEE

Date: August 4, 2011

Prepared by: Malu Wilkinson

BACKGROUND

The Southwest Corridor Plan is intended to collaboratively integrate land use and transportation planning efforts to create an implementation strategy that includes investments, policy changes and partnerships. The Southwest Corridor Plan process is intended to result in the following products, which may be refined due to the iterative nature of the project and the inter-connectedness of the products. The Steering Committee may identify additional or complementary plans or planning processes through the course of the project.

1. *Southwest Corridor Plan* (Metro);
2. *Southwest Corridor Implementation Strategy* (Metro); and
3. Six individual plans:
 - a. *Southwest Transportation Plan* (Metro, ODOT)
 - b. *Southwest Corridor Transit Alternatives Analysis* (Metro)
 - c. *Barbur Concept Plan* (City of Portland)
 - d. *Tigard High Capacity Transit (HCT) Land Use Plan* (City of Tigard)
 - e. *Tualatin HCT Land Use Plan* (City of Tualatin)
 - f. *Sherwood Town Center Plan* (City of Sherwood)

The work will be guided by a Steering Committee that includes the agencies which will be engaged in implementing an implementation strategy for the Southwest Corridor. The process will be documented in a charter to be adopted by each jurisdiction (a draft of the charter is included with this staff report as Attachment A). Project partners include the cities of King City, Portland, Sherwood, Tigard, Tualatin, Multnomah County, Washington County, TriMet, ODOT and Metro.

Metro will work with local partners to define a set of land use and transportation investments and strategies that best achieve local and regional goals and develop an action plan for local and regional agreements to actualize the vision. Components of the strategy may include:

- Intergovernmental agreements that describe an investment plan that may address land use, transportation, habitat, parks, equity, housing choice, job growth, etc.
- Proposal for alternative mobility standards within the Southwest Corridor
- Transit Alternatives Analysis to be submitted to the Federal Transit Administration
- Recommended revisions to the Regional Transportation Plan, Regional Framework Plan, and/or the Urban Growth Management Functional Plan, local Transportation System Plans (TSPs) and Comprehensive Plans
- Recommended priorities and investments in the Oregon Department of Transportation (ODOT) Facility Plan and TriMet Transit Investment Plan
- National Environmental Policy Analysis (NEPA) alternatives for transit investments

Local partners, agency partners, and Metro will implement the actions and investments described in the SW Corridor Implementation Strategy.

The composition of the Steering Committee as described in Exhibit B ensures that members are in a position to work with their representative organizations to move forward on the actions, agreements and partnerships to be developed through this process and described in the Southwest Corridor Implementation Strategy. The Southwest Corridor Plan effort recognizes the mutual benefit from sharing information, views and aligning resources to produce an integrated implementation strategy for transportation, land use and other associated investments to support great communities within the corridor. The makeup of the proposed Steering Committee and supporting groups has been defined through a collaborative process with active engagement from all project partners.

ANALYSIS/INFORMATION

1. **Known Opposition** No known opposition exists.
2. **Legal Antecedents** The creation and appointment of members to the Southwest Corridor Plan Steering Committee is consistent with Metro Code 2.19.030 (Membership of the Advisory Committees) and 2.19.040 (Advisory Committee Purpose and Authority Resolution), as well as Resolution No. 10-4119 that established the Southwest Corridor Plan as a priority mobility corridor refinement plan in the 2010-2013 Regional Transportation Plan cycle.
3. **Anticipated Effects** The Southwest Corridor Plan Steering Committee will contribute valuable guidance toward completion and adoption of the Southwest Corridor Plan. The Steering Committee will meet throughout the project's life at key milestones and may offer recommendations to Metro Council.
4. **Budget Impacts** Costs associated with convening and supporting the Southwest Corridor Plan Steering Committee are accounted for in the project's scope of work and budget.

RECOMMENDED ACTION

Metro staff recommends the adoption of Resolution No. 11-4278.

Attachment A to Resolution No. 11-4278 Staff Report
Southwest Corridor Plan Charter

July 25, 2011 Draft

Table of Contents

- A) Desired outcomes**
- B) Goals**
- C) Products**
- D) Steering Committee Charge**
- E) Timeline and milestones**
- F) Roles and responsibilities**
- G) Signed agreement**

Appendix 1: Decision-making structure and process

Appendix 2: Geographic Area

Appendix 3: Six Outcomes

DRAFT

This charter establishes the Southwest Corridor Plan steering committee, which will review major milestones for the component plans and recommend an implementation strategy for the Southwest Corridor. (The Southwest Corridor Plan Area is shown in Appendix 2.) The signatories to this charter will use a collaborative approach to develop the Southwest Corridor Plan and the Southwest Corridor Implementation Strategy, to align local, regional, and state policies and investments to create great places. This work will benefit from partnerships and collaboration to make the most of simultaneous planning projects to help achieve local, regional, state and federal goals. Involved jurisdictions and agencies will use the forum created by this charter to discuss individual work efforts and determine how local, regional, and state actions fit into a cohesive strategy.

The purpose of this Charter is to set forth those undertakings expected of each Southwest Corridor Plan partner. By signing this Charter and adopting it by resolution, the participants agree to work together in good faith toward achieving the goals, creating the plans, and implementing the strategies created by this process.¹

A) Desired outcomes

The charter signatories agree that the six desired outcomes and characteristics of a successful region guide the creation of the Southwest Corridor Plan, the Southwest Corridor Implementation Strategy, and inform the entire planning process. These six desired outcomes are:

- Vibrant communities;
- Economic prosperity;
- Safe and reliable transportation;
- Leadership on climate change;
- Clean air and water; and
- Equity.

B) Goal

The goal of the Southwest Corridor Plan process is to create a framework intended to improve the land use and transportation conditions in the Southwest Corridor, which will in turn stimulate community and economic development, leverage private investments and make efficient use of available resources. The process should provide a transparent, objective and consensus-based framework, as agreed to and further defined by the steering committee, to help define, refine, evaluate, screen and select land use and transportation alternatives.

By working together, the charter participants will develop a Southwest Corridor Plan. In addition, they will simultaneously develop a Southwest Corridor Implementation Strategy that identifies and prioritizes needed projects to support local aspirations, and regional and state goals. The Southwest Corridor Implementation Strategy will create a framework for establishing agreements on local, regional and state actions that will support implementation. The structure will include a robust public engagement process that actively engages citizens in defining community visions and priorities for investment.

The Southwest Corridor Plan will identify policies and investments that are intended to:

- Improve access to regionally significant employment, educational and commercial centers;
- Improve mobility throughout the Southwest Corridor for all transportation modes;

¹ This Charter constitutes a project-specific agreement required by the ODOT/MPO/Transit Operator Agreement (ODOT Agreement # 24682; Metro Contract # 928512), Appendix A, Section 4.

- Improve access to affordable living, considering the combined housing, transportation and utility costs;
- Improve watershed health and habitat function, and enhance the natural environment;
- Equitably distribute the benefits and burdens of growth;
- Improve the quality of the region's air, water and land resources;
- Support active lifestyles;
- Integrate health strategies; and
- Integrate trails and parks plans and improvements.

C) Products

The Southwest Corridor Plan process is intended to result in the following products, which may be refined due to the iterative nature of the project and the inter-connectedness of the products. The Steering Committee may identify additional or complementary plans or planning processes through the course of the project.

4. *Southwest Corridor Plan* (Metro);
5. *Southwest Corridor Implementation Strategy* (Metro); and
6. Six individual plans:
 - a. *Southwest Transportation Plan* (Metro, ODOT)
 - b. *Southwest Corridor Transit Alternatives Analysis* (Metro)
 - c. *Barbur Concept Plan* (City of Portland)
 - d. *Tigard High Capacity Transit (HCT) Land Use Plan* (City of Tigard)
 - e. *Tualatin HCT Land Use Plan* (City of Tualatin)
 - f. *Sherwood Town Center Plan* (City of Sherwood)

(1) Southwest Corridor Plan and (2) Implementation Strategy

The *Southwest Corridor Plan* will summarize the results of the six individual plans listed above and identify areas for continued coordination, to be included in the *Implementation Strategy*. The project partners will work together to integrate different disciplines beyond land use and transportation, leveraging current efforts where possible, encompassing topics such as workforce housing, parks and green infrastructure, economic development, and impacts on public health.

The *Southwest Corridor Implementation Strategy* will include a summary of the future actions and agreements among the partner agencies and jurisdictions on a set of coordinated policies and investments to implement a shared vision. The *Implementation Strategy* becomes a guide for pursuing opportunities and investments throughout the Southwest Corridor.

The *Southwest Corridor Plan* and the *Implementation Strategy* should be endorsed by the Southwest Corridor Steering Committee, and is intended to be adopted and implemented by the appropriate agencies and jurisdictions.

(3a) Southwest Transportation Plan

The Southwest Transportation Plan and the Southwest Corridor Transit Alternatives Analysis are complementary projects that have typically been done sequentially, and, in the context of the Southwest Corridor Plan, are now being done simultaneously. The two products will be iterative, consistent, and leverage analysis and public engagement. The Southwest Corridor Transit Alternatives Analysis, a subset of the Southwest Transportation Plan, will be led by Metro while the Southwest Transportation Plan will be co-led by ODOT and Metro. There will be two products, as described in this charter. Development of the Southwest Transportation Plan will include, as appropriate:

- Identification of local, regional, and state transportation needs;
- A process and criteria, including performance standards, to evaluate and compare alternatives that balance the identified needs;
- Decisions regarding need, mode, function, general location, general cross-sections, and alternative mobility and/or performance standards for future management of transportation facilities within the corridor;
- Integration of the Southwest Corridor Transit Alternatives Analysis; and
- A list of prioritized transportation projects and strategies to meet and incorporate into the Regional Transportation Plan, local transportation plans, and a state highway facility plan. The list will contain short, medium, and long-term projects and strategies.

The Southwest Transportation Plan will result in the following products:

- Transportation plan for the Southwest Corridor, including amendments to the Regional Transportation Plan (adopted by Metro);
- An I-5, OR43 and 99W Highway Facility Plan, which may include alternative mobility standards to those currently adopted in the Oregon Highway Plan. This would be an amendment to the Oregon Highway Plan (adopted by the Oregon Transportation Commission); and
- Potential amendments to partner agency plans, such as Transportation System Plans and/or Comprehensive Plans, as appropriate. (The amendments would be adopted by City of Portland, City of Tigard, City of King City, City of Tualatin, City of Sherwood, TriMet, Multnomah County and Washington County).

(3b) Southwest Corridor Transit Alternatives Analysis

The Southwest Corridor Transit Alternatives Analysis (AA), a subset of the Southwest Transportation Plan, will evaluate the function, mode and potential alignment of a high capacity transit (HCT) improvement. The AA is the first step in the federal process to determine the most efficient public investment in transit for the Southwest Corridor. The analysis will be informed by the land use and transportation plans that make up the overall Southwest Corridor Plan. The Alternatives Analysis will result in a Narrowed Transit Solutions Report. At the end of this process, Metro and regional partners would determine whether to move further into project development. At that time, a choice would also be made whether to enter into the National Environmental Policy Act (NEPA) process of environmental impact statement, environmental assessment, or categorical exclusion.

(3c) Portland Barbur Concept Plan

The Barbur Concept Plan is a collaborative effort involving the community, City of Portland, Metro, TriMet, and ODOT to create a long term vision for the Barbur Boulevard corridor. Beginning in summer of 2011, an 18-month public process will explore alternative future land use and transportation concepts for the corridor between Portland's Central City and the Tigard city limit. The concept plan will identify future transportation investments, stormwater solutions, and changes to City policy and zoning. Most importantly, the public process will inform regional decisions for future High Capacity Transit in the Southwest Corridor.

