

Metro | Agenda

Meeting: Metro Council
Date: Thursday, Nov. 29, 2012
Time: 2 p.m.
Place: Metro, Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATION

3. OFFICE OF THE AUDITOR: FY11-12 ANNUAL REPORT

Flynn
Chidsey

4. METRO'S SUSTAINABILITY REPORT

5. CONSENT AGENDA

5.1 Consideration of the Minutes for Nov. 15, 2012

5.2 **Resolution No. 12-4387**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Forest Grove Transfer Station for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon.

5.3 **Resolution No. 12-4388**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Willamette Resources, Inc. for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon.

5.4 **Resolution No. 12-4389**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Pride Recycling Company for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon.

5.5 **Resolution No. 12-4390**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Hoodview Disposal and Recycling, Inc. for Delivery of Putrescible Waste to Canby Transfer and Recycling, Inc. for the Purpose of Transfer and Disposal at the Riverbend Landfill Located in Yamhill County, Oregon.

5.6 **Resolution No. 12-4391**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to West Linn Refuse and Recycling, Inc. for Delivery of Putrescible Waste to Canby Transfer and Recycling, Inc. for the Purpose of Transfer and Disposal at the Riverbend Landfill Located in Yamhill County, Oregon.

5.7 **Resolution No. 12-4392**, For the Purpose of Confirming Appointments to the Metro Public Engagement Review Committee (PERC).

5.8 **Resolution No. 12-4393**, For the Purpose of Confirming the Appointment of Anne Darrow to the Metro Audit Committee.

5.9 **Resolution No. 12-4396**, For the Purpose of Making Citizen Appointments to the Transportation Policy Alternatives Committee (TPAC).

6. ORDINANCES - FIRST READ

6.1 **Ordinance No. 12-1296**, For the Purpose of Amending the Urban Growth Boundary in the Vicinity of the City of Lake Oswego Upon Application by the City of Lake Oswego.

Continued on back...

7. ORDINANCES – SECOND READ

- 7.1 **Ordinance No. 12-1292A**, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2035 to Traffic Analysis Zones in the Region Consistent with the Forecast Adopted by Ordinance No. 11-1264B in Fulfillment of Metro’s Population Coordination Responsibility Under ORS 195.036. **Harrington**

Public Hearing

- 7.2 **Ordinance No. 12-1294**, For the Purpose of Amending Metro Code Chapter 2.19.100 Regarding Term Length and Membership of the Public Engagement Review Committee (PERC). **Harrington**

Public Hearing

- 7.3 **Ordinance No. 12-1295**, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule and the FY 2012-13 Through 2016-17 Capital Improvement Plan. **Hughes**

Public Hearing

8. CHIEF OPERATING OFFICER COMMUNICATION

9. COUNCILOR COMMUNICATION

ADJOURN

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

Television schedule for Nov. 29, 2012 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Thursday, Nov. 29</p>	<p>Portland Channel 30 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 <i>Date:</i> Sunday, Dec. 2, 7:30 p.m. <i>Date:</i> Monday, Dec. 3, 9 a.m.</p>
<p>Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 <i>Date:</i> Monday, Dec. 3, 2 p.m.</p>	<p>Washington County Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Saturday, Dec. 2, 11 p.m. <i>Date:</i> Sunday, Dec. 3, 11 p.m. <i>Date:</i> Tuesday, Dec. 4, 6 a.m. <i>Date:</i> Wednesday, Dec. 5, 4 p.m.</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. Documents for the record must be submitted to the Regional Engagement Coordinator to be included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement Coordinator. 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 No. 3.0

Office of the Auditor: FY11-12 Annual Report

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber



Office of the Auditor
Annual Report
FY 2011-2012

Suzanne Flynn, Auditor

November 2012

Office responsibilities and staff

The purpose of the Metro Auditor’s Office is to ensure that Metro operations are in compliance with laws and regulations, assets are safeguarded and services are delivered effectively and efficiently. The Office achieves this purpose by conducting performance audits. Performance audits provide objective analysis so that management and the Metro Council can use the information to improve program performance and operations, reduce costs, facilitate decision-making and contribute to public accountability.

The Office also provides transparency in government. Audit reports provide the Council and public with a better understanding of Metro operations. Audit findings and recommendations are presented publicly before the Council and are intended to assist the Council and Chief Operating Officer in making improvements that will better serve the public.

The Office includes the elected Auditor, four staff auditors and an administrative assistant:

- Suzanne Flynn, *Metro Auditor*
- Michael Anderson, *Senior Management Auditor*
- Brian Evans, *Senior Management Auditor*
- Mary Hull Caballero, *Senior Management Auditor*
- Kristin Lieber, *Principal Management Auditor*
- Lisa Braun, *Administrative Assistant*

Performance measures

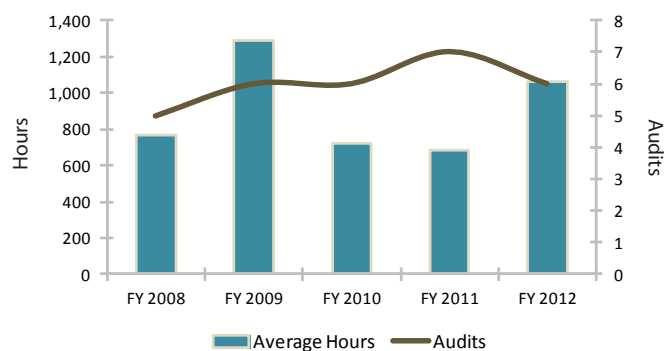
The Audit Office’s performance is measured by reviewing results in the following areas:

- Average hours to complete an audit and number of audits completed each fiscal year.
- Total staff audit hours per department.
- Audits completed per full time equivalent (FTE) employee.
- Audit recommendation implementation rate within five years after completion of an audit.

Average hours per audit and number of audits

Audits vary in length, depending on their scope and complexity. In FY 2011-2012, six audits were completed. The hours required to complete those audits ranged from 166 to 2,797 hours and averaged 1,065 hours.

The average time to complete an audit in FY 2008-09 was higher than other years because of the complexity of the audits conducted during that period.

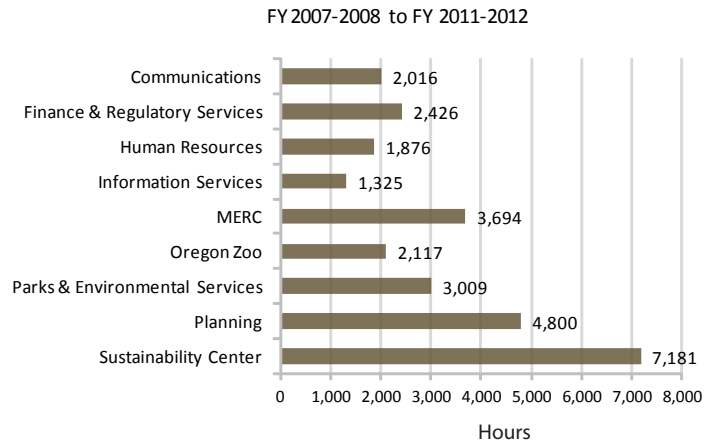


Audit hours by department

When selecting audits to place on the audit schedule, one consideration is the frequency of audits performed in each department of Metro. Some other criteria are:

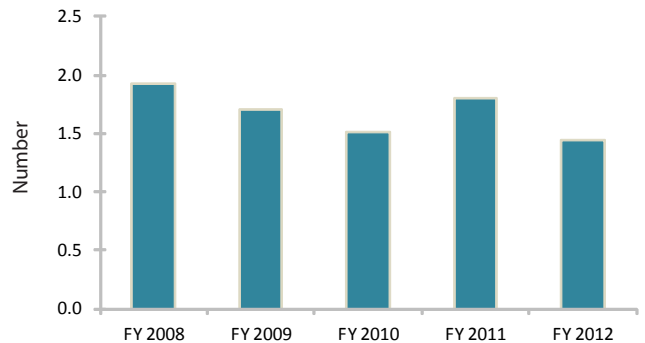
- Potential for savings or improvement.
- Interest of Council or public.
- Potential for loss.

Some programs are more complicated and require more hours to audit. The office also spends more audit hours in larger departments, as there are more programs to audit.



Audits per FTE

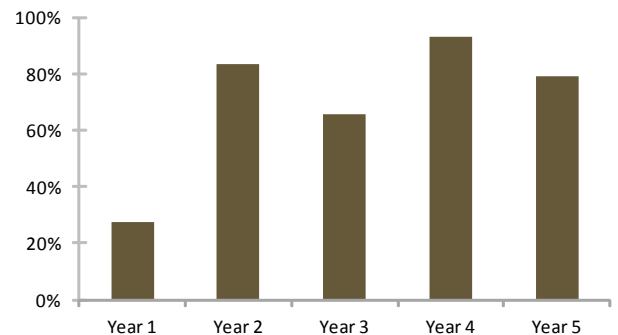
Staff hours available and the audit focus determine the number of audits that can be completed each year. The length of time to complete an audit is affected by the complexity of the subject and size of the program. In FY 2011-12, 1.5 audits per FTE were completed, down from 1.8 the prior year.



Recommendation implementation rate

Our office surveys program managers annually to report on the status of recommendations. We track the percent of recommendations reported as implemented from one to five years after the audit was issued. Implementation rates are adjusted after completing a follow-up audit.

A positive trend would show the percentage increasing as time from audit completion increases. According to the most recent survey, 79% of recommendations from audits completed five years earlier were implemented.



Audits released

The office issued six audit reports in FY 2011-2012, which included four full audits and two follow-up audits. There were a total of 22 recommendations made. The audit reports released were:

- Large Contract Administration (July 2011) Audit team: Lieber, Anderson
- Oregon Zoo Construction follow-up (Oct. 2011) Auditor: Lieber
- Recruitment and Selection Process (Nov. 2011) Auditor: Flynn
- Natural Areas Maintenance (April 2012) Audit team: Evans, Anderson
- Financial Condition of Metro FY 2002-2011 (June 2012) Auditor: Flynn
- Sustainability Management follow-up (June 2012) Auditor: Evans

Audit schedule, FY 2012-2013

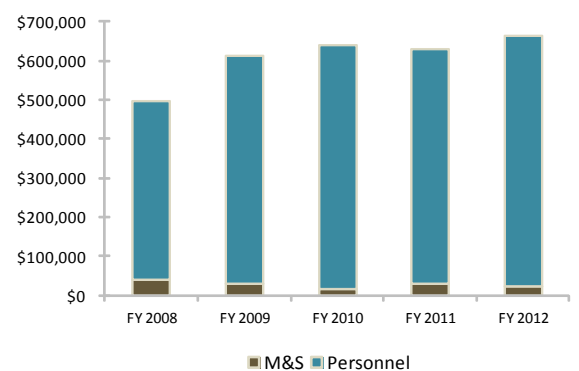
Each year, the Metro Auditor schedules audits for the upcoming year.

Audit Title	Start Date	Actual/Estimated Completion Date
Span of Control	Underway	Nov. 2012
Risk Management	Underway	Dec. 2012
Transportation Project Outcomes	Underway	May 2013
Organics Waste System	Underway	TBD
IT Software Controls Follow-up	TBD	TBD
Visitor Experience - Parks	TBD	TBD
Procurement	TBD	TBD

Expenditure (adjusted for inflation)

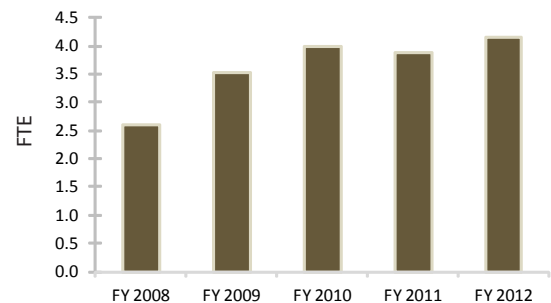
Expenditure for personnel and materials and services (M & S) in FY 2011-2012 increased over the previous fiscal year by 7%. This was primarily due to the office being fully staffed in FY 2011-2012. Spending on M & S accounted for 3.7% of the total, down from 4.8% in FY 2011-2012.

The addition of a new staff auditor in FY 2008-2009 caused the increase in personnel expenditure that year.



Staffing available

This graph represents actual staff hours available. The Metro Council approved the addition of a staff auditor in FY 2008-2009, bringing the number of auditor positions to four. In FY 2011-2012, there was a total of 8,031 staff hours available, the equivalent of 4.15 FTE. This was because of a temporary employee hired to assist us on our audit of Transportation Project Outcomes.



Mission and values

Our mission is to:

- Ensure that Metro is accountable to the public;
- Ensure that Metro activities are transparent; and
- Improve the efficiency, effectiveness and quality of Metro services and activities.

We do this by:

- Conducting independent and objective assessments, and
- Reporting our findings and recommendations.

It is our vision to be relevant and efficient, choosing the right areas to audit and completing audits quickly so that Metro can continually improve its services and be accountable to the public.

Values:

- Professionalism
- Wise and equitable use of resources
- Support findings with fact
- Balanced perspectives
- Ethical behavior
- Being open minded
- Respectful of others
- Credibility

Award-winning audits

Annually, the Association of Local Government Auditors gives awards for audit excellence. Most recently, the Office of the Metro Auditor won the 2011 Gold Knighton Award for best audit in the Small Shop category for its audit "Administration of Large Contracts." Since 2000, the office has won a total of ten awards.