(3d) Tigard HCT Land Use Plan

The Tigard HCT Land Use Plan will identify potential station communities and preferred development typologies as well as policy, investment and code changes necessary to support HCT in Tigard. Action to be taken by the city council will include acceptance of the land use plan for the potential station communities, including changes to the comprehensive plan, zone map, and coordinated amendments to the TSP. Future considerations will include:

- Amendments to the Tigard Comprehensive Plan, related text and Zoning Map
- Coordinated amendments to the Tigard TSP (with associated RTP amendments)

- Amendments to the Public Facilities Plan and Implementing Capital Improvement Plan

(3e) Tualatin HCT Land Use Plan

The Tualatin HCT Land Use Plan may identify locally preferred station areas and development typologies as well as policy, investment and code changes necessary to support HCT in Tualatin. Action items to be adopted by the city council may include:

- Land Use Plan
- Comprehensive plan changes
- Local zoning changes
- Amendments to CIP and other investment strategies.

(3d) Sherwood Town Center Plan

The project will result in a Town Center Plan for Sherwood. The project will determine the appropriate boundary of the Town Center, identify opportunities and constraints for the successful development of the town center and create a strategy for development and re-development of the area. The project would be completed to comply with the Metro functional plan policies and guidelines to be eligible for regional investments.

D) Southwest Corridor Plan Steering Committee Charge

The Steering Committee makes decisions on project milestones and recommends action on the Southwest Corridor Plan and Implementation Strategy to the adopting bodies. This committee, to be chaired by Metro, will be made up of elected officials from each jurisdiction with a decision-making role in developing the components of the Southwest Corridor Plan and the Southwest Corridor Implementation Strategy. The Metro Council will establish the Steering Committee and criteria for membership, and each jurisdiction will appoint an individual who meets the criteria. The group is anticipated to meet quarterly, or as needed, from September 2011 through the development of the Southwest Corridor Plan and the Southwest Corridor Implementation Strategy.

The Southwest Corridor Plan Steering Committee is charged with working toward the successful creation of the Southwest Corridor Plan and Implementation Strategy. The Steering Committee members are specifically tasked with the following responsibilities.

- Follow decision-making protocols as established by the committee.
- Provide information to and from constituents and the Southwest Corridor Implementation Partners regarding the process, substance, and implementation of the Southwest Corridor Plan.
- Represent constituents' perspectives, concerns and priorities.
- Receive input from, and provide guidance to, the Project Management Group and the Project Team Leaders (described in Appendix 1) at project milestones, which may include:
 - Project goals;
 - A problem statement based on desired outcomes for the plan area;
 - A methodology for assessing the effectiveness of strategies in meeting the plan goals and objectives;
 - A wide range of alternative strategies for testing;
 - Prioritized strategies;
 - Identified commitments to support the strategies; and
 - An Implementation Strategy for the Southwest Corridor.
- Recommend a Plan and Implementation Strategy (including phasing and funding for physical improvements and commitments and timeframe for implementing land use and related policy changes) for the plan area to the project participants, as appropriate.

- Provide leadership, foster the creation of partnerships, and encourage local actions to implement the plan.

The Steering Committee will be convened by Metro and meet at project milestones. The decision-making process and expected relationships among project partners are described in Appendix 1.

DRAFT

E) Anticipated timeline and key milestones

Table 1: SW Corridor Plan Phases, Milestones, and Anticipated Timeline

| Phase | Milestone | Approximate date |
|---|---|---------------------|
| Define problems, opportunities & constraints | 1. Charter adopted by Southwest Corridor partners | Fall 2011 |
| | 2. Steering Committee defines goals <i>The goals will lay the foundation for determining the strategies to address land use and transportation needs.</i> | November 2011 |
| Identify wide range of solutions and integrated strategies | 3. Steering Committee approves an outcomes-based evaluation framework and criteria <i>The criteria may define how transportation and land use investment, strategies, and policies work together to achieve goals.</i> | January 2012 |
| | 4. Steering Committee identifies alternative strategies to support achieving local and regional goals <i>Alternative strategies include packages of transportation investments (including transit options), land use changes and other investments that can be evaluated against the criteria.</i> | May 2012 |
| Narrow solutions and draft Southwest Corridor Plan and Implementation Strategy | 5. Steering Committee prioritizes alternative strategies <i>Priority strategies may identify efficient use of public resources including local, regional, state and federal investments and policy changes to achieve goals.</i> | October 2012 |
| | 6. Steering Committee approves draft Southwest Corridor Plan and Implementation Strategy <i>The Southwest Corridor Plan will summarize each of the component plans and the Implementation Strategy will describe appropriate agreements and actions that need to be taken in the corridor.</i> | December 2012 |
| Agree on action plan to implement the Southwest Corridor Plan and Implementation Strategy | 7. Partners adopt Southwest Corridor Implementation Strategy and agree to implement components as appropriate | January – June 2013 |
| | 8. Metro Council/JPACT recommend alternative transportation investments for NEPA process | June 2013 |

F) Roles & Responsibilities

Table 2 (on the following page) delineates the roles and responsibilities of the signing parties for each project included in the Southwest Corridor Plan area.

Definitions:

Convener: Agency responsible for making sure the planning process is completed and implemented. The convener is expected to consult with the other parties to gain efficiencies and avoid conflicts and is responsible for leading a public process.

Co-convener: Two agencies in an agreement to work together to ensure the planning process is completed and implemented.

Collaborate: To work together to achieve a common goal or objective. Collaboration is often employed where multiple parties have authority or control over the outcome and may involve a shared project or policy outcome. Parties may share expertise, resources, etc., to accomplish the goal or complete the project.

Coordinate: To develop, plan, program and schedule projects in consultation with other parties such that conflicts among projects are avoided. Coordinated projects are usually those over which not all parties, other than the convener, have control or authority.

Grant funder: An agency providing grant funding for a project. Responsibilities include contract management.

Grantee: The recipient of a grant for a specific planning project.

Owner: The agency that formally selects and pursues implementation of projects, strategies or policies, and that maintains the final plan or product. There may be multiple owners in a planning process that is completed inter-jurisdictionally.

Technical support: May include a wide range of services such as data analysis, mapping, policy analysis, and public engagement support and coordination.

IGA: Intergovernmental Agreement

MOU: Memorandum of Understanding

ODOT: Oregon Department of Transportation

RTP: Regional Transportation Plan

TIP: Transportation Investment Plan

TSP: Transportation System Plan

Table 2: SW Corridor Plan Charter Signatories Roles and Responsibilities*

| Plan | Southwest Corridor Plan | Southwest Corridor Implementation Strategy | Component plans | | | | | |
|--------------------------|--------------------------|--|--|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| | | | Southwest Transportation Plan | Southwest Corridor Transit Alternatives Analysis | Portland Barbur Concept Plan | Tigard HCT Land Use Plan | Tualatin HCT Land Use Plan | Sherwood Town Center Plan |
| Metro | Owner Convener | Owner Convener | Owner – RTP Co-convener | Owner Convener | Grant funder Technical support | Grantee Technical support | Grant funder Technical support | Technical support |
| ODOT | Owner | Owner | Owner – ODOT Facility Plan Co-convener | Collaborate | Collaborate Technical support | Grant funder Technical support | Collaborate Technical support | Grant funder Technical support |
| TriMet | Owner | Owner | Owner – TIP | Collaborate | Collaborate | Collaborate | Collaborate | Collaborate |
| King City | Owner | Owner | Owner – TSP | Collaborate Coordinate with land use analysis | Collaborate | Collaborate | Collaborate | Collaborate |
| Portland | Owner | Owner | Owner – TSP | Collaborate Coordinate with land use analysis | Owner Convener Grantee | Collaborate | Collaborate | Collaborate |
| Sherwood | Owner | Owner | Owner – TSP | Collaborate Coordinate with land use analysis | Collaborate | Collaborate | Collaborate | Owner Convener Grantee |
| Tigard | Owner | Owner | Owner – TSP | Collaborate Coordinate with land use analysis | Collaborate | Owner Convener Grantee | Collaborate | Collaborate |
| Tualatin | Owner | Owner | Owner – TSP | Collaborate Coordinate with land use analysis | Collaborate | Collaborate | Owner Convener Grantee | Collaborate |
| Washington County | Owner | Owner | Owner – TSP | Collaborate | Coordinate | Collaborate | Collaborate | Collaborate |
| Multnomah County | Owner | Owner | Coordinate | Coordinate | Coordinate | Coordinate | Coordinate | Coordinate |

Charter signatory

* This chart does not preclude other plans and processes from being included in the Southwest Corridor Plan and/or Implementation Strategy.

G) Agreement

City of Portland **Date**

ODOT **Date**

City of Tigard **Date**

Metro **Date**

TriMet **Date**

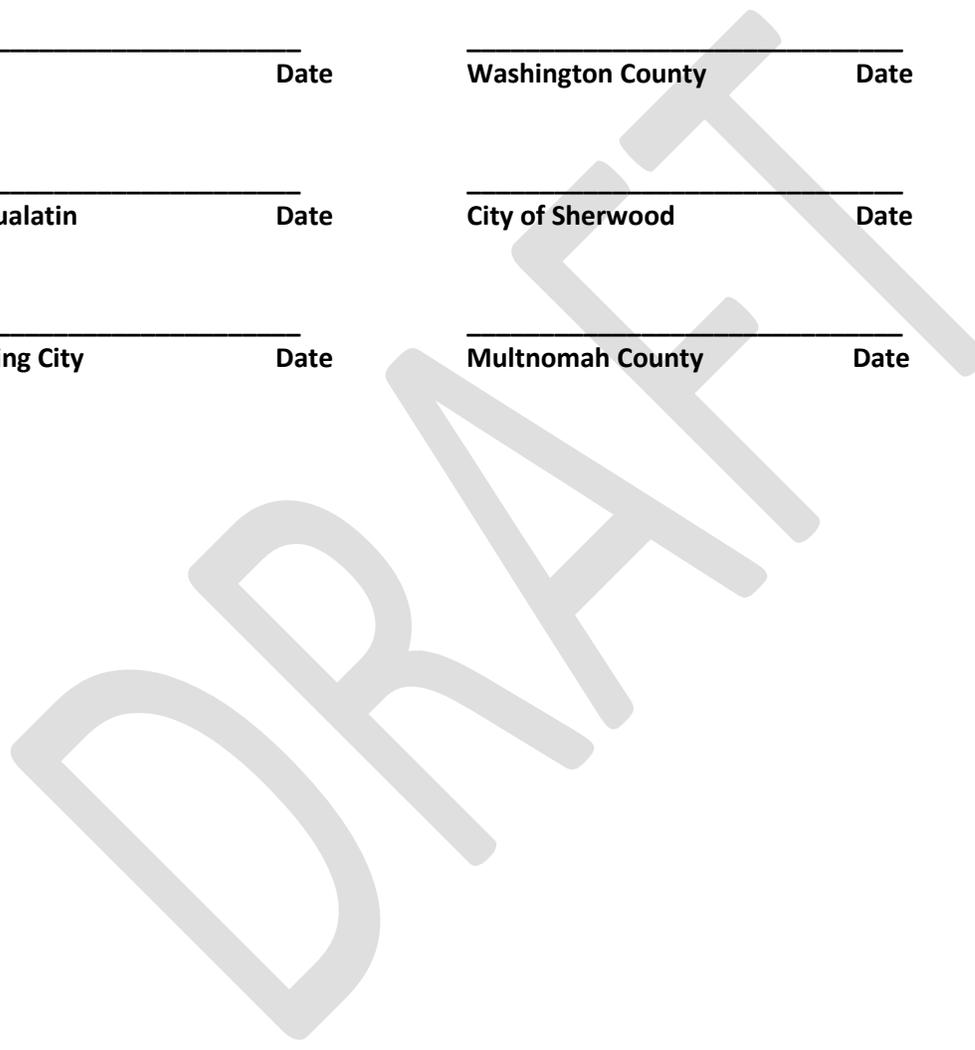
Washington County **Date**

City of Tualatin **Date**

City of Sherwood **Date**

City of King City **Date**

Multnomah County **Date**



Appendix 1: Decision-making structure & Process

The text and chart below describe the decision process and expected relationships among the project partners. Three groups will support the Southwest Corridor Steering Committee in the development of the Southwest Corridor Plan and Implementation Strategy.