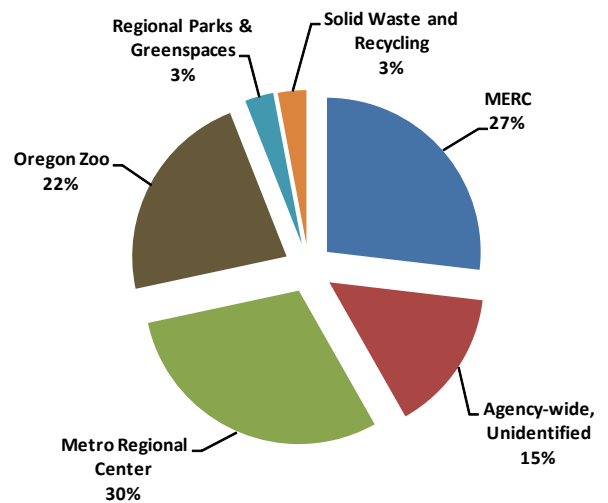
Ethics Line summary

The Metro Auditor administers the Ethics Line in consultation with a Steering Committee that includes the Chief Operating Officer, Metro Attorney, Deputy Chief Operating Officer, MERC General Manager, Human Resources Director and Finance and Regulatory Services Director. The Ethics Line gives employees and citizens an avenue to report misconduct, waste or misuse of resources.

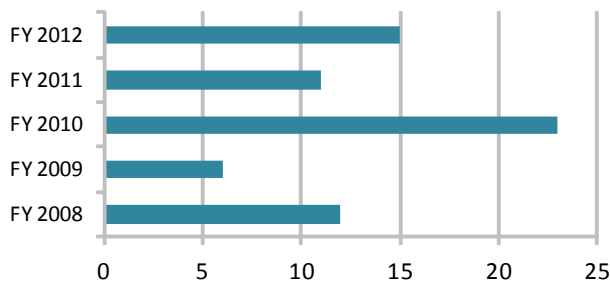
When new cases are received, they are usually assigned to Metro management to investigate. At any time, the Auditor can also initiate an independent audit. The Auditor posts the results of the investigation on the Ethics Line system for the complainant to access. Audits are posted to the Auditor’s web site. Since its inception, 67 reports have been received. Of the 58 cases successfully investigated, 31 were unfounded.

Results FY 2007-2008 to FY 2011-2012	Total
Not investigated - Frivolous	1
Not investigated - Inadequate information	3
Not investigated - Out of jurisdiction	4
Successfully investigated	58
Withdrawn by reporter	1
Total	67

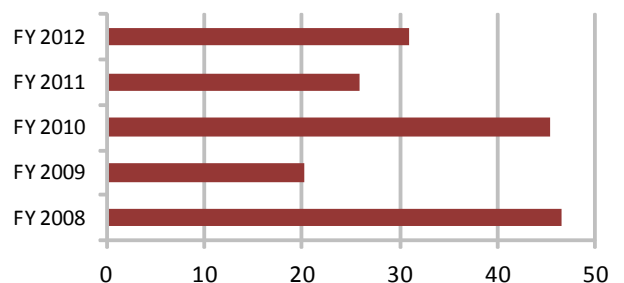
Location of reports received



Number of reports received



Average days to close case



Agenda Item No. 4.0

Metro's Sustainability Report

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

www.oregonmetro.gov/greenmetro



greenMetro

Sustainability report for
operations at Metro facilities

November 2012

About Metro

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

A regional approach simply makes sense when it comes to making decisions about how the region grows. Metro works with communities to support a resilient economy, keep nature close by and respond to a changing climate. Together we're making a great place, now and for generations to come.

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

www.oregonmetro.gov/connect

Metro Council President

Tom Hughes

Metro Councilors

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

TABLE OF CONTENTS

Letter from the Chief Operating Officer	i
Introduction	1
Measuring progress	3
• Goal 1: Reduce carbon emissions.....	3
• Goal 2: Choose nontoxic.....	5
• Goal 3: Prevent waste	6
• Goal 4: Conserve water	8
• Goal 5: Enhance habitat	9
Highlights of Metro’s sustainable operations in 2011	10
• Household hazardous waste ecoroof.....	10
• Metro Regional Center green team	11
• Clearing out toxic chemicals.....	12
• Oregon Zoo ecoroof exhibit	13
• Oregon Zoo wins AZA Green Award.....	14
• Portland Center for the Performing Arts lighting upgrades.....	15
• Metro Central transfer station lighting upgrades	16
• Oregon Convention Center practicing sustainability	17
• Portland Expo Center increases recycling diversion	19
• Metro employees go green	20
Status of current priority sustainability plan projects	21
About the Metro Sustainability Program.....	24



November 2012

I am pleased to present the *2012 Green Metro Sustainability Report for Metro Facilities*.

This report highlights actions taken by Metro staff to help meet sustainability goals set by the Metro Council. The Metro Sustainability Plan sets targets for Metro's internal operations to reduce greenhouse gas emissions, reduce toxics, recover and reduce waste, reduce water use and support healthy ecosystems. While many Metro programs teach residents of our region about the value of sustainability, it is even more important that Metro staff practice sustainability in our work every day.

The actions in this report are key to meeting Metro's mission and upholding our organizational value of sustainability. They are the result of a collaborative effort among our facilities and visitor venues. Despite the different nature of Metro's operations, staff has demonstrated a clear commitment to leadership in resource use and protection.

As we move forward in carrying out the plan, we face challenges in fully meeting our sustainability goals across the agency. I look forward to working with the Metro Council and our sustainability program in finding innovative approaches and solutions to meet those goals and, in turn, benefit our communities and the region as a whole.






Sincerely,

Martha Bennett
Chief Operating Officer, Metro

INTRODUCTION

As a regional government committed to promoting sustainable communities, Metro is working to reduce its own ecological footprint. This report describes the efforts to reduce the environmental impact of Metro's public venues, parks, buildings and solid waste facilities.

In 2003, the Metro Council set an ambitious target for internal operations to be sustainable within one generation. To this end, the council adopted goals in five key categories to reduce the agency's environmental impact:

	Reduce carbon	Reduce direct and indirect greenhouse gas emissions to 80 percent below 2008 levels.
	Choose nontoxic	Eliminate the use or emissions of persistent bioaccumulative toxics (PBTs) and other priority toxic and hazardous substances.
	Prevent waste	Reduce overall generation of waste, and recycle or compost all remaining waste.
	Conserve water	Reduce water use to 50 percent below 2008 levels.
	Enhance habitat	Ensure that Metro's parks, trails, natural areas and developed properties positively contribute to healthy, functioning ecosystems and watershed health.

Metro's comprehensive sustainability plan identifies strategies plus nearly 100 actions to achieve the above goals. The goals are slated for completion by 2025 or, in the case of greenhouse gas emissions, 2050. The Metro Council adopted this plan by resolution on Oct. 7, 2010. The plan is available online at www.oregonmetro.gov/greenmetro.

The sustainability plan guides operations objectives for six types of facility operations: public event venues, including the Portland Center for the Performing Arts, Oregon Convention Center and Portland Expo Center; the Oregon Zoo; solid waste transfer stations and household hazardous waste facilities; the Metro Paint recycling facility; multiple regional parks; and one office facility.

LOOKING AHEAD

Since the Sustainability Plan was adopted in 2010, Metro departments and visitor venues have taken substantive steps toward implementation. In particular, Metro facilities made notable improvements in energy efficiency and toxics reduction this past year. However, if Metro is to meet the goals established by Council, it must make strategic investments in each of the five environmental performance areas. Based on priorities established in the plan, and subsequent refinement by Metro's Internal Sustainability Steering Committee, the strategic investments for the 2013-14 fiscal year could include:

- further energy efficiency upgrades at the Oregon Convention Center, Oregon Zoo and PCPA
- transition to purchase of less-toxic cleaning products and paints at all facilities
- water conservation improvements at Glendoveer Golf Course and the zoo
- stormwater management improvements at Portland Expo and the zoo.

In addition, the sustainability program will need to complete current efforts to:

- update Metro's Capital Asset Management Policies to incorporate sustainability criteria and clarify methods of funding sustainability-related facilities projects
- fully implement the agency's Sustainable Procurement Administrative Procedure and Green Building Policy.

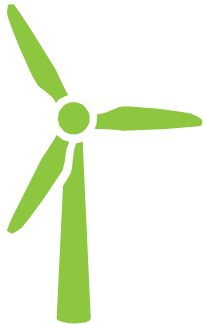
Find a full list of completed and in-progress actions from the Sustainability Plan on pages 21-23 of this report.

Facility-specific data and charts are available upon request to Molly.Chidsey@oregonmetro.gov.

MEASURING PROGRESS

Metro tracks progress toward its environmental sustainability goals by measuring performance in five indicators against a 2008 or fiscal year 2008-2009 baseline year.

Goal 1: Reduce carbon emissions



Goal	Reduce greenhouse gas (GHG) emissions 80 percent below 2008 levels by 2050.
Indicators	Greenhouse gas emissions for Scopes I, II and III, reported in metric tons of carbon dioxide equivalent (MT CO ₂ e). Electricity consumption from Metro facilities reported in kilowatt hours consumed (kWh).
2013 target	Arrest GHG emissions at the 2008 level.

Metro completed a comprehensive greenhouse gas (GHG) emissions inventory for internal operations using 2008 as the baseline year.¹ The top sources of GHG emissions from Metro's operations include purchased goods and contracted services (supply chain), electricity, and natural gas (Figure 1). Metro does not complete a comprehensive GHG inventory every year, so for the sake of this report electricity consumption is used as a proxy indicator of progress toward the agency's greenhouse gas emissions goal.

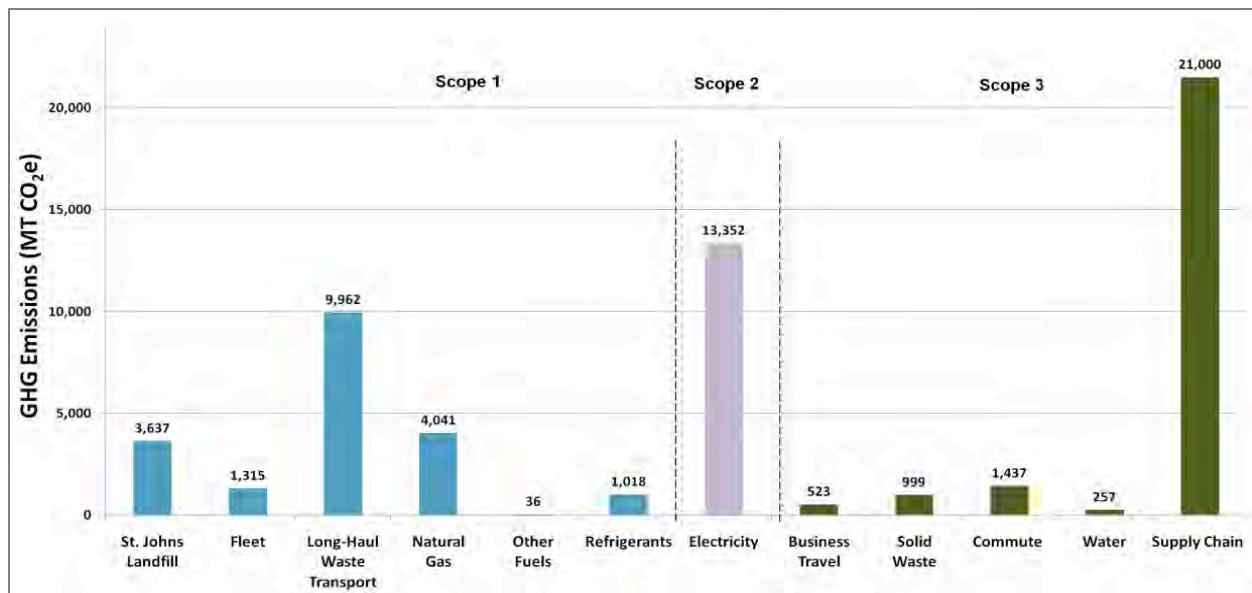


Figure 1: Sources of greenhouse gas emissions from Metro internal operations, 2008

¹ Metro GHG Emissions Baseline Inventory for Metro internal and business operations, August 2010.
http://library.oregonmetro.gov/files/metro_internal_ghg_inventory_8-10.pdf

The production of goods is a major source of greenhouse gas emissions and Metro’s procurement of goods and services, which include food, supplies and construction materials, have a significant correlating climate impact. Through sustainable procurement efforts, these “embodied emissions” may eventually decline.

The next highest source of GHG emissions from Metro’s operations is energy use in facilities, including electricity and natural gas. Metro invested in several energy efficiency projects during the 2011-2012 fiscal year. These upgrades in lighting, HVAC equipment and energy conservation practices all contributed to the reduction in electricity use during this past fiscal year (figures 2 and 3). To meet GHG emissions reduction goals, Metro needs to make consistent investments in energy efficiency measures identified for its major facilities and largest electricity consumers, in addition to other GHG-reducing actions outlined in Metro’s sustainability plan.

Until more information is available about the GHG reduction potential from emissions sources (i.e., electricity, procurement, fleet fuels, etc.), Metro assumes an interim target reduction of 15 percent for all GHG source categories, including electricity.