- **Southwest Corridor Project Management Group.** The PMG serves as a bridge between the Project Team Leaders (PTL) and the Steering Committee to help develop a coordinated set of agreements, investments and policy changes that together make up the Southwest Corridor Plan and the Southwest Corridor Implementation Strategy. This group, convened by Metro and comprised of senior staff from each of the jurisdictions with a decision making role, serves to advise the Steering Committee.
- **Southwest Corridor Project Team Leaders.** The PTL is responsible for ensuring the component parts of the Southwest Corridor Plan and the Southwest Corridor Implementation Strategy are completed in a coordinated fashion. This group, convened by Metro, is made up of technical staff from each of the jurisdictions that are working to develop components of the Southwest Corridor Plan and the Southwest Corridor Implementation Strategy.
- **Southwest Corridor Implementation Partners.** The Implementation Partners will advise the Steering Committee at key milestones on strategy and the impact of potential decisions and alternatives on a wide range of interest groups. This group will meet approximately four times (or as needed), help to identify complementary strategies to be implemented by private and/or non-profit organizations, and provide a foundation for partnerships to implement strategies.

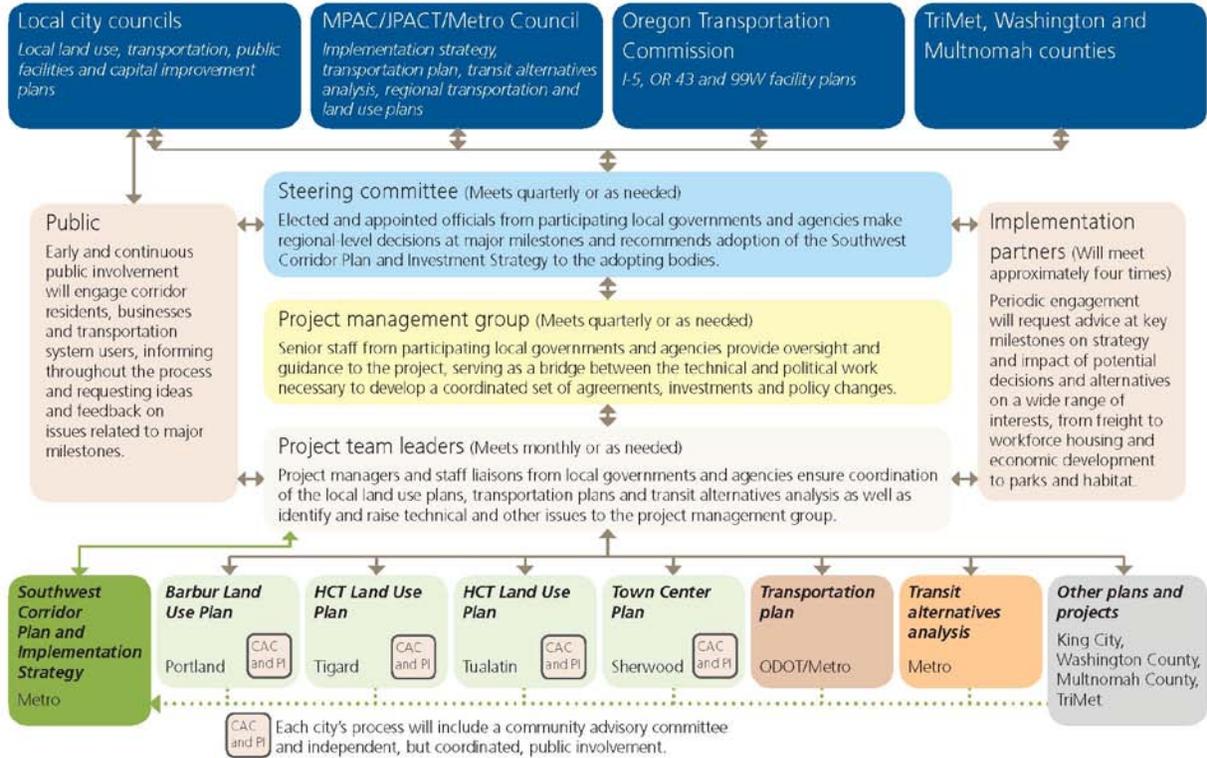
Chart 1 depicts the decision-making process, including which bodies decide on components of the Southwest Corridor Plan, as also described in Section (C) of the Charter.

SOUTHWEST CORRIDOR PLAN

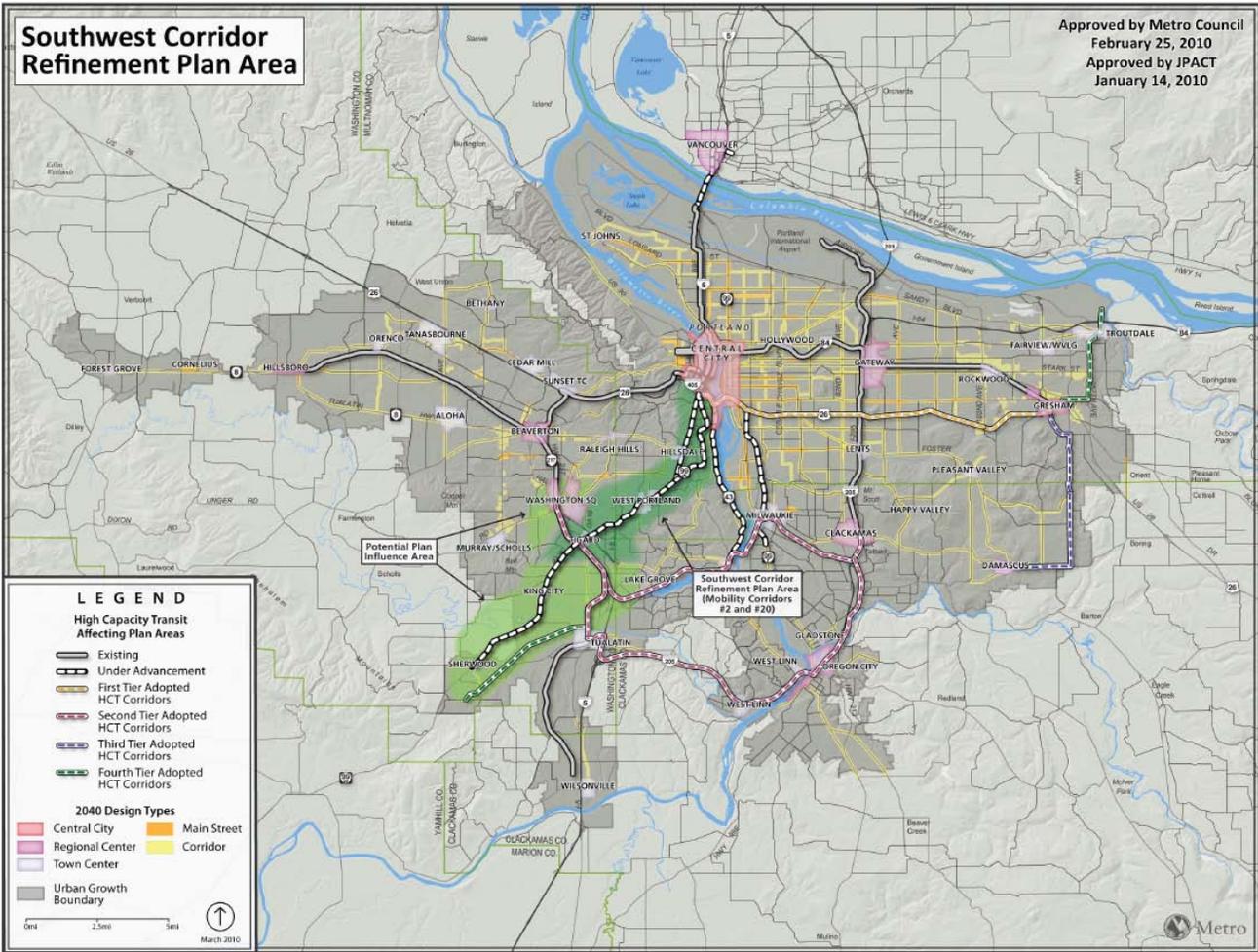
Decision-making structure

with summary of plans and agreements adopted by local governments, Metro and the Oregon Transportation Commission

The Southwest Corridor Plan will develop a coordinated set of component plans and an implementation strategy that identifies and prioritizes needed projects to support local aspirations consistent with regional and state goals and stimulate community and economic development, leveraging private investments and making efficient use of available resources. It will include changes to local, regional and state policies to support the strategy.



Appendix 2: Geographic Area



Appendix 3: Six Outcomes

As adopted in the Regional Framework Plan by Metro Council Ordinance #10-1244B, the six characteristics that define a successful region are:

1. People live, work and play in vibrant communities where their everyday needs are easily accessible.
2. Current and future residents benefit from the region's sustained economic competitiveness and prosperity.
3. People have safe and reliable transportation choices that enhance their quality of life.
4. The region is a leader in minimizing contributions to global warming.
5. Current and future generations enjoy clean air, clean water and healthy ecosystems.
6. The benefits and burdens of growth and change are distributed equitably.

DRAFT

Agenda Item Number 5.3

Resolution No. 11-4281, For the Purpose of Confirming the
Appointment of Members to the Oregon Zoo Bond Citizens'
Oversight Committee.

Consent Agenda

Metro Council Meeting
Thursday, August 4, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE) RESOLUTION NO. 11-4281
REAPPOINTMENT OF MEMBERS TO THE)
OREGON ZOO BOND CITIZENS') Introduced by Council President Thomas Hughes
OVERSIGHT COMMITTEE)

WHEREAS, the Metro Council has adopted Ordinance No. 10-1232, "Amending Metro Code Chapter 2.19 to Establish the Oregon Zoo Bond Citizens' Oversight Committee and Declaring an Emergency," creating a new Oregon Zoo Bond Citizen's Oversight Committee, consisting of 13 to 19 members, to be appointed by the Metro Council President subject to confirmation by the Metro Council; and

WHEREAS, the Metro Council President appointed 19 members and designated chairperson via Resolution No. 10-4112, "For the Purpose of Confirming the Appointment of Members to the Oregon Zoo Bond Citizens' Oversight Committee"; and

WHEREAS, the Metro Council President has reappointed eight members to an additional 2-year term as set forth in Exhibit "A" attached hereto; and

WHEREAS, the Metro Council desires to confirm the reappointments; now, therefore,

BE IT RESOLVED, that the Metro Council confirms the reappointments to the Oregon Zoo Bond Citizens' Oversight Committee as set forth in Exhibit "A" attached hereto.

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

Thomas Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

Exhibit A to Resolution No. 11-4281

**Oregon Zoo Bond Citizens'
Oversight Committee**

Committee Member Reappointments

The following persons served their initial one-year term from January 2010. They are eligible to serve two additional two-year terms.

| | |
|--------------------|---|
| Benjamin Jackson | REAP Student Representative, Clackamas High School |
| Tony Jones | Executive Director, Metropolitan Contractor Improvement Partnership |
| Deidra Krys-Rusoff | Portfolio Manager, Ferguson Wellman Capital Management Inc. |
| Carter MacNichol | Principal, Shiels Oblatz Johnsen, Inc. |
| Penny Serrurier | Attorney, Stoel Rives LLP |
| Michael Sestric | Architect |
| Bob Tackett | Executive Secretary Treasurer, Northwest Oregon Labor Council |
| Carol Welch | Vice President of Corporate Audit, Nike, Inc. |

See next pages for Member Biographies (in alphabetical last name order)

Biographies of Oregon Zoo Bond Citizens' Oversight Committee Members

Benjamin Jackson

1. Benjamin Jackson, a junior at Clackamas High School, has been active on many committees during his school years. He has served as a student leader for REAP Inc., Metropolitan Family Services' children and family enrichment program (CAFÉ), and the Wattles Boys & Girls Club. At Rowe Middle School he serves as a peer mediator. He is a member of his school's Diversity and Key clubs and the Clackamas Orchestra Solo and Ensemble Festival. He is also a children's education instructor at Cathedral of Praise Ministries and has been a crew leader for Senator Margaret Carter's Annual Block Party.

Tony Jones

2. Tony Jones is the executive director of Metropolitan Contractor Improvement Partnership, a nonprofit that provides business training and capacity building for minority contractors, and is responsible for overall operation of the organization. He has 21 years experience in economic development, construction and affordable housing; 8 years experience in affordable housing development working for nonprofits and the Vancouver Housing Authority; and 13 years of experience in providing small business development services through his work as the coordinator of the Contractor Support Program through the Housing Development Center. He was a business lender with ShoreBank Enterprise Cascadia. In his roles, Tony has worked with many of the public agencies, nonprofits and prime contractors in the region and has garnered an excellent reputation by being accountable and providing quality and reliable services.

Deidra Krys-Rusoff

3. Deidra Krys-Rusoff is a portfolio manager and a member of the fixed income team at Ferguson Wellman Capital Management, and serves as vice chair of the Oregon Zoo Bond Citizens' Oversight Committee. A native of Idaho, Krys-Rusoff earned her B.A. in zoology from the College of Idaho. She is on the board of directors of the Northwest Taxable Bond Club, is a past board member of the Junior League of Portland, and serves on several committees at Glencoe Elementary School.

Carter MacNichol

4. Carter MacNichol is a managing partner for local urban developer Shiels Oblatz Johnsen, Inc. and a managing member for Sockeye Development LLC. He has experience in real estate management and development for the Port of Portland, has worked as a project manager for the Portland Development Commission, and taught for the Oregon City School District. MacNichol is active on several local boards, including The Oregon Zoo Foundation, The Nature Conservancy of Oregon, and the Oregon "I Have a Dream" Foundation. His past board experience includes Portland Children's Museum and Portland Community Land Trust.

Penny Serrurier

5. Pendleton ("Penny") Serrurier is a member of Stoel Rives LLP, practicing in the areas of tax-exempt organizations, charitable giving, estate planning and administration, business succession planning, and personal tax planning. Penny represents tax-exempt organizations and advises them

Biographies of Oregon Zoo Bond Citizens' Oversight Committee Members

on all aspects of governance, compliance, and tax-related matters. She has served on several local boards and is a past chair for The Oregon Zoo Foundation board of trustees.

Michael Sestric

6. Michael Sestric is a self-employed architect, providing independent space programming, budgeting and project management services for educational, health care and nonprofit organizations.

Bob Tackett

7. Bob Tackett serves as Executive Secretary Treasurer for the Northwest Oregon Labor Council, AFL-CIO. He has been in the active in the labor movement for more than 36 years, 26 of those working at Reynolds Metals Company in Troutdale until the plant closed. Bob worked for the Oregon AFL-CIO as the Labor Liaison, helping workers displaced from their jobs, until elected as the Executive Secretary Treasurer for the Labor Council.

Carol Welch

8. Carol serves as the Vice President of Corporate Audit for Nike, Inc., where she has worked since June 2000. Previously, she held a number of accounting and auditing positions in the banking and energy industries. She is a Certified Internal Auditor and holds a Bachelors of Science in Psychology ('84) and a Masters in Business Administration ('87), both from the University of Utah. She served more than 5 years as a private sector member of the Oregon Statewide Audit Advisory Committee.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4281, FOR THE PURPOSE OF CONFIRMING THE REAPPOINTMENT OF MEMBERS TO THE OREGON ZOO BOND CITIZENS' OVERSIGHT COMMITTEE

Date: July 7, 2011

Prepared by: Craig Stroud (503) 220-2451

BACKGROUND

Metro Code Chapter 2.19 Establishes the Oregon Zoo Bond Citizens' Oversight Committee. In January 2010, the Metro Council appointed 19 members and a chair to the Citizens' Oversight Committee. In 2011, one year terms for 10 of the original members expired. Eight of those members are willing to serve an additional two-year term. The remaining member terms will expire in December 2011.

Resolution No. 11-4281 reappoints these eight members to a two- year term expiring December 31, 2012.

ANALYSIS/INFORMATION

1. **Known Opposition:** None known.
2. **Legal Antecedents:** Metro Code Chapter 2.19; Ordinance No. 10-1232 "Amending Metro Code Chapter 2.19 to Establish the Oregon Zoo Bond Citizens' Oversight Committee, and Declaring an Emergency," adopted January 21, 2010; and Resolution No. 10-4112 "For the Purpose of Confirming the Appointment of Members to the Oregon Zoo Bond Citizens' Oversight Committee," adopted January 21, 2010.
3. **Anticipated Effects:** Reappoints eight members to the Oregon Zoo Bond Citizens' Oversight Committee.
4. **Budget Impacts:** None

RECOMMENDED ACTION

Staff recommends the reappointment of the eight members to the Oregon Zoo Bond Citizens' Oversight Committee.

Agenda Item Number 5.4

Resolution No. 11-4282, For the Purpose of Establishing
Additional One Percent for Art Program Guidelines for Oregon
Zoo Ballot Measure 26-96 Construction Projects.

Consent Agenda

Metro Council Meeting
Thursday, August 4, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING) RESOLUTION NO. 11-4282
ADDITIONAL ONE PERCENT FOR ART)
PROGRAM GUIDELINES FOR OREGON ZOO) Introduced by Acting Chief Operating Officer
BALLOT MEASURE 26-96 CONSTRUCTION) Daniel B. Cooper, with the concurrence of
PROJECTS) Council President Thomas Hughes

WHEREAS, at the General Election held on November 4, 2008, the Metro Area voters approved the Oregon Zoo Ballot Measure 26-96, entitled “Bonds to Protect Animal Health And Safety; Conserve and Recycle Water” providing funding for \$125 million in capital improvements at the Oregon Zoo (“Oregon Zoo Bond Measure”); and

WHEREAS, in 2010, the Oregon Zoo launched the Oregon Zoo Comprehensive Capital Master Plan process, to ensure that the Oregon Zoo Bond Measure is implemented within budget, in a fashion that effectively integrates bond projects with existing exhibits, preserve opportunities for future non-bond funded projects and makes the maximum use of existing and proposed infrastructure, which plan will be completed in September 2011, and presented to the Metro Council for review and adoption; and

WHEREAS, during the Comprehensive Capital Master Plan process, staff determined that the most effective use of the One Percent for Art Program funds for the Oregon Zoo Bond Measure would be to allocate them programmatically, rather than on a project-by-project basis, enabling a more strategic approach to the selection and installation of public art at the Oregon Zoo and leveraging the funds to greater effect for the public and the Oregon Zoo campus; and

WHEREAS, Metro Code Section 2.07.060 “One Percent for Art Program – Implementation” requires that the Metro Council adopt guidelines for implementing Metro’s One Percent for Art Program, and Metro Council Resolution No. 87-717, adopted March 12, 1987, “For the Purpose of Establishing Guidelines for the Implementation of a One Percent Program,” provides said guidelines; and

WHEREAS, the One Percent for Art Program implementation guidelines imposed by Resolution No. 87-717 provide for a project-by-project implementation of Metro’s One Percent for Art Program and not a programmatic approach; now therefore

BE IT RESOLVED that the Metro Council hereby:

Adopts the One Percent for Art Program Guidelines for the Oregon Zoo Bond Measure Projects attached as Exhibit A, amending the established Guidelines for the implementation of Metro’s One Percent for Art Program and providing, among other things, for a programmatic approach to implementation of Metro’s One Percent for Art Program requirements for the Oregon Zoo Bond Measure public improvement projects.

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

Thomas Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

Exhibit A to Resolution No. 11-4282
Metro's One Percent for Art Program Guidelines

One Percent for Art Program Guidelines for Oregon Zoo Bond Measure Projects

I. PURPOSE

The purpose of these Guidelines is to provide a process for selecting, purchasing, commissioning, placing, and maintaining the zoo's public art purchased with zoo bond program percent-for-art funds. This art should be of redeeming quality, advance public understanding of art, enhance education programs and animal exhibits, inspire visitors to be aware of the zoo's inherent role in creating a better future for wildlife, and enhance the aesthetic quality of the site. The goal is to select and display art which represents the best in artistic skills and to encourage public dialogue and understanding of works of art.

II. GUIDELINE DEFINITIONS

- A. "Advisory Committee" or "Zoo Public Art Advisory Committee": The Advisory Committee created for the purpose of advising Metro on the selection of artists and/or works of art in accordance with Metro's percent-for-art program.
- B. "Architect": The person or firm designing a project to which percent-for-art funding applies. Where the architect is a firm, the term Architect shall mean the principal of that firm in charge of designing the project.
- C. "Artist": A practitioner in the visual arts generally recognized by critics and peers as possessing serious intent and recognized ability that produces works of art and is not a member of the project architectural firm.
- D. "Bond Program" or "Zoo Bond Program": In 2008 voters approved Ballot Measure 26-96 (the "Oregon Zoo Bond Measure 26-96") to support several improvements to the physical environment and operation of the Oregon Zoo with \$125 million in capital improvements.
- E. "Project" or "Bond Project": The construction or alteration of zoo campus structures and animal habitats, funded by the zoo bond program.
- F. "Proximity Art Project": A stand-alone art project, near but distinct from any bond project, subject to bond program percent-for-art funding.
- G. "Public Art Collection Coordinator" or "Coordinator": The staff person assigned by the zoo director to coordinate and facilitate the implementation of the percent-for-art ordinance adopted by Metro Council.
- H. "Works of Art": All forms of original creations of visual art, including but not limited to:
 - 1. Painting of all media, including both portable and permanently affixed works, such as murals;

2. Sculpture which may be in the round, bas-relief, high relief, mobile, fountain, kinetic, electronic, etc., in any material or combination of materials.
3. Other visual media, including, but not limited to, prints, drawings, stained glass, calligraphy, mosaics, photography, clay, fiber and textiles, wood, metals, plastics, or other materials or combination of materials, or crafts or artifacts.
4. Artworks which possess functional as well as aesthetic qualities.
5. Performing art, such as dance, is not an eligible art form under this program.