Electricity consumption from Metro facilities (kWh)

Fiscal year ²	kWh	Percent change over 2008 baseline
FY 11-12	29,379,651	-8%
FY 10-11	30,900,573	-3%
FY 09-10	31,740,216	-1%
FY 08-09 ³	31,927,014	

Figure 2

Electricity consumption (kWh)

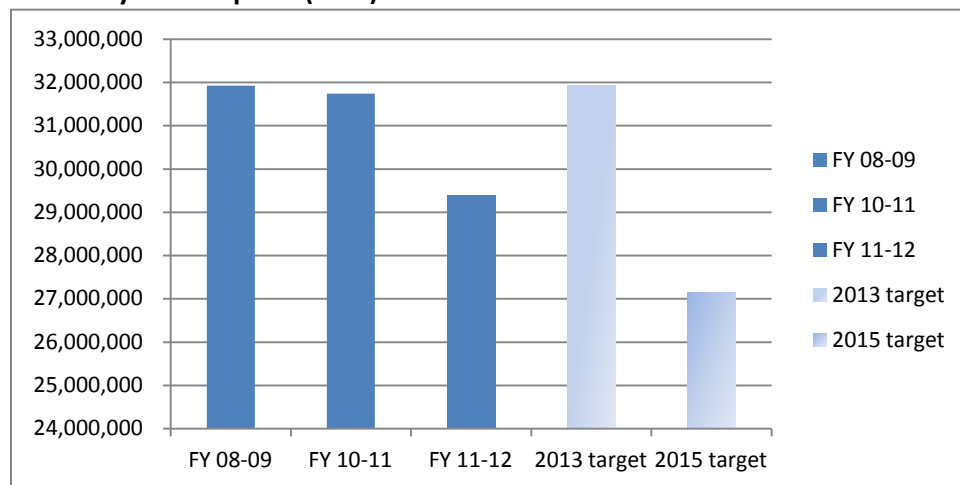


Figure 3

² kWh consumption numbers for all years are updated based on more comprehensive data in Metro's Utility Manager database.

³ The 2008 baseline for electricity usage is replaced with the FY 08-09 data for consistency in reporting timeframes.

Goal 2: Choose nontoxic



- Goal** Eliminate the use or emissions of persistent bioaccumulative toxics (PBTs) and other priority toxic and hazardous substances by 2025.
- Indicator** Percentage of chemical products used at Metro facilities that have ingredients with the worst rating (a 3 on a 1-3 scale)⁴ for health, environmental or physical hazard.
- 2013 target** 20 percent reduction from 2008 levels of chemical products in use at Metro with a “3” rating for health, environment and/or physical hazard.

Metro uses an inventory of chemical products and corresponding material safety data sheets (MSDS) to track toxicity of products in use in Metro operations. Some products are rated high hazard in more than one category, so the total exceeds 100 percent. Over the past year, Metro facility and venue managers led a major clean out of storage areas as well as a subsequent update of the MSDS inventory and database. Data from the 2011-12 fiscal year below are incomplete due to the inventory update in progress at PCPA facilities for which data is not yet available.

Percentage of chemical products use at Metro facilities that are rated high hazard

	Total products in MSDS inventory	Products with high hazard ranking in one or more categories	% change over 2008 baseline
FY 11-12 ⁵	1,959	1,052	Insufficient data to calculate change
FY 10-11	3,703	2,119	-1%
2008	3,638	2,110	

Figure 4

Percentage of chemical inventory rated high hazard

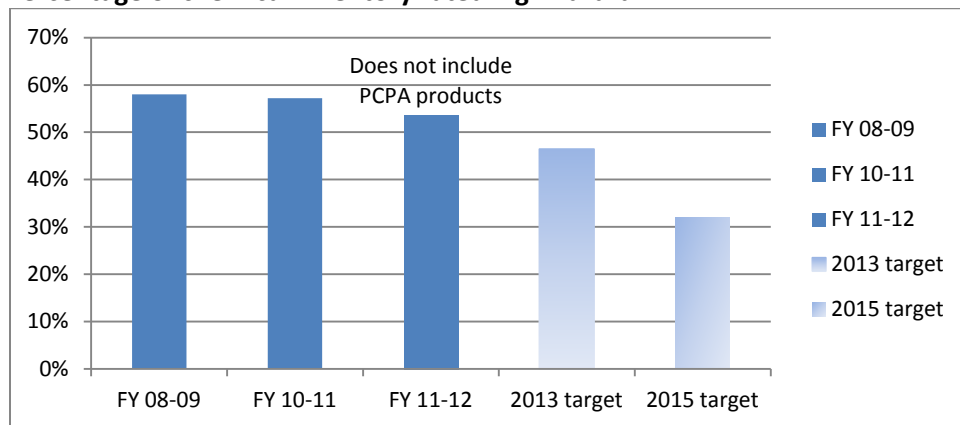


Figure 5

⁴ About hazard ratings in Metro’s MSDS database, hosted by the Chemical Risk Information System at OHSU: Health ratings are based on criteria including the constituent’s acute toxicity, irritant properties, and potential to cause cancer or produce developmental or reproductive toxicity. Environmental ratings are based on toxicity to aquatic organisms and other indicator species, persistence and tendency to accumulate in the environment, and potential to damage the ozone layer. Physical hazard ratings consider flammability risk level and potential for reactivity. A score of 3 indicates high hazard, 2 indicates intermediate hazard and 1 indicates low hazard.

⁵ FY 11-12 does not include chemical product MSDSs for PCPA facilities due to inventory update in progress.

Goal 3: Prevent waste



- Goal** Reduce overall generation of waste, and recycle or compost all remaining waste by 2025.
- Indicators** Weight of waste generated (garbage plus recycling and compost).
Percent of waste recovered for recycling or compost.
- 2013 targets** Recycle or compost 50 percent of waste (Metro-wide average).
Arrest waste generation at 2008 levels; reduce waste generation 10 percent from 2008 levels by 2015.

To measure progress toward the goal of recycling or composting all waste, as well as waste reduction, Metro tracks recycling rates and overall waste generation (weight of garbage, recycling and compost) from the major facilities in the agency’s portfolio. The average recycling rate improved each of the past two years.

Percentage of waste recovered from Metro facilities for recycling or compost

	Average recovery rate	% change over 2008 baseline
FY 11-12	59.9%	9%
FY 10-11	56.9% ⁶	6%
2009	50.7%	-0.4%
2008 ⁷	51.1%	

Figure 6

Recycling rate

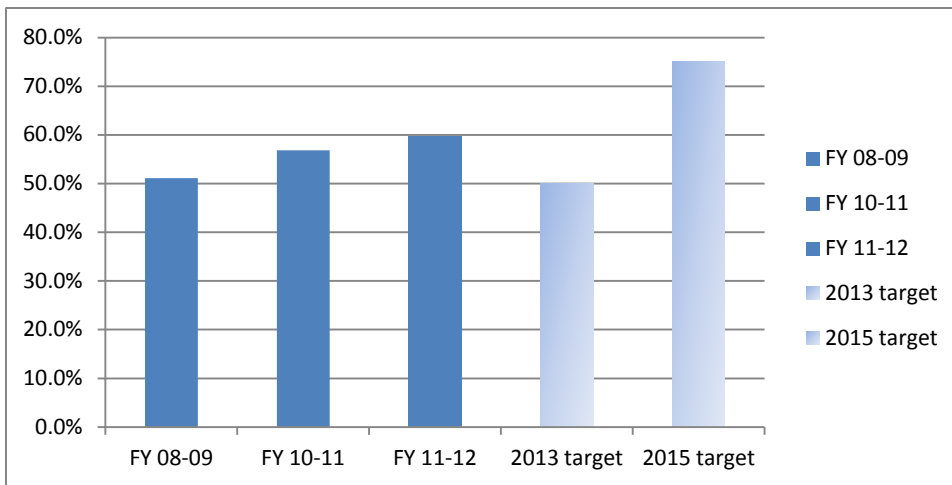


Figure 7

⁶ FY 10-11 recycling recovery rate updated to reflect corrected recycling information from Metro Paint.

⁷ The 2013 target for recycling recovery was set at 50 percent at the time the Sustainability Plan was written because the 2008 recycling average was approximately 44 percent. Since then, additional data was added for Metro facilities for 2008, which boosted the Metro-wide average to 51.1 percent.

Waste generation, however, continues to rise. Metro facilities collectively generated 17 percent more waste in fiscal year 2011-2012 than they did in the 2008 baseline year (figure 8).

Waste generation from Metro facilities (tons)

	Tons	% change over 2008 baseline
FY 11-12	3,172	17%
FY 10-11 ⁸	2,931	7%
2009	2,604	-4%
2008	2,701	

Figure 8

Waste generation (tons)

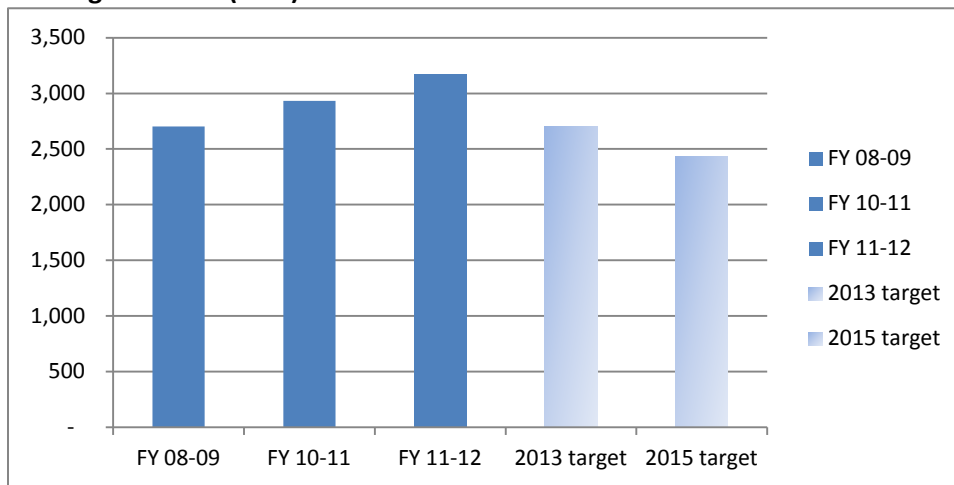


Figure 9

⁸ FY 10-11 waste and recycling numbers for Metro Paint were updated, altering the recycling recovery average for that year. PaintCare, a paint recycling program supported by paint manufacturers, launched in July 2010 and MetroPaint is the recycler for paint recovered in this program statewide. Due to significant increases in volumes of paint recycled at the facility in FY11-12 resulting from this program, the waste generation from the facility has also increased due to higher volumes of used paint cans and other wastes collected for processing. The MetroPaint recycling numbers do not include the paint itself, but does include paint cans.

Goal 4: Conserve water



Goal	Use 50 percent less water from 2008 levels by 2025.
Indicator	Gallons of water consumed from water utilities and on-site sources.
2013 target	15 percent decrease in water consumption from 2008 levels.

Water usage data for Metro facilities is collected from water-providing utilities and from well water usage records. Water use is reported in CCF, or hundred cubic feet (equivalent to 748 gallons). Water consumption for Metro facilities in 2011-12 was down eight percent over the FY 2008-2009 baseline year. Glendoveer Gold Course and the Oregon Zoo continue to be the top water users of the Metro facilities. Metro needs to implement strategic water efficiency upgrades at these facilities to meet the 2015 target of a 30 percent reduction from 2008 levels (figure 11).

Water consumption from Metro facilities (hundred cubic feet, CCF)

	CCF	% change over 2008 baseline
FY 11-12 ⁹	253,903	-8%
FY 10-11	241,464	-12%
FY 09-10	263,134	-4%
FY 08-09 ¹⁰	275,131	

Figure 10

Water consumption (CCF)

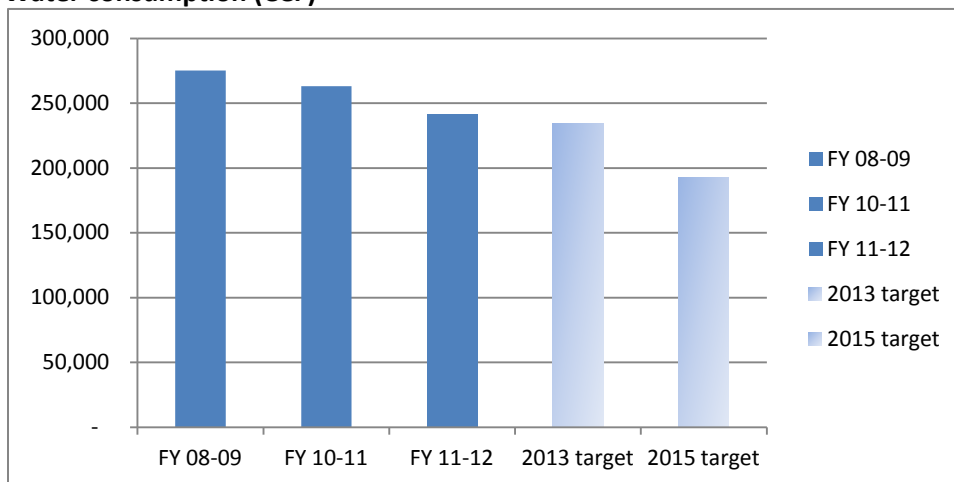


Figure 11

⁹ Tracking of well water use for irrigation at the Glendoveer Golf Course using a flow meter during FY 11-12 significantly increased quantities tracked for this facility and thus the overall Metro-wide total for FY 11-12. Baseline year and previous year totals updated.

¹⁰ The previous 2008 calendar year baseline was replaced with a FY 08-09 baseline from Metro's Utility Manager database.

Goal 5: Enhance habitat and reduce stormwater



Goal	Ensure that Metro's parks, trails, natural areas and developed properties positively contribute to healthy, functioning ecosystems and watershed health by 2025.
Indicator	Percentage of effective impervious area ¹¹ on Metro's developed properties; impervious surfaces directly connected to a stream or drainage system and not directed to a green roof, swale or other pervious area.
2013 targets	Arrest to 2008 levels and begin to reduce effective total impervious area on developed properties. Identify habitat-friendly improvement opportunities for developed properties.