III. PROCESS

- A. Bond project percent-for-art funds will be implemented on a programmatic level rather than a project-by project approach. One percent of direct construction costs will be allocated from each bond construction project (valued greater than \$100,000) and deposited into a general bond program percent-for-art pool. Art funds will be distributed to select bond projects and/or proximity art projects from the accumulated pool, as determined by the Zoo Public Art Advisory Committee.
- B. The Office of the Chief Operating Officer shall appoint a Zoo Public Art Advisory Committee, as directed by Section IV of these guidelines.
- C. The Advisory Committee shall:
 1. Recommend suitable art forms and the appropriate locations for artwork within bond program projects and other zoo campus locations in the proximity of bond projects.
 2. Develop a long-term public art strategy dealing with the zoo's existing public art collection and integrating new pieces into the collection.
 3. Determine artist's prerequisites; specifics of artist/art form selection.
 4. Prepare a statement of procedures to be followed in the selection process. The committee may seek the advice of the Regional Arts and Culture Council (RACC) or other suitable advisors.
 5. Recommend expenditures for the program in accordance with the approved budget and further guidelines contained in sections VIII and IX.
 6. Make the selection of the artist and work of art.
 7. Work with Zoo Bond Program staff, the Public Art Collection Coordinator, and the architect on designation of appropriate sites and incorporation of artist's and artwork's special requirements within construction documents.
 8. Solicit opinions regarding recommended art locations and types from stakeholders, as required.

- D. The Metro Council shall:
1. Maintain oversight, review and approval of the Advisory Committee's recommended art location and types, at the time the Council reviews and approves the project design.
 2. Maintain oversight, review and approval of contracts brought forward under this program in accordance with the provisions of the Metro Code.

IV. ZOO PUBLIC ART ADVISORY COMMITTEE MEMBERSHIP

- A. The Advisory Committee shall be comprised of individuals from the following categories:
1. A Metro Councilor
 2. The Public Art Collection Coordinator
 3. A designated representative from the Oregon Zoo Bond Citizen's Oversight Committee
 4. A designated representative from the Oregon Zoo Foundation
 5. A designated representative from the Zoo Bond Program
 6. A zoo division head or designated representative from zoo staff
 7. The project architect, when applicable
 8. A citizen with a background in the arts
 9. A member of the Regional Arts and Culture Council or its designee or another suitable advisor
- B. The Metro Council President shall appoint the Metro Councilor to serve on the Advisory committee.
- C. With the exception of the Metro Councilor serving on the Advisory committee, the Chief Operating Officer shall appoint the members of the Advisory Committee and designate a chairperson.
- D. When required, the Advisory Committee shall be augmented by project-specific stakeholders and consultants such as staff that will be in contact with the art, technical experts and advisors.

V. CRITERIA FOR SELECTION OF ART BY ADVISORY COMMITTEE

- A. Artists will be selected on the basis of their qualifications as demonstrated by past work if any, appropriateness of the proposal to the particular project, and its probability of successful timely completion as determined by the Advisory Committee.

- B. In recommending artists and works of art, the Advisory Committee shall select those artists and works of art of the highest aesthetic quality, and those which fulfill the purposes of the program set forth above.
- C. In all cases, consideration will be given to materials, construction, durability, maintenance, accessibility and safety.
- D. Specifically excluded from selection are members of project architect's firm.

VI. PROJECT IMPLEMENTATION

- A. The Zoo Bond Program director shall initiate the programmatic approach to percent-for-art expenditures upon submittal and approval of zoo master plan. Budget estimates and project design recommendations in the master plan shall be used by Advisory Committee to recommend suitable art forms and the appropriate locations for artwork within bond program projects and other zoo campus locations in the proximity of bond projects.
- B. When implementation of percent-for art program is associated with a bond project, as opposed to a stand-alone proximity project, the Zoo Bond Program director shall initiate the process early in the project's design phase, so that the Advisory Committee may offer art-related recommendations on the project's schematic design alternatives.
- C. The architect shall work closely with the Advisory Committee on the designation of appropriate sites and shall incorporate the artist's or artwork's special requirements within the construction documents, including the time of delivery and installation of the work.
- D. The Advisory Committee may elect to use the Regional Arts and Culture Council (RACC) to help administer the selection of art. RACC can help prepare the Request for Proposal and do the solicitation. RACC may also act as an advisor. The Advisory Committee should obtain authorization from the Chief Operating Officer to use RACC in administering the art selection. RACC's art selection advisory and administrative fees shall be paid as part of the percent-for-art budget, see section VIII.
- E. Upon the designation of an artist or work of art, Metro and the artist shall enter into a contract for the artist's services or for the purchase and installation of a work of art. This contract shall require the artist to produce or deliver a work of art for a guaranteed maximum price by a specific time.

VII. MANAGEMENT AND MAINTENANCE

- A. Metro shall be responsible for the ongoing care and maintenance of all works of art purchased or commissioned for the project.
- B. In those cases where a work of art may be expected to require extraordinary maintenance expenses, Metro may reduce the amount of its percent-for-art expenditure by an amount equal to the extraordinary maintenance expenses it will incur over a reasonable period.

VIII. APPLICATION OF PERCENT FUNDS: INCLUSIONS

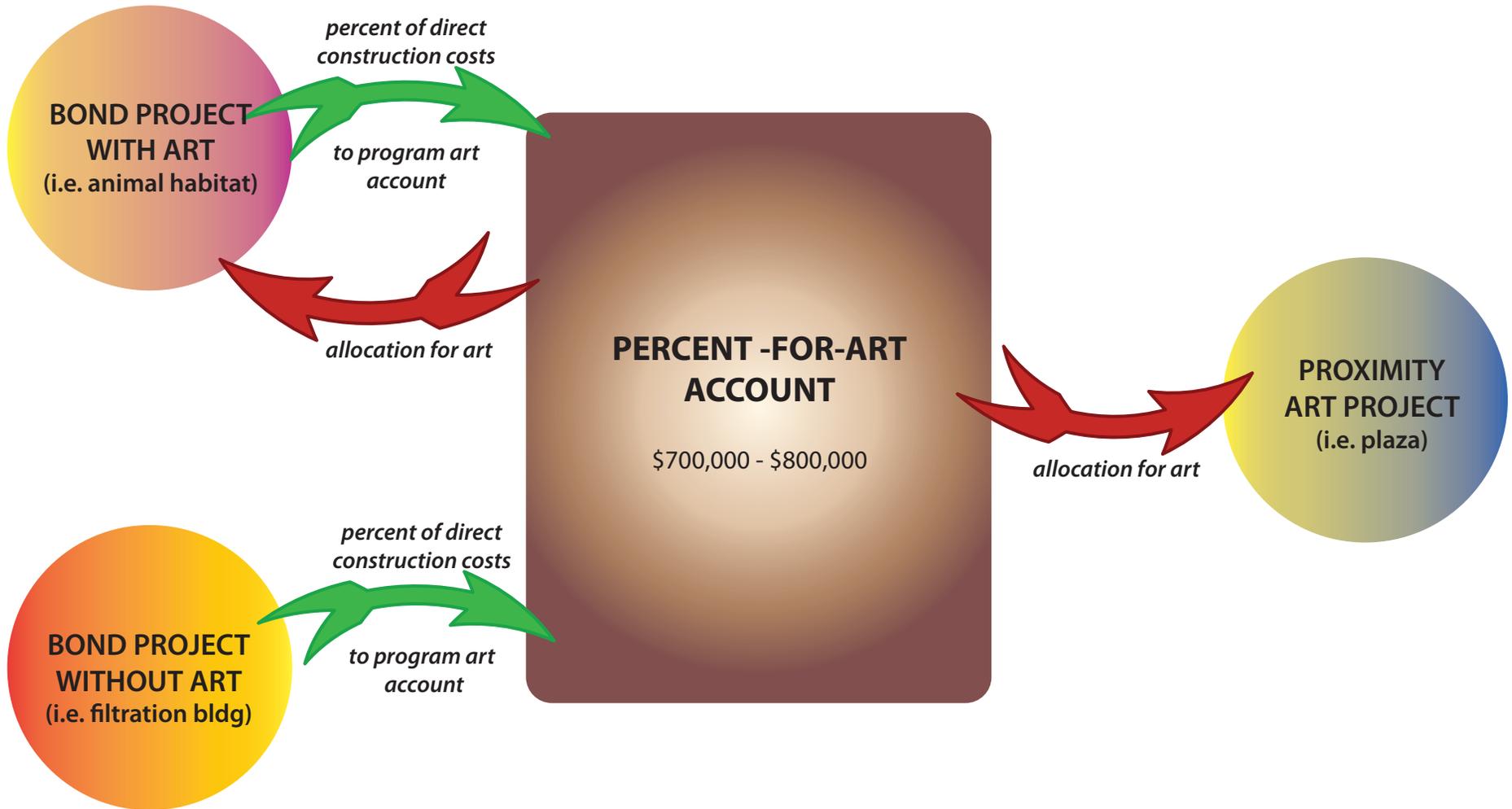
- A. Appropriations of percent-for-art program funds may be spent for the work of art itself, including but not limited to:
 - 1. Artist's design fee.
 - 2. Additional labor and materials required for production of work.
 - 3. Artist's operating costs.
 - 4. Travel related to the project.
 - 5. Transportation of the work to the site and installation.
- B. Identification plaques and labels.
- C. Frames, mats, mountings, anchorages, containments, pedestals, or materials necessary for the installation, location, or security of the work of art.
- D. Photographs of completed works.
- E. Insurance.
- F. Expenses for special advisors or consultants.
- G. Historical artifacts displaced by construction.
- H. Percent-for-art program administrative costs.

IX. APPLICATION OF PERCENT FUNDS: EXCLUSIONS

Appropriations of percent-for-art program funds shall not be spent for:

- A. Reproductions, by mechanical or other means, of original works of art.
- B. "Art objects" which are mass-produced of standard design.
- C. Modifications in or improvements to building surfaces or structural elements of the building, except for integral art as defined by the Advisory Committee.
- D. Electrical, water or mechanical activation of the work of art (i.e., utility costs).
- E. In connection with the works of art: registration, dedication, unveiling, security and publicity after selection.
- F. Architect's fees.

BOND PROGRAM PERCENT-FOR-ART CASH FLOW DIAGRAM



Bond project percent-for-art funds will be implemented on a programmatic level rather than a project-by-project approach. One percent of direct construction costs will be allocated from each bond construction project (valued greater than \$100,000) into a general program percent-for-art pool. Art funds will be distributed to bond projects and/or proximity art projects from the accumulated pool.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4282 FOR THE PURPOSE
OF ESTABLISHING ADDITIONAL ONE PERCENT FOR ART PROGRAM
GUIDELINES FOR OREGON ZOO BALLOT MEASURE 26-96
CONSTRUCTION PROJECTS

Date: July 6, 2011

Prepared by: Kim Smith, 503 220-2450
Craig Stroud, 503 220-2451

BACKGROUND

Metro Code Section 2.07.020 (d) states the agency policy of spending one percent of direct construction costs, on projects valued at more than \$100,000, towards public art.

The Oregon Zoo has featured public art as part of its visitor experience since opening at its current site in 1959. The variety of artwork (more than 30 pieces) located throughout the campus appeals to all ages and provides an alternative learning experience that builds upon the zoo's already rich environment.

The goal for the zoo's public art program is to present art that complements and enhances the zoo's award-winning education programs and animal exhibits and inspires visitors to be aware of the zoo's inherent role in creating a better future for wildlife.

On November 4, 2008, the Metro Area voters approved Ballot Measure 26-96 (the "Oregon Zoo Bond Measure") to support several improvements to the physical environment and operation of the Oregon Zoo with \$125 million in capital improvements. It is estimated that the amount reserved for art under Metro's policy will be in the \$700,000.00 – \$800,000.00 range. Staff determined the most effective use of the one percent for art funds would be to designate them programmatically rather than on a project-by-project basis. This would enable a more strategic approach to the selection and installation of public art at the zoo and leverage the monies to greater effect for the public and the campus.

In 1987, Metro Council established, via resolution guidelines, to provide the direction necessary for implementation of the One Percent for Art Program. The guidelines included:

- Appointing an Advisory Committee to recommend suitable art forms, artist prerequisites, recommend expenditures and work with project architect to designate appropriate sites.
- Criteria for selection of each project's art by Advisory Committee, including artist's qualifications based on past work, highest aesthetic quality, and consideration for safety, durability, maintenance, safety and public access.

Staff's recommended one percent for art approach aligns with Metro Council's guidelines, established in Resolution No. 87-717, including the formation of an Advisory Committee, the process for artist selection, and application of one percent funds, but aims to designate them programmatically rather than on a project-by-project basis. This will ensure consistency in the selection and placement of public art during the execution of the bond program's construction projects.

The Oregon Zoo's art Advisory Committee will address relocating current art collection pieces impacted by bond construction, integrating new art pieces into the collection, and creating a holistic public art experience throughout the zoo with a campus-wide approach to public art management. Staff believes a

programmatic approach to public art selection is an opportunity to select art that will have more impact on the visitor experience. For instance, some of the Oregon Zoo Bond Measure program smaller construction projects may not be in public areas. Using one percent for art monies pooled from these smaller, back-of-house projects to fund larger pieces located in public areas and more likely to be viewed and appreciated by patrons will have a beneficial impact.

Staff recommends the designation of an existing zoo staff member as zoo public art collection administrator. This individual will be a bridge between the zoo and the Advisory Committee, will serve on the committee, and will administer the maintenance and management of the zoo's public art collection. This shall ensure that the zoo's public art collection is preserved for future generations.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to this resolution.

2. Legal Antecedents

On March 12, 1987, the Metro Council adopted Resolution No. 87-717, "For the Purpose of Establishing Guidelines for the Implementation of a One Percent for Art Program," approving guidelines to provide a process for selecting, purchasing, commissioning, placing and maintaining the art purchased with art set-aside funds.

Metro Code Chapter 2.07, section 2.07.070 requires that the Metro Council shall adopt by resolution guidelines for implementing this program. The guidelines shall be interpreted in such a manner to fully carry out the purposes of the ordinance.

3. Anticipated Effects

- A. Implements a public Art Advisory Committee for the purpose of selecting zoo bond program public art.
- B. Allows the Art Advisory Committee to implement Metro's percent-for-art requirement programmatically rather than on a project-by-project basis.

4. Budget Impacts

The Oregon Zoo Bond program already anticipates spending one percent of direct construction costs towards public art. Implementing the one percent for art plan on a programmatic rather than project-by-project basis should not impact budget beyond what has already been anticipated.

RECOMMENDED ACTION

The Chief Operating Officer recommends passage of Resolution No. 11-4282.

Agenda Item Number 5.5

Resolution No. 11-4283, For the Purpose of Eliminating the Proposed Hippopotamus Exhibit Improvements from the Metro Council's Recommended List of Projects to be Funded by Metro Ballot Measure 26-29.

Consent Agenda

Metro Council Meeting
Thursday, August 4, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ELIMINATING THE)
PROPOSED HIPPOPOTOMAS EXHIBIT)
IMPROVEMENTS FROM THE METRO)
COUNCIL'S RECOMMENDED LIST OF)
PROJECTS TO BE FUNDED BY METRO)
BALLOT MEASURE 26-96

RESOLUTION NO. 11-4283

Introduced by Acting Chief Operating Officer
Daniel B. Cooper with the concurrence of the
Metro Council President Tom Hughes

WHEREAS, Metro adopted Metro Resolution No. 08-3945 on May 8, 2008 (“Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$125 Million to Fund Oregon Zoo Capital Projects to Protect Animal Health and Safety, Conserve and Recycle Water, and Improve Access to Conservation Education; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of said Bonds Upon Issuance”); and

WHEREAS, Exhibit A to Metro Resolution No. 08-3945 lists a package of recommended projects forming the basis of the referral of the ballot measure to the voters, and among others, item 8: “More Efficient and Better Habitat for Hippos,” called for a “modern filtration system,” “passive water heating,” and a “new exhibit design” (the “Proposed Hippo Project”); and

WHEREAS, the Proposed Hippo Project was not set forth in the Ballot Title or Ballot Measure Summary, as were other mandatory projects, but was suggested in the Ballot Measure Explanatory Statement as an example of the type of project that could save water, reduce pollution and improve water quality; and

WHEREAS, during the Oregon Zoo Comprehensive Capital Master Planning process, (1) an assessment of the zoo’s overall electrical power use revealed that the highest usage is for exhibits that require water pumps and filtration, and that despite anticipated water savings, an adequate water filtration system for the hippos would have extensive power needs, placing it at odds with the Ballot Measure’s sustainability goals; (2) it was discovered that, due to space constraints, it is not feasible to expand the hippo exhibit and keep the rhinoceros exhibit; (3) hippos cannot share exhibit habitat space with rhinos or other animals because they are aggressive and territorial; and

WHEREAS, the nearly complete the Oregon Zoo Comprehensive Capital Master Plan anticipates an Africa savanna exhibit in which several African plains species would share habitat, providing visitors with a greater appreciation of these animals in a more natural setting, and rhinos can be safely combined with giraffes, gazelles and zebras while Hippos cannot be so combined; and

WHEREAS, rhinos are a highly endangered species, the Oregon Zoo is a recognized rhino breeding facility and a member of the rhino Species Survival Plan under the Association of Zoos and Aquariums, the Oregon Zoo is currently planning to breed rhinos, and hippos are not currently considered a threatened species; and

WHEREAS, Metro staff polled members of the public attending Oregon Zoo Bond Measure public open houses, and most of those participants polled supported the elimination of the Proposed Hippo Project under the circumstances set forth in this resolution; and

WHEREAS, for the reasons stated in this resolution, the Oregon Zoo Bond Advisory Group advised Metro staff to recommend to the Council the removal the Proposed Hippo Project from the list of recommended ballot measure projects; and

WHEREAS, for the reasons stated in this resolution, Metro staff recommends that the Metro Council remove the Proposed Hippo Project from the list of recommended Ballot Measure projects, decommission the existing hippo pool, and make the necessary exhibit modifications and safety improvements to open the existing hippo space to rhinos; now therefore

BE IT RESOLVED that the Metro Council hereby eliminates the proposed Hippopotamus exhibit improvements from the Metro Council's recommended list of Ballot Measure 26-96 projects set forth in Metro Council Resolution No. 08-3945, and acknowledges the resultant elimination of the Hippopotamus from the Oregon Zoo's species collection and renovation of the existing Hippopotamus habitat into expanded habitat for Rhinoceros.

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

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4283, FOR THE PURPOSE OF
ELIMINATING THE PROPOSED HIPPOPOTOMAS EXHIBIT IMPROVEMENTS
FROM THE METRO COUNCIL'S RECOMMENDED LIST OF PROJECTS TO BE
FUNDED BY METRO BALLOT MEASURE 26-96

Date: July 7, 2011

Prepared by: Kim Smith (503) 220-2450
Craig Stroud (503) 220-2451

BACKGROUND

On November 4, 2008, the Metro Area voters approved Ballot Measure 26-96 (the "Oregon Zoo Bond Measure") to support improvements to the physical environment and operation of the Oregon Zoo with \$125 million in capital improvements. The measure's supporting materials included the description of improvements to the existing hippo exhibit. The improvements were primarily focused on water savings.

- The project purpose was defined in a pre-design phase:
 - The existing hippo pool needs to be drained, cleaned and disinfected regularly to keep harmful bacteria from affecting the health of the hippos. The 36,000-gallon pool is drained and re-filled on nearly a daily basis.
 - The zoo will save approximately 4.8 million gallons of water each year by installing a new filtration / treatment system.
 - The existing hippo exhibit is too small to allow the animals to have interaction with other species.
- The expected impacts / effects of the project:
 - A new water filtration system will treat and recycle water in the exhibit.
 - Passive heating systems will warm the water.
 - Natural substrate and compatible African species in a larger exhibit will provide the hippos with a more natural and healthy habitat.

Zoo staff and design consultants together explored options for improvements to the hippo exhibit as part of the Comprehensive Capital Master Planning project. The master planning process provided an avenue for considering the hippo exhibit in the context of the entire zoo and its collection and the entire program of bond funded work, envisioning the next twenty years of zoo operation. This work identified challenges to improving the hippo exhibit:

- An assessment of the zoo's overall electrical power use revealed that the highest usage is for exhibits that require water pumps and filtration (Steller Cove water systems). Despite anticipated water savings, an adequate water filtration system for the hippos would use a lot of electricity, placing it at odds with the bond's sustainability goals.
- An adequate water filtration system and habitat for hippos is very expensive.
- Although a larger pool would be built, the water would be recycled and there would actually be a reduction in water use.
- Due to space constraints, it is not feasible to expand the hippo exhibit and keep the rhino exhibit. One species will leave the zoo to provide space for the other.
- Hippos are not suitable to exhibit with other mammals in a shared habitat because they are aggressive and territorial.

Recognizing these inherent challenges to the hippo exhibit improvements and recognizing that the zoo cannot retain both the hippo and rhino exhibits, zoo management and keepers considered the tradeoffs:

- The zoo's new twenty-year master plan includes plans for an Africa savanna exhibit in which several plains species would share habitat, providing visitors with a greater appreciation of these animals in a more naturalistic setting. Rhinos can be combined with giraffes, gazelles and zebras. Hippos cannot.
- Rhinos are a highly endangered species.
 - The Oregon Zoo is a recognized rhino breeding facility and a member of the rhino Species Survival Plan under the Association of Zoos and Aquariums.
 - The Oregon Zoo is currently planning to breed rhinos.
- Hippos are not currently considered a threatened species. If the zoo were to breed hippos the exhibit would require improvements.

To review Metro's legal commitment to perform certain improvements under the measure, Metro consulted with outside bond counsel. Counsel assessed and provided guidance that the hippo project is not discussed in the bond ballot title and was included in the supporting documents as a project that could advance the ballot title focus on saving energy and water. There is not an explicit commitment to install a hippo filtration system. Rhino-associated improvements would need to focus on improving animal welfare.

PUBLIC OUTREACH OBTAINED:

This issue was presented to the Oregon Zoo Bond Advisory Group and members supported eliminating the hippo filtration project.

- In March and April, the issue was posed to the 225 master plan public open house participants and most supported eliminating the hippo filtration project.
- In May, the zoo solicited public opinion through Metro's Opt In public outreach survey tool. More than 90,000 individuals were invited to complete a zoo-focused survey that included this issue. Of the 4480 who responded, 2241 responded to questions concerning this issue.
 - After reading some challenges to managing the hippo exhibit, respondents were evenly split between agreement and disagreement or being unsure.
 - However, after reading about benefits to rhinos, six in 10 agreed that the hippo exhibit should be replaced by an expanded rhino exhibit. ["strongly agree" (31%), "somewhat agree" (33%)]

OPTIONS IDENTIFIED:

1. Proceed with the modifications to the hippo exhibit, as described by the bond supporting materials.

- Rhinos leave the zoo
- Water savings are achieved but overall sustainability goals are not due to high energy use for the new filtration system.
- The high cost of the project impacts the scope of other bond projects.

2. Delete hippo exhibit from the bond work and leave both the hippo and rhino exhibits as they are now.

- Sustainability goals are not met. Water use continues at the current level in the hippo exhibit.
- Hippo and rhino exhibits remain at their current sizes.

3. Eliminate the hippo exhibit from the bond work and make minor modifications to expand the rhino exhibit with bond funds.

- Hippos leave the zoo and their existing exhibit pool is decommissioned.
- Rhinos have an expanded habitat (at a low cost).
- The zoo maintains a highly endangered animal.
- Sustainability goals are met.
- A multi-species exhibit would be possible and included in 20-year zoo master plan.

After reviewing all of the information and obtaining public views, staff recommends pursuing option 3.