Tracking the effective impervious surface areas is a way to monitor the quantity of stormwater runoff from Metro's developed properties and impacts to habitat health. The impervious surfaces of Metro properties are largely unchanged since 2008 (figures 12 and 13). The addition of an ecoroof at the Metro Central Household Hazardous Waste facility helped to improve performance slightly in FY 2011-2012. Strategic investment is needed at the Expo Center and the Oregon Zoo to make an impact on this goal area.

Effective impervious area at Metro facilities

	% of effective impervious area	Effective impervious area, square feet	% change over 2008 baseline
FY 11-12 ¹²	80.15%	4,508,795	-2.1%
FY 10-11	80.20%	4,511,560	-2.0%
2008	81.86%	4,511,560	

Figure 12

Effective impervious area (percentage of total impervious area)

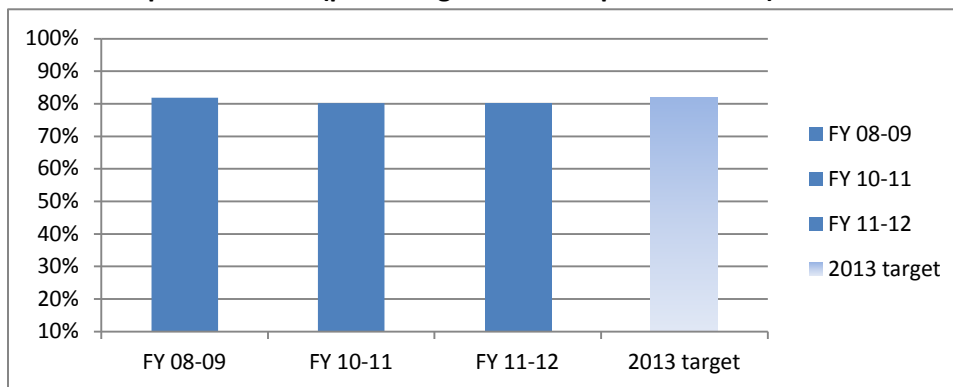


Figure 13

¹¹ Impervious area such as rooftops, streets, sidewalks and parking areas do not allow water to drain into the soil. Impervious area that collects and drains the water directly to a stream or wetland system via pipes or sheet flow is considered "effective impervious area" because it effectively drains the landscape. Impervious area that drains to landscaping, swales, parks and other impervious areas is considered "ineffective" because the water is allowed to infiltrate through the soil and into ground water, without a direct connection to the stream or wetland. <http://www.cleanwaterservices.org/content/documents/watershed%20info/effective%20impervious%20area%20report.pdf>

¹² Percentage of effective impervious area improved in FY 10-11 due to addition of Graham Oaks Nature Park, which treats all impervious surface stormwater on site.

HIGHLIGHTS OF METRO'S SUSTAINABLE OPERATIONS IN 2011-12

Metro venues and facilities successfully implemented several projects in FY 2011-2012 that support the Metro Sustainability Plan. In addition to their impacts on meeting the targets described above, these projects share other common outcomes: increased awareness of sustainability goals among operations staff; increased accountability among operations managers; and increased support for improving resource conservation despite staff capacity constraints. The projects highlighted in this report are just a few of those Metro undertook in the past year. A full list of sustainability plan actions and their status can be found on pages 21-23.

A new ecoroof graces Metro's household hazardous waste facility

Staff chose to install an ecoroof when the Metro Central Household Hazardous Waste facility in Portland was due for a roof replacement. The 2,665-square-foot ecoroof covers approximately 60 percent of the facility's roof area and was designed to be low-maintenance by using 13 varieties of hardy sedum plants. The ecoroof was designed by a team from ORANGEWALLstudios and TERRA.fluxus and constructed in the summer of 2012.

The building is used for collection of hazardous household products, including pesticides, leftover paint, solvents and automobile fluids from the public. Such collection keeps area waterways safe by preventing dumping in sinks or disposal in landfills. This project demonstrates Metro's commitment to habitat-friendly development practices in facility operations and maintenance. The project was supported by a \$13,325 grant from the City of Portland Ecoroof Incentive program, which offset 29% of the ecoroof portion of the project costs.

For more information contact Pete Hillman, construction coordinator, Pete.Hillman@oregonmetro.gov.



A 2,665 square foot ecoroof was added to the Metro Central Household Hazardous Waste facility in Northwest Portland.

Green Team at the Metro Regional Center (MRC) shows it's easy being green

Fourth floor plaza improvements

In June 2012, the Sustainability Center's Parks Planning & Development team and the Parks & Environmental Services Building Operations staff improved the 4th floor plaza. Staff rolled up their sleeves to assemble, install and plant six large planters in the area next to the MRC ecoroof. The project used locally sourced materials gathered within five miles of MRC and purchased from locally-owned small businesses. The planters' native and drought tolerant vegetation provides additional places for pollinators and birds to rest and feed, improves water quality by capturing stormwater runoff and improves outdoor space for employee meetings and breaks.



A revitalized ecoroof

This spring, MRC Green Team members partnered with Metro's Native Plant Center, MRC staff and volunteers to revitalize the MRC ecoroof. Together, they planted about 300 native plants, including sedum, alliums, Oregon sunshine and smooth alumroot, all grown at the Native Plant Center. The plants are drought-tolerant, hardy and resilient, making them suitable for harsher rooftop conditions such as wind and hot temperatures.



Easier car-free commuting

Now Metro staff and visitors can find the quickest, closest transit option for trips to and from the MRC. The real-time transit display installed at the front desk provides up-to-date bus and MAX arrival times at transit stops located near the MRC.



2012 Earth Day celebration

The MRC Green Team celebrated Earth Day with some serious sipping and swearing. More than 165 MRC employees used a reusable mug for their beverage purchase that day. In addition, 40 people signed pledges swearing off single-use paper cups and received a reusable mug. Despite an epic showdown between the Sustainability Center and Parks & Environmental Services departments, Metro's Human Resources had the highest percentage of people using reusable mugs.

For more information contact Resa Thomason, Metro Regional Center Green Team Chair at Resa.Thomason@oregonmetro.gov.



Cleaning out closets and reducing hazardous materials at Metro facilities

Metro venues are among the many public agencies and small businesses that use the Conditionally Exempt Generator (CEG) Program operated by Metro's own hazardous waste facilities. This program allows for the safe and proper disposal of hazardous waste generated by these venues. Similar to household hazardous wastes, typical wastes are paint, solvents, aerosols, acids, cleaners, fluorescent light bulbs and batteries. With an increased focus on proper hazardous waste management, Metro's venues have successfully cleaned up stockpiled waste and improved workplace safety, all while maintaining favorable generator status.

- Oregon Zoo removed 7,198 pounds of hazardous waste.
- Oregon Convention Center removed 3,248 pounds of hazardous waste.
- Portland Expo Center removed 2,652 pounds hazardous waste and spent fluorescent lamps.

Once the cleanout was complete, facility staff inventoried remaining products and collected material safety data sheets (MSDS) for each product. This information was used to update Metro's online MSDS database and toxic hazard screening tool.

For more information, contact Lisa Heigh, toxics reduction planner, at Lisa.Heigh@oregonmetro.gov.



Storage closets like this one were cleaned out at multiple Metro facilities to properly dispose of hazardous materials no longer in use.

Oregon Zoo ecoroof serves as testing ground for future building

In a collaborative partnership with Portland State University, design consultants and construction firm Lease Crutcher Lewis, the Oregon Zoo completed its first ecoroof project this year. A working model for the future conservation education center's ecoroof, this 100-square-foot structure will test an unusual design and educate visitors about the benefits of ecoroofs. The model's main purpose is to test how well an ecoroof with a steeply sloped design will fare. The ecoroof for the center will be approximately 200 times larger than the model, with the steep slopes enabling visitors to see much of the plantings from ground level.

The PSU Design Collaborative, a group of architecture, engineering and environmental science students, contributed its sustainability expertise to the project. Students helped select plants, from drought-tolerant grasses to cascading sedums, with a focus on native species, promoting biodiversity and attracting birds, bees and butterflies. Interpretive signs on the model acquaint visitors with ecoroof basics and illustrate how voters' zoo bond dollars will help the environment.

Because of the collaborative nature of the project, the zoo's only investment was labor from horticulture staff. The following donors gave both time and money to make the model happen: Atelier Dreiseitl + Place landscape architects, Bain Associates, CLR Design architects, KPFF consulting engineers, Lease Crutcher Lewis, Portland State University's School of Architecture and Engineering, Snyder Roofing, and SRG Partnership architects.

Learn more about Oregon Zoo's Conservation Discovery Zone project at http://www.oregonzoo.org/sites/default/files/downloads/110908_cdz_pre-schematic-final.pdf.

For more information, contact Jim Mitchell, Oregon Zoo construction manager, at Jim.Mitchell@oregonzoo.org.



A model ecoroof at the Oregon Zoo tests a steep slope technique and educates visitors about the benefits of green roofs.

Oregon Zoo wins Green Award from the Association of Zoos and Aquariums

The Oregon Zoo was honored with the AZA's Green Award, recognizing "significant achievement" in reducing the environmental impact of its day-to-day operations.

In 1991, the zoo became one of the first AZA institutions to establish an in-house "Green Team" – a group of staff members that reviews programs and operations with an eye toward sustainability and conservation. The zoo has since expanded its recycling and composting programs to the point where nearly 80 percent of all solid waste is diverted from landfills. New animal habitats, a veterinary medical center and a new education center all are guided by a 20-year master plan that aims to reduce the zoo's environmental impact while increasing awareness among visitors.



"If we want a better future for wildlife, it's crucial for us to conserve natural resources now and make sure all of our operations are environmentally sustainable," says zoo director Kim Smith. "It makes sense for the zoo to walk the walk, and be a model of green operations in the community."

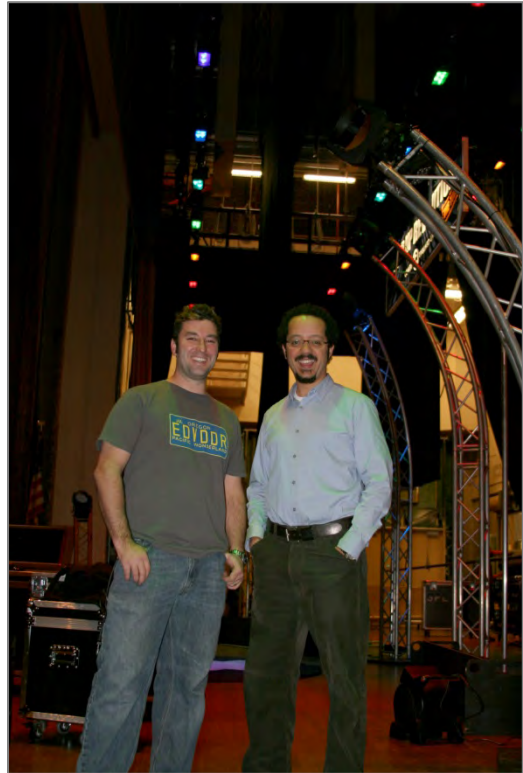


The zoo's spacious concert lawn, a favorite gathering spot for friends and families, has been 100 percent pesticide-free for more than 20 years.

CPA's Arlene Schnitzer Concert Hall saves energy with LED lighting

Portland Center for the Performing Arts (PCPA) recently upgraded the lighting system in the Arlene Schnitzer Concert Hall with 36 ETC Selador Classic Vivid-R™ LED luminaires. By installing the fixtures, the venue expanded its color capabilities, reduced its energy usage and earned cash incentives from Energy Trust of Oregon to put toward the fixtures' purchase.

The concert hall's aging striplight system was demanding an increasingly high level of maintenance resources. Appropriate light bulbs are no longer being manufactured, and the cost of upkeep kept mounting, so the striplights were replaced by LED luminaires. Says Justin Dunlap, a house electrician for the Arlene Schnitzer Concert Hall: "I would predict that we'll see an 85 to 95 percent consumption drop from the on-stage fixtures, not counting the front-of-house lighting."



Justin Dunlap, PCPA house electrician, and Jason Blackwell, PCPA Operations Manager, show off the energy-saving lights in the Arlene Schnitzer Concert Hall.

Metro Central solid waste transfer station turns up the lights

Metro's contract operator for the Metro Central Transfer Station, Recology Oregon Recovery, undertook a significant lighting upgrade at the 180,000-square-foot facility in Northwest Portland. This efficiency improvement was one of several sustainability measures proposed by Recology; those measures were a key factor in Metro awarding the operating contract to the firm. Christenson Electric, Recology's contractor, removed 211 metal halide fixtures. These old fixtures – 80 400-watt and 131 1,000-watt units – were replaced with 211 234-watt and 277-watt four-lamp fluorescent fixtures. The energy savings is anticipated to be 210,840 kilowatt hours annually, reducing the overall facility electricity consumption by approximately 28 percent and improving lighting in the facility.

For more information, contact Bruce Philbrick, transfer station operations manager, at Bruce.Philbrick@oregonmetro.gov.



Upgraded lighting at Metro Central Transfer Station will use 28 percent less energy and provide better light for workers, especially during early morning shifts.

Oregon Convention Center: practicing sustainability



Plaza Palooza summer concert series aimed to be a “zero waste” event

In summer 2012, the Oregon Convention Center launched the Plaza Palooza outdoor concert series with three goals in mind: boost revenues, enhance neighborhood livability and maximize sustainability.