ANALYSIS/INFORMATION

1. **Known Opposition:** None known.
2. **Legal Antecedents:** Ballot Measure No. 26-96: Bond to Protect Animal Health and Safety, Conserve, Recycle Water
3. **Anticipated Effects:** The Zoo Bond Program will exclude improvements to the hippo exhibit and pool, decommission the existing hippo pool, and make the necessary exhibit modifications, animal welfare changes, and safety improvements to open the existing hippo space to rhinos. Hippos will leave the zoo. The campus modifications align with the master plan vision of a mixed species Africa savannah exhibit.
4. **Budget Impacts:** Bond funds will remain committed to completing the other improvements identified in the bond measure. Some funds will be required to decommission the existing hippo pool and to make the necessary exhibit modifications, animal welfare changes, and safety improvements to open the hippo space to rhinos. The amount is unknown but is expected to be less than \$1 million.

RECOMMENDED ACTION

Metro Council resolve that the Zoo Bond Program exclude improvements to the hippo exhibit and pool, decommission the existing hippo pool, and make the necessary exhibit modifications, animal welfare changes, and safety improvements to open the existing hippo space to rhinos.

Agenda Item Number 6.1

Ordinance No. 11-1263, For the Purpose of Amending the FY
2011-12 Budget and Appropriations Schedule to Remodel
Metro Regional Center to Accommodate the Consolidation of
MERC and Metro Business Services and Declaring an
Emergency.

Ordinances – First Reading

Metro Council Meeting
Thursday, August 4, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

| | | |
|--------------------------------------|---|--|
| AMENDING THE FY 2011-12 BUDGET AND |) | ORDINANCE NO. 11-1263 |
| APPROPRIATIONS SCHEDULE TO REMODEL |) | |
| METRO REGIONAL CENTER TO |) | Introduced by Dan Cooper, Acting Chief |
| ACCOMMODATE THE CONSOLIDATION OF |) | Operating Officer, with the concurrence of |
| MERC AND METRO BUSINESS SERVICES AND |) | Council President Tom Hughes |
| DECLARING AN EMERGENCY |) | |

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2011-12 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 2011-12 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 remodeling Metro Regional Center to accommodate the consolidation of MERC and Metro business offices.
2. 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. 11-1263

| ACCT | DESCRIPTION | Current | | Revision | | Amended | |
|---|-------------------------------------|--------------|--------------------|-------------|-----------------|--------------|--------------------|
| | | FTE | Amount | FTE | Amount | FTE | Amount |
| General Fund | | | | | | | |
| Parks & Environmental Services | | | | | | | |
| Total Personal Services | | 37.75 | \$3,898,167 | 0.00 | \$0 | 37.75 | \$3,898,167 |
| Materials & Services | | | | | | | |
| <i>GOODS Goods</i> | | | | | | | |
| | 5201 Office Supplies | | 103,556 | | 0 | | 103,556 |
| | 5205 Operating Supplies | | 124,638 | | 0 | | 124,638 |
| | 5210 Subscriptions and Dues | | 5,594 | | 0 | | 5,594 |
| | 5214 Fuels and Lubricants | | 79,444 | | 0 | | 79,444 |
| | 5215 Maintenance & Repairs Supplies | | 196,767 | | 0 | | 196,767 |
| | 5225 Retail | | 9,316 | | 0 | | 9,316 |
| <i>SVCS Services</i> | | | | | | | |
| | 5240 Contracted Professional Svcs | | 440,876 | | 0 | | 440,876 |
| | 5250 Contracted Property Services | | 126,281 | | 85,750 | | 212,031 |
| | 5251 Utility Services | | 434,323 | | 0 | | 434,323 |
| | 5255 Cleaning Services | | 169,886 | | 0 | | 169,886 |
| | 5260 Maintenance & Repair Services | | 361,388 | | 0 | | 361,388 |
| | 5265 Rentals | | 52,755 | | 0 | | 52,755 |
| | 5280 Other Purchased Services | | 44,847 | | 0 | | 44,847 |
| <i>CAPMNT Capital Maintenance</i> | | | | | | | |
| | 5262 Capital Maintenance - Non-CIP | | 11,000 | | 0 | | 11,000 |
| <i>IGEXP Intergov't Expenditures</i> | | | | | | | |
| | 5300 Payments to Other Agencies | | 138,747 | | 0 | | 138,747 |
| | 5310 Taxes (Non-Payroll) | | 259,248 | | 0 | | 259,248 |
| <i>OTHEXP Other Expenditures</i> | | | | | | | |
| | 5450 Travel | | 5,290 | | 0 | | 5,290 |
| | 5455 Staff Development | | 30,918 | | 0 | | 30,918 |
| Total Materials & Services | | | \$2,594,874 | | \$85,750 | | \$2,680,624 |
| TOTAL REQUIREMENTS | | 37.75 | \$6,493,041 | 0.00 | \$85,750 | 37.75 | \$6,578,791 |

Exhibit A
Ordinance No. 11-1263

| ACCT | DESCRIPTION | Current Budget | | Revision | | Amended Budget | |
|--|--|----------------|----------------------|-------------|-------------------|----------------|----------------------|
| | | FTE | Amount | FTE | Amount | FTE | Amount |
| General Fund | | | | | | | |
| General Expenses | | | | | | | |
| Total Interfund Transfers | | | \$4,949,564 | | \$0 | | \$4,949,564 |
| <i>Contingency & Unappropriated Balance</i> | | | | | | | |
| <i>CONT</i> | <i>Contingency</i> | | | | | | |
| 5999 | Contingency | | | | | | |
| | * Contingency | | 3,218,206 | | (85,750) | | 3,132,456 |
| | * Opportunity Account | | 211,411 | | 0 | | 211,411 |
| | * Reserved for Streetcar LID (RRSR) | | 500,000 | | 0 | | 500,000 |
| <i>UNAPP</i> | <i>Unappropriated Fund Balance</i> | | | | | | |
| 5990 | Unappropriated Fund Balance | | | | | | |
| | * Stabilization Reserve | | 2,320,296 | | 0 | | 2,320,296 |
| | * PERS Reserve | | 6,238,195 | | 0 | | 6,238,195 |
| | * Recovery Rate Stabilization reserve | | 1,396,943 | | 0 | | 1,396,943 |
| | * Reserved for Community Investment Initiati | | 812,000 | | 0 | | 812,000 |
| | * Reserved for Future Natural Areas Operator | | 204,460 | | 0 | | 204,460 |
| | * Reserved for Local Gov't Grants (CET) | | 1,165,574 | | 0 | | 1,165,574 |
| | * Reserve for Future Debt Service | | 2,526,028 | | 0 | | 2,526,028 |
| Total Contingency & Unappropriated Balance | | | \$18,593,113 | | (\$85,750) | | \$18,507,363 |
| TOTAL REQUIREMENTS | | 452.46 | \$109,271,381 | 0.00 | \$0 | 452.46 | \$109,271,381 |

Exhibit B
Ordinance 11-1263
Schedule of Appropriations

| | <u>Current</u> <u>Appropriation</u> | <u>Revision</u> | <u>Revised</u> <u>Appropriation</u> |
|--|--|-----------------|--|
| FY 2011-12 SCHEDULE OF APPROPRIATIONS | | | |
| GENERAL FUND | | | |
| Communications | 2,392,835 | 0 | 2,392,835 |
| Council Office | 3,694,550 | 0 | 3,694,550 |
| Finance & Regulatory Services | 3,870,708 | 0 | 3,870,708 |
| Human Resources | 2,304,161 | 0 | 2,304,161 |
| Information Services | 3,618,387 | 0 | 3,618,387 |
| Metro Auditor | 686,452 | 0 | 686,452 |
| Office of Metro Attorney | 2,067,885 | 0 | 2,067,885 |
| Oregon Zoo | 28,526,231 | 0 | 28,526,231 |
| Parks & Environmental Services | 6,493,041 | 85,750 | 6,578,791 |
| Planning and Development | 16,469,641 | 0 | 16,469,641 |
| Research Center | 4,400,666 | 0 | 4,400,666 |
| Sustainability Center | 5,014,777 | 0 | 5,014,777 |
| Former ORS 197.352 Claims & Judgments | 100 | 0 | 100 |
| Special Appropriations | 4,601,055 | 0 | 4,601,055 |
| Non-Departmental | | | |
| Debt Service | 1,588,215 | 0 | 1,588,215 |
| Interfund Transfers | 4,949,564 | 0 | 4,949,564 |
| Contingency | 3,929,617 | (85,750) | 3,843,867 |
| Unappropriated Balance | 14,663,496 | 0 | 14,663,496 |
| Total Fund Requirements | \$109,271,381 | \$0 | \$109,271,381 |

All other appropriations remain as previously adopted

STAFF REPORT

FOR THE PURPOSE OF AMENDING THE FY 2011-12 BUDGET AND APPROPRIATIONS SCHEDULE TO REMODEL METRO REGIONAL CENTER TO ACCOMMODATE THE CONSOLIDATION OF MERC AND METRO BUSINESS SERVICES AND DECLARING AN EMERGENCY

Date: July 11, 2011

Presented by: Scott Robinson, 503-797-1605

BACKGROUND

Since the adoption of the budget one item has been identified that necessitates an amendment to the budget. As part of the integration of central services between Metro and MERC, staff has identified the need to move personnel from the previous MERC Business Office to the Metro Regional Center near Finance and Regulatory Services. There is also the need to move staff from MERC to Human Resources and to accommodate the new Diversity Manager position that was added to the 2011-12 Budget.

The remodeling project will reconfigure the Human Resources space to remove some hard walls, reconfigure cubicles, and add two portable wall offices. The project will split an existing office in Finance and Regulatory Services into two offices and reconfigure existing cubicles to accommodate additional staff. Due to recent staff resignations and other commitments, the management of this project will be contracted out.

Staff in the Parks and Property Stewardship Division of Parks and Environmental Services has determined the total cost of the remodel project to be \$85,750. The project contingency will not be transferred to the Department unless needed for the project.

| | Cost |
|---------------------------------------|----------|
| HR Remodel | \$42,300 |
| Finance & Regulatory Services Remodel | 26,300 |
| Project Contingency | 8,575 |
| Project Management | 8,575 |
| Project Total | \$85,750 |

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 increases expenditure authority in the Parks and Environmental Services budget for FY 2011-12 to remodel existing office space as described above.
- 4. Budget Impacts:** Adds \$85,750 to the materials and services budget for Parks and Environmental Services. Funding will be provided by a transfer from contingency in the General Fund.

RECOMMENDED ACTION

The Chief Operating Office recommends adoption of this Ordinance.

Materials following this page were distributed at the meeting.

TERRY PARKER
P.O. Box 13503
Portland, Oregon 97213 - 0503

Subject: Testimony on the Columbia River Crossing Financial Plan and Equity, August 4, 2011.

The headlines in the media read **“Bridge plan mired in traffic”** and **“State finds big hole in bridge plan”**. The combined federal funding for light rail - \$868 million – is being siphoned off from the Federal Highway Trust Fund that only motorists support through the federal taxes on motor fuels. The projected \$400 million for highway projects of national and regional significance – likewise from the Federal Highway Trust Fund - covers little more than the estimated \$300 million plus price tag for the bicycle infrastructure. The \$934 million expected from the Oregon and Washington DOTs will also come from taxes on motor fuels and other motorist paid fees. That leaves nearly \$1 billion \$360 million to be extracted through another mechanism, likely from tolling.