Demonstrating its commitment to sustainability, the series focused on showcasing local musical talent, providing a unique opportunity for bands to increase their visibility among new audiences. Nearby Hoyt Street Station Community Café provided concessions through pacificwild catering, whose mission includes sourcing local, seasonal and sustainably-harvested ingredients. Menu items highlighted Pacific Northwest-inspired fare, including Oregon beers, wines and distilled spirits, as well as the bounty of nearby farms and fields, and were served on compostable plates and utensils.

The facility established a zero-waste goal at the series’ onset and, through a partnership with its recycling/composting contractor, Recology, achieved an average diversion rate of 79 percent. Thanks to volunteers who staffed three recycling and composting stations, the majority of refuse was correctly sorted and disposed, contributing to these high rates of diversion.

For more information, contact Matthew Uchtman, Oregon Convention Center operations manager, at MatthewUchtman@oregoncc.org.



Concertgoers enjoy a live show at the plaza across from the Oregon Convention Center.



pacificwild catering wins second place Portland BEST Award for food purchasing program



pacificwild catering was created by ARAMARK in 2011 as an exclusive brand for the Metropolitan Exposition & Recreation Commission (MERC) visitor venues: The Oregon Convention Center, the Portland Center for the Performing Arts and the Portland Expo Center. Over the past 12 years, pacificwild catering (operating with MERC venues previously as ARAMARK) has consistently purchased from local businesses within Metro's FOTA (First Opportunity Target Area), which is the 44-block area surrounding the Oregon Convention Center. This represents approximately \$1.8 million annually in food and beverage spending, which supports the local economy. When in season, 70 percent of produce purchases are local. pacificwild's efforts earned them second place in the Portland Businesses for an Environmentally Sustainable Tomorrow (BEST) Sustainable Food Systems category.

When planning menus, pacificwild features as many local and seasonal products as possible and instructs produce vendors to provide local produce as their primary choice. Organic produce is selected when it is available, cost effective, or requested by a client.

Vendors that provide food to pacificwild venues include:

- Pacific Coast Fruit Company – Food Alliance Certified (.5 miles from the Oregon Convention Center)
- Charlie's Produce (10.9 miles)
- Fulton Provision Company – Food Alliance Certified (12.28 miles)
- Marsee Foods (12.28 miles)
- Tula Baking (3.44 miles)
- Portland French Bakery (9.9 miles)
- Portland Roasting Coffee Company (.7 miles)
- Sunshine Dairy Foods (1.17 miles)
- More than 30 locally distilled spirits, Oregon wines and local craft beers served at Stir Lounge at the Oregon Convention Center, West Delta Bar & Grill at the Expo Center and Art Bar at Portland Center for the Performing Arts.



For more information, visit www.oregoncc.org/pacificwildcatering/ or contact Brendan Coffey, resident district manager, pacificwild catering, BrendanCoffey@Oregoncc.org.

Read more about the Oregon Convention Center's sustainability program at www.oregoncc.org/sustainability/.

Expo Center more than triples recycling and composting in two years

Over the past two years, the staff at the Portland Expo Center has made it a priority to recycle and compost an increasing amount of show waste. As of the first quarter 2012, Expo had increased its recovery rate from 13 percent in 2010 to 44 percent.

The main challenge has been educating exhibitors, patrons and show producers. Luckily, Expo's clients are willing to help the venue walk its talk on sustainability efforts. Two shows in particular led the pack: The Columbia Alpaca Breeders Association diverted more than 17 tons of materials from the landfill – 98 percent of waste generated at the show. Another standout was Food Services of America, which increased its recovery rate from 17 percent in 2011 to 88 percent in 2012, and donated more than three tons of food to local food banks and charities.

For more information, please contact Jim Caldwell, Portland Expo Center operations manager at jimcaldwell@expoctr.org.



Staff at the Portland Expo Center has made it a priority to recycle and compost an increasing amount of show waste.

Metro employees being green at work



Toxics Reduction Specialist Sabrina Gogol installs a native plant garden at Metro South hazardous waste facility.



Metro Regional Center Green Team members Resa Thomason and Elizabeth Cole show off their "Recycling 101" staff presentation materials.



Oregon Zoo employees Philip Fensterer, Asaba Mukobi and Jeb Barsh provide support to coworkers for bike commuting.



Former Metro Regional Center Green Team Chair Corie Harlan and Parks Planner Rod Wojtanik stand by the new habitat-friendly planters at the Metro Regional Center.



Metro Regional Center Building Services employee Thomas Thornton shows off the fleet bike.



Portland Expo Center employee Ron Macomber pulls weeds by hand instead of using pesticides.

STATUS OF PRIORITY SUSTAINABILITY PLAN PROJECTS as of October 2012

Key: ✓ Completed
● In progress

Strategies and actions are color-coded to the Sustainability Plan pages 28-49.

http://library.oregonmetro.gov/files//metro_sustainability_plan_final_2010.pdf

Sustainability program actions

Strategy	Sustainability Plan action and reference number	Status
Program Strategy 1: Integrate accountability into implementation of the sustainability plan.	Program Action 1.1: Create and adopt an implementation process for the Sustainability Plan.	✓ Completed 2011
	Program Action 1.2: Integrate sustainability goals and desired outcomes into PACe and other performance measures for Metro employees, starting with managers.	✓ Completed 2012
Program Strategy 2: Create a comprehensive sustainability training program for Metro employees.	Program Action 2.1: Provide basic sustainability training to all Metro employees.	● In progress
Program Strategy 3: Build funding and staff capacity to implement sustainability plan.	Program Action 3.1: Create a comprehensive funding strategy for sustainability projects, including sustainability requirements for new capital assets. (Also supports GHG Action 5.1 and Water action 6.1 regarding project funding.)	● In progress
	Program Action 3.1: Identify and address staff capacity needed to coordinate site-specific sustainability activities.	● In progress
Program Strategy 4: Create policies and procedures to support sustainability plan and goals.	Program Action 4.1: Develop and adopt a sustainable procurement policy as directed by Metro Code, "Sustainable Procurement Program."	✓ Completed 2012
	Program Action 4.2: Adopt a Metro-wide green building policy to set standards based on LEED for new construction and operations of existing buildings.	✓ Completed 2011
	Implement green building policy; complete assessments for solar, ecoroof, LEED-EBOM and habitat feasibility.	● In progress
Program Strategy 5: Update sustainability goals and interim targets on a regular basis.	Program Action 5.2: Create new sustainability goals to address sustainability gaps of social equity and economic aspects of Metro's operations.	● In progress
Program Strategy 6: Track progress of sustainability plan implementation and impact on goal areas.	Program Action 6.1: Develop an ongoing tracking and monitoring system for all five goal areas. Include: ✓ Utility Manager database (electricity, gas, water) ✓ MSDS database and chemical inventory update ● Recycling database	● In progress
	Program Action 6.2: Report annually on progress in five goal areas, and on sustainability projects completed each year.	✓ Completed 2011, 2012

Sustainability goal actions

Strategy	Sustainability Plan action and reference number	Status
GHG Strategy 1: Reduce GHG emissions from building operations, maintenance and siting through energy efficiency and resource conservation.	GHG Action 1.1: Audit buildings for energy efficiency opportunities and develop recommendations for an energy efficiency plan specific to each site.	✓ Completed 2012
	GHG Action 1.2: Implement energy efficiency plans and develop supporting policies for each site audited.	● In progress
	GHG Action 1.3: Identify and evaluate options for reducing GHG emissions from the St. Johns Landfill, particularly the flaring of methane and resulting carbon dioxide emissions.	✓ Completed 2012
GHG Strategy 3: Reduce GHG emissions related to supply chain and service providers through contracts and procurement.	GHG Action 3.1: Include energy efficiency criteria in all vendor and facility service and equipment contracts.	● In progress
Toxics Strategy 1: Complete and update Metro's comprehensive chemical product inventory.	Toxics Action 1.1: Establish process for ongoing tracking and inventory of chemicals and products that contain toxics in use at Metro.	✓ Completed 2012
Toxics Strategy 2: Reduce and/or eliminate the most toxic products and materials first.	Toxics Action 2.1: Identify the most toxic products in Metro's inventory and replace them with less-toxic alternatives.	● In progress
	Toxics Action 2.2: Reduce the use of herbicides and pesticides in all Metro operations. Create and implement an Integrated Pest Management (IPM) policy for all Metro properties.	● In progress
Toxics Strategy 3: Identify and implement methods for procurement of less-toxic goods and materials through purchasing policies and procedures.	Toxics Action 3.1: Reduce purchase of toxic products by requiring or requesting least-toxic options from contractors and suppliers in bids and RFPs.	● In progress
Waste strategy 3: Improve and expand recycling programs at Metro facilities and properties.	Waste action 3.1: Meet Business Recycling Requirements at all Metro facilities.	✓ Completed 2011
Waste strategy 7: Improve tracking and reporting on waste generation and recycling from haulers, as well as internal tracking by department.	Waste action 7.1: Track waste generation and recycling data for all Metro locations.	✓ Completed 2012
Water Strategy 1: Assess and prioritize water conservation opportunities on all Metro properties.	Water action 1.1: Audit water usage at all Metro locations that have not had a recent water audit to develop recommendations for water conservation strategies specific to each site.	● In progress (Complete at MRC, Zoo, OCC, Expo)
Water Strategy 2: Reduce water usage through improvements to water use prevention and water efficiency, starting with biggest water users.	Water action 2.1: Ensure implementation of water conservation projects identified in the Zoo Master Plan.	✓ Completed 2011 (Penguin filtration)
	Water action 2.2: Integrate sustainable operations and water conservation requirements into operations contract for Glendoveer Golf Course.	● In progress

Strategy	Sustainability Plan action and reference number	Status
	<p>Water action 2.4: Retrofit existing buildings' water fixtures and equipment to high-efficiency where highest opportunity areas are found in water audits.</p> <p>Water action 2.5: Create requirement that all water fixtures and equipment purchases be water efficient.</p>	<ul style="list-style-type: none"> ● In progress ✓ Completed 2011 (See green building policy)
Water Strategy 4: Establish an ongoing tracking and reporting system for all water usage at Metro properties.	Water action 4.1 Create ongoing tracking system for all water uses at Metro locations. Include on-site water sources such as wells.	✓ Completed 2011 (Utility Manager database)
Habitat Strategy 1: Assess and prioritize habitat and stormwater improvement opportunities on all Metro properties.	Habitat action 1.1: Conduct habitat and stormwater site assessments at all Metro properties, especially developed properties. Use assessments to develop habitat and stormwater improvement site plans.	● In progress
Habitat Strategy 2: Improve habitat value and ecological function of, and reduce stormwater runoff from all Metro properties.	Habitat action 2.3 (repeat of Toxics action 2.2): Reduce the use of herbicides and pesticides in all Metro operations. Create and implement an Integrated Pest Management (IPM) policy for all Metro properties.	● In progress

ABOUT THE METRO SUSTAINABILITY PROGRAM

The internal Sustainability Program is housed in the Metro Sustainability Center, a department whose focus areas include protection of natural areas, development of regional parks, waste prevention, recycling and toxics reduction programs, and promotion of sustainable living practices for residents throughout the Metro region.

Sustainability steering committee

Oversight and accountability for implementation of the Metro Sustainability Plan is provided by a steering committee of representatives from the major facilities in Metro's operations.

- Jason Blackwell, operations manager, Portland Center for the Performing Arts
- Dan Kromer, parks and visitor services manager, Parks & Environmental Services
- Ivan Ratcliff, interim guest services manager, Oregon Zoo
- Bruce Philbrick, transfer station operations manager, Parks & Environmental Services
- Rory Greenfield, Metro Regional Center operations manager, Parks & Environmental Services
- Matthew Uchtman, operations manager, Oregon Convention Center

Green teams

In addition to the work of the sustainability steering committee and the facility operations managers, four green teams support implementation of sustainable practices in Metro workplaces.

- Oregon Zoo green team FY 11-12 chair: Tyson Stoianoff
- Metro Regional Center green team FY 11-12 chair: Corie Harlan
- Oregon Convention Center green team FY 11-12 chair: Brittin Witzenburg
- Solid Waste Operations green team FY 11-12 chair: Jim Quinn

Special thanks to Aidan Gronauer in Metro's Sustainability Center for assistance with management of the Utility Manager database and data analysis for this report.

For more information about Metro's Sustainability Program and this report, contact:

Molly Chidsey, Sustainability Coordinator
Metro Sustainability Center
600 NE Grand Avenue
Portland, OR 97232
503-797-1690
molly.chidsey@oregonmetro.gov
www.oregonmetro.gov/greenmetro

Agenda Item No. 5.1

Consideration of the Minutes for Nov. 15, 2012

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

Agenda Item No. 5.2

Resolution No. 12-4387, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Forest Grove Transfer Station for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon.

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A) RESOLUTION NO. 12-4387
RENEWED NON-SYSTEM LICENSE TO FOREST GROVE)
TRANSFER STATION FOR DELIVERY AND DISPOSAL OF) Introduced by Martha J. Bennett,
PUTRESCIBLE WASTE AT THE RIVERBEND LANDFILL) Chief Operating Officer, with the
LOCATED IN YAMHILL COUNTY, OREGON) concurrence of Tom Hughes,
) Council President

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

WHEREAS, Forest Grove Transfer Station ("FGTS") holds Metro Solid Waste Facility Non-System License No. N-010-11, which expires on December 31, 2012; and

WHEREAS, FGTS has filed a complete application seeking renewal of the non-system license to deliver putrescible waste to the Riverbend Landfill for disposal under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control;" and

WHEREAS, Metro Code Chapter 5.05 provides that applications for non-system licenses for putrescible waste shall be reviewed by the Chief Operating Officer and are subject to approval or denial by the Metro Council; and

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

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

THE METRO COUNCIL RESOLVES AS FOLLOWS:

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

ADOPTED by the Metro Council this ____ day of _____, 2012.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

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



METRO

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

No. N-010-13

LICENSEE:
Forest Grove Transfer Station 1525 B Street Forest Grove, OR 97116
CONTACT PERSON:
Kirk Duncan Phone: (503) 992-3015 Fax: (503) 357-4822 E-mail: kduncan2@wm.com
MAILING ADDRESS:
Forest Grove Transfer Station 1525 B Street Forest Grove, OR 97116

ISSUED BY METRO:

Scott Robinson, Deputy Chief Operating Officer

Date



1	NATURE OF WASTE COVERED BY LICENSE
	Putrescible solid waste generated within the Metro boundary and received at Forest Grove Transfer Station in accordance with Metro Solid Waste Facility Franchise No. F-004-08.
2	CALENDAR YEAR TONNAGE LIMITATION
	Licensee is authorized to deliver to the non-system facility described in Section 3 of this license up to 130,000 tons per calendar year of the waste described in Section 1 of this license.
3	NON-SYSTEM FACILITY
	<p>The Licensee hereunder is authorized to deliver the waste described above in Section 1 to the following non-system facility:</p> <p style="text-align: center;">Riverbend Landfill 13469 SW Highway 18 McMinnville, OR 97128</p> <p>This license is issued on condition that the non-system facility named in this section is authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality or local regulatory authority that this non-system facility is not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 7 of this license.</p>
4	TERM OF LICENSE
	The term of this license will commence on January 1, 2013 and expire at midnight on December 31, 2014, unless terminated sooner under Section 7 of this license.
5	REPORTING OF ACCIDENTS AND CITATIONS
	Licensee shall report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license.



6	RECORD KEEPING AND REPORTING
	<p>(a) The Licensee shall keep and maintain accurate records of the amount of all solid waste that the Licensee delivers to the non-system facility described in Section 3 of this license. The Licensee shall keep and maintain complete and accurate records of the following for all transactions with the authorized non-system facility:</p> <ul style="list-style-type: none">i. Ticket or weight slip number from the non-system facility;ii. Material category designating the type of material transferred to the non-system facility;iii. Date the load was transferred to the non-system facility;iv. Time the load was transferred to the non-system facility;v. Net weight of the load; andvi. Fee charged by the non-system facility <p>(b) No later than the fifteenth (15th) day of each month, beginning with the first month following the commencement date of this license, Licensee shall:</p> <ul style="list-style-type: none">i. Transmit the records required under Section 6(a) above to Metro in an electronic format prescribed by Metro;ii. Submit to Metro a Regional System Fee and Excise Tax Report, that covers the preceding month; andiii. Remit to Metro the requisite Regional System Fees and Excise Tax in accordance with the Metro Code provisions applicable to the collection, payment, and accounting of such fees and taxes. <p>(c) Licensee shall make all records from which Sections 6(a) and 6(b) above are derived available to Metro (or Metro's designated agent) for its inspection or copying, as long as Metro provides no less than three (3) business days written notice of an intent to inspect or copy documents. Licensee shall, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility named in Section 3, above.</p>

7	ADDITIONAL LICENSE CONDITIONS
	<p>This license shall be subject to the following conditions:</p> <p>(a) The permissive transfer of solid waste to the non-system facility, listed in Section 3, authorized by this license shall be subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.</p> <p>(b) This license shall be subject to amendment, modification, or termination</p>



	<p>by Metro’s Chief Operating Officer (the “COO”) in the event that the COO determines that:</p> <ul style="list-style-type: none"> i. There has been sufficient change in any circumstances under which Metro issued this license; ii. The provisions of this license are actually or potentially in conflict with any provision in Metro’s disposal contract with Waste Management Disposal Services of Oregon, Inc., dba Oregon Waste Systems, Inc.; or iii. Metro’s solid waste system or the public will benefit from, and will be better served by, an order directing that the waste described in Section 1 of this license be transferred to, and disposed of at, a facility other than the facilities listed in Section 3. <p>(c) This license shall, in addition to subsections (b)(i) through (b)(iii), above, be subject to amendment, modification, suspension, or termination pursuant to the Metro Code.</p> <p>(d) The Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.</p> <p>(e) This license shall terminate upon the execution of a designated facility agreement with the facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1 of this license.</p> <p>(f) This license authorizes the delivery of solid waste to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro.</p> <p>(g) If the Licensee exceeds the calendar year limitation set forth in Section 2 of this license, each ton or portion thereof by which the Licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500.</p>
--	---

8	COMPLIANCE WITH LAW
	<p>Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Chapter 5.05 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the collection and hauling of the Licensee’s solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the Licensee shall be deemed part of this license as if specifically set forth herein.</p>



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

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4387 AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-SYSTEM LICENSE TO FOREST GROVE TRASFER STATION FOR DELIVERY AND DISPOSAL OF PUTRESCIBLE WASTE AT THE RIVERBEND LANDFILL LOCATED IN YAMHILL COUNTY, OREGON

November 20, 2012

Prepared by: Warren Johnson
503-797-1836

Approval of Resolution No. 12-4387 will authorize the Chief Operating Officer (COO) to issue a two-year non-system license (NSL) to Forest Grove Transfer Station (FGTS) to annually deliver up to 130,000 tons of putrescible waste from the Metro region to Riverbend Landfill (Riverbend) located in Yamhill County, Oregon. The proposed NSL renews the current license that is set to expire on December 31, 2012, and it continues the same authorization that the transfer station has held since 1990. The applicant (FGTS) and the disposal site (Riverbend) are both owned and operated by Waste Management of Oregon, Inc.

BACKGROUND

FGTS currently holds a Metro-issued franchise¹ to operate a transfer station authorized to receive putrescible waste. As a regional transfer station, the franchise does not limit the amount of waste that FGTS may receive on an annual basis. On August 30, 2012, FGTS submitted to Metro an application seeking to renew its NSL with a tonnage authorization of 130,000 tons per calendar year – which is 53,000 tons less than that currently authorized. Resolution No. 12-4387 would renew that NSL to FGTS and allow continued delivery of Metro-area putrescible waste to Riverbend through 2014. The tonnage limit established under the proposed NSL is intended to provide sufficient authorization to cover the total amount of solid waste that FGTS expects to receive on an annual basis.

In November 2010, the Metro Council granted FGTS an NSL² to deliver a maximum of 183,000 tons per calendar year of putrescible waste to Riverbend for disposal. The term of the current NSL commenced on January 1, 2011 and is set to expire on December 31, 2012. FGTS delivered about 109,000 tons of putrescible waste to Riverbend during calendar year 2011 and about 79,000 tons to the landfill between January and September 2012.

NSLs are the main vehicles by which Metro manages its contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste ("wet waste"), which is delivered to general purpose landfills during the calendar year, to landfills owned by Metro's contract disposal company, Waste Management. This contractual obligation is known as "*the flow guarantee*." NSLs allow Metro to closely monitor and potentially guide waste flows to authorized facilities in order to comply with the contract. Metro has a long-standing policy of allowing privately-owned waste haulers and transfer stations to select their disposal sites provided that: 1) the use of such disposal site does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities (e.g., Yamhill County and Oregon Department of Environmental Quality (DEQ) in the case of Riverbend).

¹ Metro Solid Waste Facility Franchise No. F-004-08.

² Metro Non-System License No. N-010-11.

On March 1, 2009, Metro and Waste Management entered into a designated facility agreement (DFA)³ for Riverbend which is set to expire on December 31, 2013. The DFA allows generators and haulers to deliver certain types of Metro-area waste directly to the landfill, such as non-putrescible processing residual (“dry waste”), contaminated soil from cleanups, and special wastes, without the need to obtain an NSL from Metro. Since putrescible waste deliveries are primarily managed through NSLs, this DFA does not allow the landfill to accept putrescible waste from the Metro region. As such, privately-owned haulers and transfer stations must obtain a separate NSL from Metro in order to legally deliver Metro-area putrescible waste to any landfill.

Metro Council is scheduled to consider five resolutions that will authorize five privately-owned transfer stations and haulers to deliver putrescible waste to Riverbend during the next two calendar years. In addition to this action for FGTS, the Council is scheduled to consider similar resolutions for Hoodview Disposal and Recycling, Inc. (Res. No. 12-4390), Willamette Resources, Inc. (Res. No. 12-4388), Pride Recycling Company (Res. No. 12-4389), and West Linn Refuse and Recycling, Inc. (Res. No. 12-4391) at its meeting on November 29, 2012.

ANALYSIS/INFORMATION

1. Known Opposition

The waste subject to the proposed NSL will be delivered to Riverbend for disposal. There is no known opposition within the Metro region for delivery of Metro-area waste to authorized disposal sites located outside of the region, including Riverbend. Within Yamhill County, there is known local public opposition to the disposal of waste generated outside of the County, including Metro-area waste, at Riverbend.

As part of its authorization process for NSLs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding Riverbend. The County has informed Metro that the landfill is in compliance with state and local requirements. Riverbend became permitted as a Subtitle D⁴ landfill in 1993 which put in place new requirements to minimize risk of future environmental contamination at the site. On September 20, 2012, the County’s director of planning and development also reported to Metro via email that the County’s Board of Commissioners are “in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance.” In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County’s new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal.

Riverbend is permitted to accept solid waste and the appropriate state and local jurisdictions do not object to the landfill receiving Metro-area waste for disposal. Although approval of Resolution No. 12-4387 would authorize FGTS to deliver waste to the landfill, the proposed NSL does not obligate Riverbend to accept Metro-area waste. This is noted for Council’s consideration because the landfill is facing some capacity-related issues which are further discussed in Attachment 1 to this staff report.

³ Metro Contract No. 929082.

⁴ In the 1990’s, the federal Resource Conservation and Recovery Act required all general purpose solid waste landfills to install synthetic liners, leachate collection systems, groundwater monitoring and gas collection systems to lessen the impact on surrounding communities and the environment..

2. Legal Antecedents

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

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

Riverbend first came into use during the mid-eighties and became a Subtitle D landfill in 1993. At that time, the original unlined cells were capped and the landfill has been filling only lined cells and operating with the environmental controls required by the DEQ. The environmental risk associated with the use of Riverbend is expected to be minimal as the landfill is fully regulated by the appropriate local and state authorities.

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

FGTS and Riverbend are both owned and operated by Waste Management, which is a national integrated solid waste company that is well known to Metro regulatory staff. The transfer station and the landfill are permitted by DEQ. Metro staff's investigation of Waste Management has revealed no documented outstanding compliance issues with local or state agencies responsible for health, safety, and environmental regulations.

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

Riverbend uses operational practices and management controls that are typical of Subtitle D landfills. Staff at the DEQ, the landfill's regulator, considers the operational practices and controls in place at Riverbend to be appropriate for the proper management of waste disposal and adequate for the protection of health and the environment.

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

The proposed NSL to FGTS covers putrescible solid waste, which currently has limited recovery potential. This proposed NSL puts no long-term constraint on the waste should recovery alternatives emerge for the region. Thus, approval of the proposed NSL renewal is not expected to impact the region's recycling and waste reduction efforts.

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

Metro has a contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste, which is delivered to general purpose landfills during the calendar year, to landfills owned by Waste Management. The proposed NSL covers putrescible waste that will be delivered to Riverbend, which is owned and operated by Waste Management. Thus, approval of this NSL renewal will not conflict with Metro's disposal contract or any other of its existing contractual arrangements.

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

FGTS is currently in compliance with its Metro-issued franchise and NSL. FGTS has not had any compliance issues with regard to Metro regulations within the last two years. Additionally, the applicant has had no violations related to public health, safety or environmental regulations during the term of the current NSL.

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

An additional factor that is indirectly related to this NSL application and the proposed NSL is the available future disposal capacity of Riverbend. At the current fill rate, Waste Management estimates the landfill has capacity to operate through mid-2014 without some expansion approval or waste diversion. Although the landfill's capacity-issues are not directly relevant to this NSL decision, Attachment 1 to this staff report provides background information which updates Council on waste flow, expansion matters, and pending government decisions relative to the landfill. Should conditions change, Metro may modify, suspend, or terminate NSLs or redirect waste flow to other landfills.

3. Anticipated Effects

The effect of Resolution No. 12-4387 will be to issue a two-year NSL authorizing FGTS to deliver up to 130,000 tons per calendar year of putrescible waste to Riverbend for disposal.

4. Budget/Rate Impacts

Since Riverbend is owned and operated by Waste Management there is not an impact to Metro's obligation under the disposal contract. In addition, the Regional System Fee and Excise Tax will continue to be collected on Metro-area waste delivered to Riverbend under the authority of the proposed NSL. The application under consideration is the renewal of a current NSL therefore; any financial impact of this NSL to Metro has already been factored into the budget.

RECOMMENDED ACTION

The COO recommends approval of Resolution No. 12-4387, finding that the license renewal satisfies the requirements of Metro Code Section 5.05.035. Approval of Resolution No. 12-4387 will authorize the COO to issue an NSL, substantially similar to the one attached to the resolution as Exhibit A, to FGTS for a two-year period commencing on January 1, 2013 and expiring on December 31, 2014.