Where are the federal dollars for the highway component of the CRC? Being the principal stakeholders, where is the representation or even a CRC working group for the motorists in this political spin? The CRC is a multi-mode project with three basic legs; highway, light rail and bike/ped. Yet 100% of the existing funding scheme to pay for the entire project is coming from only one leg. Such a single focus mindset coupled with blatant bias clearly demonstrates the CRC financial plan is a complete injustice, possibly even a form of tax discrimination. Tolling only the highway users, especially the working class commuter highway users, amounts to a prejudiced redistribution of wealth. **The “big hole” in the bridge plan is the lack equity.** Charging motorists high and excessive tolls will only have a negative impact on jobs and the local economy, especially for small businesses. Even though surveys have been taken to measure the public’s temperature on tolling, to my knowledge, no questions were ever asked relating to charging the users of all transport modes equating to a more balanced approach.

Based on what is called outdated traffic projections, even the critics of the project and at least one economist question the reliability of the present financing scheme.

To remedy this indiscretion, special interests need to be set a side and a **“change of direction cultural shift”** needs to be endorsed that broadens the tolling base by **justly distributing the costs for a new CRC to the users of all vehicle modes.** This can be done by Metro establishing an equity policy of fairness principals that requires tolls for bicycles and adds a surcharge to transit fares while minimizing the highway tolls for tax abused motorists. Additionally, broadening the funding base would be a step in the right direction for alternative transport infrastructure to become more financially self-sustainable while at the same time, **also provide a steady revenue stream less impacted and interrupted by oil prices, commuting trends and traffic projections.**

In closing, the CRC is NOT a social engineering project. The CRC is a transportation project to better connect the two sides of the Columbia that must be designed to provide for better traffic flow by reducing the current bottlenecks while meeting the basic needs of all user groups. That is not to say any of the infrastructure should be lavish, world class or even a costly monumental work of art. “Basic” however must pertain to equity and fairness that includes requiring all user groups to be equally treated when it comes to chipping in and paying their fair share of the costs for the infrastructure they use.

Respectfully submitted,

Terry Parker

Innovations in Rail & Land-use planning

THE LOTI PROJECT

THE SEATTLE CIRCULATOR PLAN

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PORTLAND
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CONCEPT 'D'

"Preferred"
Alternative

Bulldozes everything

CONCEPT #1

"Off-island Access"

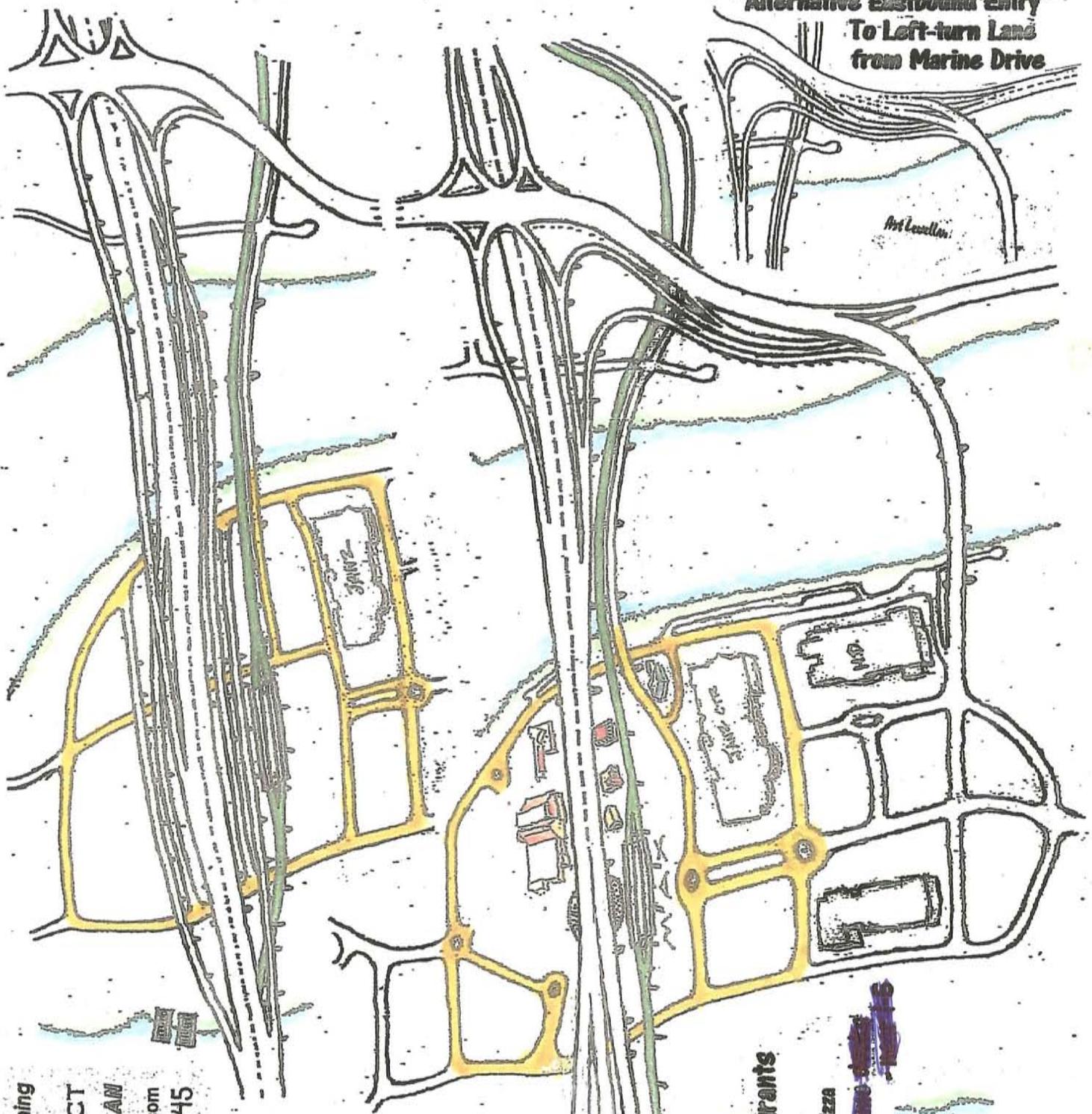
Saves Safeway & restaurants

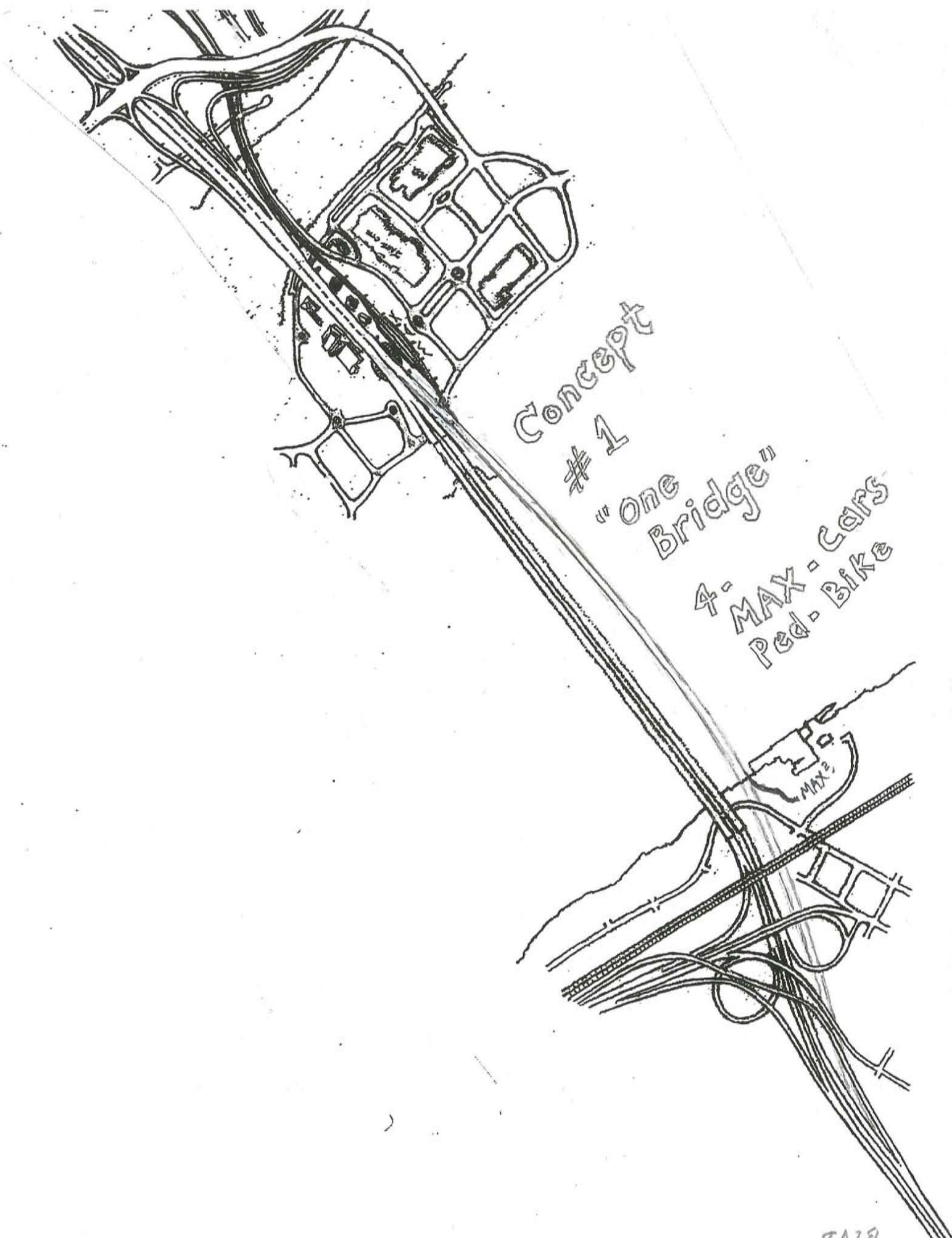
Wegdale's -- Denny's -- Micky D's
Newport Bay -- Engine House Pizza

~~... Pedestrian-only underpass~~

"Alternative Eastbound Entry"
To Left-turn Lane
from Marine Drive

Art Lovellan





Concept
1

"One
Bridge"

4 - MAX - CARS
Ped - BIKE

EVERETT
BLVD

| | General Fund | Lottery Funds | Other Funds | Federal Funds | Nonlimited Other Funds | Nonlimited Federal Funds | Total Funds | Positions | Full-Time Equivalent (FTE) |
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|
|--|--------------|---------------|-------------|---------------|------------------------|--------------------------|-------------|-----------|----------------------------|

Package 502 Columbia River Crossing Investment

Package Description This package is provided for the purpose of approving a budget note relating to the Columbia River Crossing project.

LFO Recommendation Approve the budget note

Budget Notes The Columbia River Crossing (CRC) bridge project is a major initiative to address congestion problems on I-5 between Portland, Oregon and Vancouver, Washington that requires support by not only the Governors of both states but the Legislatures as well. The Oregon Department of Transportation (ODOT) budget includes resources to continue work on solutions that advances the CRC to completion of the required Environmental Impact Statement.

ODOT is directed to provide reports to the Senate and House Transportation Committees on the progress made on the CRC project whenever these committees or their interim equivalents meet. Such ODOT reports shall include updated information on cost estimates, proposed alternatives, right-of-way procurement schedule, financing plans for the CRC project including initial and updated information regarding projected traffic volumes, fuel/gas rate assumptions, toll rates, cost of toll collections, as well as potential impacts on other Oregon transportation funding, needs and priorities.

ODOT is directed to secure and provide an independent investment grade analysis of the project with oversight of the consultant provided by the State Treasurer.

Finally, ODOT shall provide a clear and concise feasibility study, and develop a phased master plan for the CRC that allows for legislative oversight and approval at key decision points and report to the Legislature by February 2012, with the first iteration of CRC reports.

LFO Recommended