Summary of Riverbend Landfill Expansion Information

Riverbend Landfill, located in Yamhill County, is used as a primary disposal site for several privately-owned haulers and transfer stations within the Metro region. Riverbend's ongoing disposal capacity is indirectly germane to Metro Council's decision regarding whether to approve non-system licenses (NSLs) authorizing the use of the landfill as a disposal site.

At the current fill rate, Waste Management estimates that Riverbend has capacity to operate through mid-2014 without the need for expansion or waste diversion. Should a landfill expansion not occur or be delayed beyond that time, Metro's existing NSLs could be modified, suspended, or terminated as necessary to redirect waste flows to other landfills. NSLs contain a standard provision that allows Metro to take such action based upon a change in any circumstance under which Metro initially issued the license (for instance, if Metro later determines that there is a lack of capacity at Riverbend or Yamhill County requests that Metro stop further waste deliveries to the landfill, Metro could immediately modify, suspend, or terminate the NSL). In addition, a Metro-approved NSL does not require Riverbend to accept solid waste from its customers should it encounter capacity limitations. It is also plausible that new issues about the landfill expansion could be raised during the two-year term of this license – in which case Metro could take necessary action.

Riverbend Landfill

The current landfill footprint is 85 acres and the company owns over 702 acres on the site of which 145 acres are potentially slated for landfilling. In the short term, Riverbend has proposed to build a mechanically stabilized earthen berm to raise the perimeter height of the landfill enough to allow it to continue to take waste at its current rate for 2-3 years. Riverbend is considering seeking a longer-term lateral expansion to the landfill – potentially up to 60 additional acres. Waste Management is engaged in a series of public meetings in Yamhill County to discuss the potential expansion, future green waste technology and use of land not designated for land disposal for other community uses such as parks or agriculture. A 60 acre lateral expansion could provide as much as 20 years of capacity to the landfill.

Waste Management has also pursued other options to lessen dependency on the landfill, including diversion of non-putrescible waste from the landfill to the Tualatin Valley Waste Recovery facility in Hillsboro and relocation of the public recycling center to a more convenient location at the landfill site.

Waste Facts

In calendar year 2011, about 583,000 tons of solid waste were delivered to Riverbend from all sources (Table 1). Of these 583,000 tons, about 237,000 tons (41 percent) originated inside the Metro district. The balance came from areas outside of Metro.

In addition to the solid waste received for disposal, Riverbend accepted about another 75,000 tons of contaminated soils that were used for landfill operations, mainly alternative daily cover (Table 1). Of these 75,000 additional tons, about 21,000 originated inside the Metro boundary (Table 2).

Table 1	
Materials Received at Riverbend Landfill in 2011	
Solid Waste	
From inside Oregon	573,000 *
From out-of-state	10,000
Total Solid Waste	583,000
ADC/Soils	75,000
Total from all sources	658,000
<i>Source: DEQ, Solid Waste Disposal Report (quarterly). All tonnage amounts are rounded to the nearest 1000.</i>	

Table 2	
Materials Generated in the Metro District and Received at Riverbend Landfill in 2011	
Putrescible waste	208,000
Non-putrescible waste	29,000
Total Solid Waste	237,000 (41% of total waste at Riverbend)
ADC/soils	21,000
Total from Metro	258,000 (39% of total materials at Riverbend)
<i>Source: Metro, SWIS, based on reports filed by Riverbend. All tonnage amounts are rounded to the nearest 1000.</i>	

Of the 237,000 tons of Metro-area solid waste disposed at Riverbend in 2011, about 208,000 tons was putrescible waste collected from residential and commercial generators in Washington and northern Clackamas counties, delivered to one of four privately-owned transfer stations, and transported in large transfer trailers to Riverbend under the authority of a Metro-issued NSL (Table 3). The balance, 29,000 tons, was miscellaneous solid waste – mainly industrial waste, and non-putrescible processing residual directly delivered to the landfill from within the Metro region and delivered under the authority of the designated facility agreement with Riverbend. An additional 21,000 tons of contaminated soils originated in the Metro district, and were used for landfill operations, mainly alternative daily cover.

Table 3			
Metro-Area Putrescible Waste to Riverbend Landfill in 2011 by Transfer Station			
Transfer Station	Location	Putrescible Waste	
		Tons	Percent
Canby TS (Hoodview/West Linn)	Canby	13,008	6%
Forest Grove TS	Forest Grove	108,958	52%
Pride Recycling	Sherwood	63,472	31%
Willamette Resources	Wilsonville	22,487	11%
Total putrescible waste	In-District	207,925	100%

Metro transfer stations and the Troutdale Transfer Station send their waste to Columbia Ridge Landfill, not Riverbend. However, Riverbend serves as a back-up for these facilities whenever the Columbia Gorge is closed due to weather or other emergency situations. Metro transfer stations have not sent waste to Riverbend since 2007. Troutdale Transfer Station has delivered approximately 489 tons of waste to Riverbend within the last two calendar years.

Other Government Decisions

Numerous governments are involved in the oversight of landfills during consideration of a landfill expansion. Following is brief summary of each of the major entities responsible for decisions regarding aspects of the landfill expansion:

* Metro's Solid Waste Information System (SWIS) shows 571,000 tons (as previously reported), which is almost 2,000 fewer tons than shown in the DEQ reports. The difference is apparently due to corrections to deliveries from out-of-Metro counties, which SWIS does not track.

- **Yamhill County.** As part of its authorization process for NSLs and DFAs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding the landfill. The County has informed Metro that the landfill is in compliance with state and local requirements and there is minimal risk of future environmental contamination at the site. On September 20, 2012, the County's director of planning and development also reported to Metro via email that the County's Board of Commissioners are "in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance."

In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County's new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal. The new agreement increases fees, based on volume, paid to the county and could increase County revenue by 60 percent based on previous waste disposal volumes. The County has also recently determined that both the short-term expansion (berm) and longer-term expansion (horizontal expansion) of the landfill are outright allowable uses.

- **DEQ.** As the chief agency responsible for permitting and environmental oversight of the landfill, DEQ must approve any expansion at Riverbend as well as continually monitor the landfill's environmental performance and compliance. DEQ is presently reviewing Waste Management's application for the proposed berm expansion. The key issues under review with the expansion proposal pertain to seismic stability and review of flood way and flood plain boundaries by FEMA (see below). DEQ originally received the application for a large lateral expansion in 2009. Waste Management's most recent permit application, which seeks approval to install a mechanically stabilized earthen berm at the site, was submitted to the DEQ in 2012 as a result of opponents appealing the landfill's previous expansion application in 2009. DEQ's decision on the berm will be subject to a 35-day public comment period and likely involve a public hearing. DEQ does not currently have any outstanding enforcement actions at the landfill. DEQ considers the operational practices and controls in place at the landfill to be appropriate for the proper management of waste disposal and adequate for the protection of health and the environment.
- **Federal Emergency Management Agency (FEMA).** FEMA is the agency responsible for mapping flood and riparian zones. Current flood maps issued by FEMA show both the flood way and the flood plain passing through the landfill even though the landfill has been there since the 1980s. Waste Management submitted technical information to FEMA in May 2012 in support of a request to revise these maps. FEMA is currently reviewing this information and is expected to render a decision soon.
- **Department of State Lands (DSL).** As the state agency responsible for wetland preservation and mitigation, DSL conducted an investigation of the impact of the landfill on wetlands in the area. Thus far, DSL has been satisfied that Waste Management is not disturbing the wetlands.
- **State Historic Preservation Office (SHPO) and Grand Ronde Tribe.** Excavation of soil at the site for daily cover resulted in finding some archeological artifacts but did not find human bones or bone fragments. The situation is being assessed by SHPO and its contractors. The local tribe is also being consulted.

- **Land Use Board of Appeals (LUBA).** Local opponents of the landfill and its expansion have routinely appealed Yamhill County land use decisions and determinations to LUBA. So far all appeals have been in the County's favor, including an October 30, 2012 decision that concluded the proposed expansion of the existing landfill is compatible with the County's comprehensive plan and land use regulations.

Impact of Landfill Closure or Waste Diversion

If Metro-area solid waste could no longer be delivered to Riverbend for disposal for whatever reason, at least 208,000 tons of putrescible waste would have to be shifted to the Columbia Ridge Landfill each year under Metro's disposal contract. Each round trip to Columbia Ridge Landfill is 280 miles longer, on average, than current trips to Riverbend. This increase in transport time and distance would increase costs and reduce environmental sustainability in the region. The change in transport dominates all other economic and environmental effects. The additional transport cost would be about \$5 million per year. This translates to an average increase of almost \$24 on each ton shifted to Columbia Ridge Landfill from Riverbend. Ratepayers in Washington County and northwest Clackamas County would bear virtually all of the cost and residential ratepayers in these counties could see increases of \$1.40 to \$1.80 per month on their garbage bills.

Summary

The future capacity of Riverbend and any decisions that might impact its expansion are indirectly relevant to Metro's decision to allow solid waste to be disposed at the landfill. It is a factor that will be monitored by staff; however, waste delivery to the landfill is ultimately a business transaction between privately-owned companies. Capacity does not appear to impinge on the landfill's ability to accept Metro-area waste from the current group of NSLs under consideration by Metro Council. Metro generally regards these types of requests from the private sector as a market decision – provided that: 1) the use of such disposal sites does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities. Metro has the authority to modify, suspend, or terminate its NSLs at any time if the landfill's capacity becomes constrained or if Yamhill County requests that Metro restrict the flow of solid waste away from Riverbend.

Agenda Item No. 5.3

Resolution No. 12-4388, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Willamette Resources, Inc. for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon.

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A) RESOLUTION NO. 12-4388
RENEWED NON-SYSTEM LICENSE TO WILLAMETTE)
RESOURCES, INC. FOR DELIVERY AND DISPOSAL OF) Introduced by Martha J. Bennett,
PUTRESCIBLE WASTE AT THE RIVERBEND LANDFILL) Chief Operating Officer, with the
LOCATED IN YAMHILL COUNTY, OREGON) concurrence of Tom Hughes,
) Council President

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

WHEREAS, Willamette Resources, Inc. ("WRI") holds Metro Solid Waste Facility Non-System License No. N-005-11, which expires on December 31, 2012; and

WHEREAS, WRI has filed a complete application seeking renewal of the non-system license to deliver putrescible waste to the Riverbend Landfill for disposal under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control;" and

WHEREAS, Metro Code Chapter 5.05 provides that applications for non-system licenses for putrescible waste shall be reviewed by the Chief Operating Officer and are subject to approval or denial by the Metro Council; and

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

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

THE METRO COUNCIL RESOLVES AS FOLLOWS:

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

ADOPTED by the Metro Council this ____ day of _____, 2012.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

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



METRO

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

No. N-005-13

LICENSEE:		
Willamette Resources, Inc. 10295 SW Ridder Road Wilsonville, OR 97070		
CONTACT PERSON:		
Phone:	Carol Dion (503) 570-0625	Ray Phelps (503) 784-3516
Fax:	(503) 570-0523	(503) 570-0523
E-Mail:	CDion@republicservices.com	RPhelps@republicservices.com
MAILING ADDRESS:		
Willamette Resources, Inc. 10295 SW Ridder Road Wilsonville, OR 97070		

ISSUED BY METRO:

Scott Robinson, Deputy Chief Operating Officer

Date



1	NATURE OF WASTE COVERED BY LICENSE
	Putrescible solid waste generated within the Metro boundary and received at Willamette Resources, Inc. in accordance with Metro Solid Waste Facility Franchise No. F-005-08A.
2	CALENDAR YEAR TONNAGE LIMITATION
	Licensee is authorized to deliver to the non-system facility described in Section 3 of this license up to 70,000 tons per calendar year of the waste described in Section 1 of this license. This license does not increase the total tonnage that the Licensee is authorized to accept under Metro Solid Waste Facility Franchise No. F-005-08A.
3	NON-SYSTEM FACILITY
	<p>The Licensee hereunder is authorized to deliver the waste described above in Section 1 to the following non-system facility:</p> <p style="text-align: center;">Riverbend Landfill 13469 SW Highway 18 McMinnville, OR 97128</p> <p>This license is issued on condition that the non-system facility named in this section is authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality or local regulatory authority that this non-system facility is not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 7 of this license.</p>
4	TERM OF LICENSE
	The term of this license will commence on January 1, 2013 and expire at midnight on December 31, 2014, unless terminated sooner under Section 7 of this license.
5	REPORTING OF ACCIDENTS AND CITATIONS
	Licensee shall report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license.



6	RECORD KEEPING AND REPORTING
	<p>(a) The Licensee shall keep and maintain accurate records of the amount of all solid waste that the Licensee delivers to the non-system facility described in Section 3 of this license. The Licensee shall keep and maintain complete and accurate records of the following for all transactions with the authorized non-system facility:</p> <ul style="list-style-type: none">i. Ticket or weight slip number from the non-system facility;ii. Material category designating the type of material transferred to the non-system facility;iii. Date the load was transferred to the non-system facility;iv. Time the load was transferred to the non-system facility;v. Net weight of the load; andvi. Fee charged by the non-system facility <p>(b) No later than the fifteenth (15th) day of each month, beginning with the first month following the commencement date of this license, Licensee shall:</p> <ul style="list-style-type: none">i. Transmit the records required under Section 6(a) above to Metro in an electronic format prescribed by Metro;ii. Submit to Metro a Regional System Fee and Excise Tax Report, that covers the preceding month; andiii. Remit to Metro the requisite Regional System Fees and Excise Tax in accordance with the Metro Code provisions applicable to the collection, payment, and accounting of such fees and taxes. <p>(c) Licensee shall make all records from which Sections 6(a) and 6(b) above are derived available to Metro (or Metro's designated agent) for its inspection or copying, as long as Metro provides no less than three (3) business days written notice of an intent to inspect or copy documents. Licensee shall, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility named in Section 3, above.</p>

7	ADDITIONAL LICENSE CONDITIONS
	<p>This license shall be subject to the following conditions:</p> <ul style="list-style-type: none">(a) The permissive transfer of solid waste to the non-system facility, listed in Section 3, authorized by this license shall be subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.(b) This license shall be subject to amendment, modification, or termination by Metro's Chief Operating Officer (the "COO") in the event that the COO



	<p>determines that:</p> <ul style="list-style-type: none"> i. There has been sufficient change in any circumstances under which Metro issued this license; ii. The provisions of this license are actually or potentially in conflict with any provision in Metro’s disposal contract with Waste Management Disposal Services of Oregon, Inc., dba Oregon Waste Systems, Inc.; iii. Metro’s solid waste system or the public will benefit from, and will be better served by, an order directing that the waste described in Section 1 of this license be transferred to, and disposed of at, a facility other than the facilities listed in Section 3; or iv. There has been a change in the amount of tonnage that the Licensee is authorized to accept under Solid Waste Facility Franchise No. F-005-08A. In the event that the tonnage authorization provided under the franchise is increased as the result of a growth allowance, the COO may amend Section 2 of this license to increase the calendar year tonnage limitation up to the same tonnage amount stipulated in the franchise. <p>(c) This license shall, in addition to subsections (b)(i) through (b)(iv), above, be subject to amendment, modification, suspension, or termination pursuant to the Metro Code.</p> <p>(d) The Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.</p> <p>(e) This license shall terminate upon the execution of a designated facility agreement with the facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1 of this license.</p> <p>(f) This license authorizes the delivery of solid waste to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro.</p> <p>(g) If the Licensee exceeds the calendar year limitation set forth in Section 2 of this license, each ton or portion thereof by which the Licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500.</p>
--	--

8	COMPLIANCE WITH LAW
	<p>Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Chapter 5.05 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the collection and hauling of the Licensee’s solid waste</p>



	by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the Licensee shall be deemed part of this license as if specifically set forth herein.
--	---

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

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4388 AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-SYSTEM LICENSE TO WILLAMETTE RESOURCES, INC. FOR DELIVERY AND DISPOSAL OF PUTRESCIBLE WASTE AT THE RIVERBEND LANDFILL LOCATED IN YAMHILL COUNTY, OREGON

November 20, 2012

Prepared by: Warren Johnson
503-797-1836

Approval of Resolution No. 12-4388 will authorize the Chief Operating Officer (COO) to issue a two-year non-system license (NSL) to Willamette Resources, Inc. (WRI) to annually deliver up to 70,000 tons of putrescible waste from the Metro region to Riverbend Landfill (Riverbend) located in Yamhill County, Oregon. The proposed NSL renews the current license that is set to expire on December 31, 2012, and it continues the same authorization that the transfer station has held since 2002. The applicant (WRI) is owned by Allied Waste Industries, Inc., a wholly owned subsidiary of Republic Waste Systems, Inc. headquartered in Phoenix, Arizona.

BACKGROUND

WRI currently holds a Metro-issued franchise¹ to operate a local transfer station authorized to receive 70,000 tons of putrescible waste per year. On August 10, 2012, WRI submitted to Metro an application seeking to renew its NSL with a tonnage authorization of 70,000 tons per calendar year – which is the same tonnage authorization stipulated in the facility’s franchise. Resolution No. 12-4389 would renew that NSL to WRI and allow continued delivery of Metro-area putrescible waste to Riverbend through 2014.

In November 2010, the Metro Council granted WRI an NSL² to deliver a maximum of 70,000 tons per calendar year of putrescible waste to Riverbend for disposal. The term of the NSL commenced on January 1, 2011 and expires on December 31, 2012. WRI delivered about 22,000 tons of putrescible waste to Riverbend during calendar year 2011 and about 16,000 tons to the landfill between January and September 2012.

In addition to the above, WRI currently holds two other NSLs that separately authorize the facility to annually deliver putrescible waste to Coffin Butte Landfill³ and the Covanta Waste-to-Energy Facility⁴. These two NSLs are also set to expire on December 31, 2012 and are in the process of being renewed. WRI has obtained these NSLs to provide its facility with flexibility with regard to its disposal options. These NSLs do not increase the total tonnage that WRI is authorized to accept under its franchise.

NSLs are the main vehicles by which Metro manages its contractual obligation to deliver a minimum of 90 percent of the region’s putrescible waste (“wet waste”), which is delivered to general purpose landfills during the calendar year, to landfills owned by Metro’s contract disposal company, Waste Management of Oregon, Inc. This contractual obligation is known as “*the flow guarantee.*” NSLs allow Metro to closely monitor and potentially guide waste flows to authorized facilities in order to comply with the contract. Metro has a long-standing policy of allowing privately-owned waste haulers and

¹ Metro Solid Waste Facility Franchise No. F-005-08A.

² Metro Non-System License No. N-005-11.

³ Metro Non-System License No. N-005-12(3)A which authorizes the delivery of up to 37,428 tons per year.

⁴ Metro Non-System License No. N-005-11(2) which authorizes the delivery of up to 5,500 tons per year.

transfer stations to select their disposal sites provided that: 1) the use of such disposal site does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities (e.g., Yamhill County and Oregon Department of Environmental Quality (DEQ) in the case of Riverbend).

On March 1, 2009, Metro and Waste Management entered into a designated facility agreement (DFA)⁵ for Riverbend which is set to expire on December 31, 2013. The DFA allows generators and haulers to deliver certain types of Metro-area waste directly to the landfill, such as non-putrescible processing residual ("dry waste"), contaminated soil from cleanups, and special wastes, without the need to obtain an NSL from Metro. Since putrescible waste deliveries are primarily managed through NSLs, this DFA does not allow the landfill to accept putrescible waste from the Metro region. As such, privately-owned haulers and transfer stations must obtain a separate NSL from Metro in order to legally deliver Metro-area putrescible waste to any landfill.

Metro Council is scheduled to consider five resolutions that will authorize five privately-owned transfer stations and haulers to deliver putrescible waste to Riverbend during the next two calendar years. In addition to this action for WRI, the Council is scheduled to consider similar resolutions for Hoodview Disposal and Recycling, Inc. (Res. No. 12-4390), Pride Recycling Company (Res. No. 12-4389), Forest Grove Transfer Station (Res. No. 12-4387), and West Linn Refuse and Recycling, Inc. (Res. No. 12-4391) at its meeting on November 29, 2012.

ANALYSIS/INFORMATION

1. Known Opposition

The waste subject to the proposed NSL will be delivered to Riverbend for disposal. There is no known opposition within the Metro region for delivery of Metro-area waste to authorized disposal sites located outside of the region, including Riverbend. Within Yamhill County, there is known local public opposition to the disposal of waste generated outside of the County, including Metro-area waste, at Riverbend.

As part of its authorization process for NSLs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding Riverbend. The County has informed Metro that the landfill is in compliance with state and local requirements. Riverbend became permitted as a Subtitle D⁶ landfill in 1993 which put in place new requirements to minimize risk of future environmental contamination at the site. On September 20, 2012, the County's director of planning and development also reported to Metro via email that the County's Board of Commissioners are "in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance." In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced

⁵ Metro Contract No. 929082.

⁶ In the 1990's, the federal Resource Conservation and Recovery Act required all general purpose solid waste landfills to install synthetic liners, leachate collection systems, groundwater monitoring and gas collection systems to lessen the impact on surrounding communities and the environment.

the previous agreement from 1994. The term of the County's new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal.

Riverbend is permitted to accept solid waste and the appropriate state and local jurisdictions do not object to the landfill receiving Metro-area waste for disposal. Although approval of Resolution No. 12-4388 would authorize Pride to deliver waste to the landfill, the proposed NSL does not obligate Riverbend to accept Metro-area waste. This is noted for Council's consideration because the landfill is facing some capacity-related issues which are further discussed in Attachment 1 to this staff report.

2. Legal Antecedents

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

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

Riverbend first came into use during the mid-eighties and became a Subtitle D landfill in 1993. At that time, the original unlined cells were capped and the landfill has been filling only lined cells and operating with the environmental controls required by the DEQ. The environmental risk associated with the use of Riverbend is expected to be minimal as the landfill is fully regulated by the appropriate local and state authorities.

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

Riverbend is owned and operated by Waste Management, which is a national integrated solid waste company that is well known to Metro regulatory staff. The landfill is permitted by DEQ. Metro staff's investigation of Waste Management has revealed no documented outstanding compliance issues with local or state agencies responsible for health, safety, and environmental regulations.

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

Riverbend uses operational practices and management controls that are typical of Subtitle D landfills. Staff at the DEQ, the landfill's regulator, considers the operational practices and controls in place at Riverbend to be appropriate for the proper management of waste disposal and adequate for the protection of health and the environment.

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

The proposed NSL to WRI covers putrescible solid waste, which currently has limited recovery potential. This proposed NSL puts no long-term constraint on the waste should recovery alternatives emerge for the region. Thus, approval of the proposed NSL renewal is not expected to impact the region's recycling and waste reduction efforts.

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

Metro has a contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste, which is delivered to general purpose landfills during the calendar year, to landfills owned by Waste Management. The proposed NSL covers putrescible waste that will be delivered to Riverbend, which is owned and operated by Waste Management. Thus, approval of this NSL renewal will not conflict with Metro's disposal contract or any other of its existing contractual arrangements.

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

WRI is currently in compliance with its Metro-issued franchise and NSL. WRI has not had any compliance issues with regard to Metro regulations within the last two years. Additionally, the applicant has had no violations related to public health, safety or environmental regulations during the term of the current NSL.

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

The proposed NSL is a renewal of a current license that authorizes the delivery of putrescible solid waste to Riverbend. As requested by the applicant, the NSL includes a 70,000-ton limit – which is the same tonnage authorization stipulated in the facility's franchise. However, both the franchise⁷ and the proposed NSL⁸ allow the COO to increase the facility tonnage authorization during the term of the franchise as established in Metro Code⁹.

By adopting this resolution, the Metro Council authorizes the COO to increase the yearly tonnage limit of the NSL by the amount necessary to align it with the authorization stipulated in the franchise without seeking further Council action. This proposed NSL does not increase the total tonnage that WRI is authorized to accept under the terms of its franchise.

An additional factor that is indirectly related to this NSL application and the proposed NSL is the available future disposal capacity of Riverbend. At the current fill rate, Waste Management estimates the landfill has capacity to operate through mid-2014 without some expansion approval or waste diversion. Although the landfill's capacity-issues are not directly relevant to this NSL decision, Attachment 1 to this staff report provides background information which updates Council on waste flow, expansion matters, and pending government decisions relative to the landfill. Should conditions change, Metro may modify, suspend, or terminate NSLs or redirect waste flow to other landfills.

3. Anticipated Effects

The effect of Resolution No. 12-4388 will be to issue a two-year NSL authorizing WRI to deliver up to 70,000 tons per calendar year of putrescible waste to Riverbend for disposal.

⁷ Section 4.3 of Metro Solid Waste Facility Franchise No. F-005-08A

⁸ Section 7(b)(iv) of Metro Non-System License No. N-005-13

⁹ Metro Code Section 5.01.125(d)(4) allows the COO to authorize up to a five percent increase in a franchise tonnage authorization upon finding that growth or other conditions affecting demand for disposal cannot be served by the existing tonnage authorization.

4. Budget/Rate Impacts

Since Riverbend is owned and operated by Waste Management there is not an impact to Metro's obligation under the disposal contract. In addition, the Regional System Fee and Excise Tax will continue to be collected on Metro-area waste delivered to Riverbend under the authority of the proposed NSL. The application under consideration is the renewal of a current NSL therefore; any financial impact of this NSL to Metro has already been factored into the budget.

RECOMMENDED ACTION

The COO recommends approval of Resolution No. 12-4388, finding that the license renewal satisfies the requirements of Metro Code Section 5.05.035. Approval of Resolution No. 12-4388 will authorize the COO to issue an NSL, substantially similar to the one attached to the resolution as Exhibit A, to WRI for a two-year period commencing on January 1, 2013 and expiring on December 31, 2014.

WJ:bjl
S:\REM\Johnson\Facilities\WRI\NSL\Riverbend LF\N-005-13\WRI_NSL_N-005-13_stfreport.docx
Queue

Summary of Riverbend Landfill Expansion Information

Riverbend Landfill, located in Yamhill County, is used as a primary disposal site for several privately-owned haulers and transfer stations within the Metro region. Riverbend's ongoing disposal capacity is indirectly germane to Metro Council's decision regarding whether to approve non-system licenses (NSLs) authorizing the use of the landfill as a disposal site.

At the current fill rate, Waste Management estimates that Riverbend has capacity to operate through mid-2014 without the need for expansion or waste diversion. Should a landfill expansion not occur or be delayed beyond that time, Metro's existing NSLs could be modified, suspended, or terminated as necessary to redirect waste flows to other landfills. NSLs contain a standard provision that allows Metro to take such action based upon a change in any circumstance under which Metro initially issued the license (for instance, if Metro later determines that there is a lack of capacity at Riverbend or Yamhill County requests that Metro stop further waste deliveries to the landfill, Metro could immediately modify, suspend, or terminate the NSL). In addition, a Metro-approved NSL does not require Riverbend to accept solid waste from its customers should it encounter capacity limitations. It is also plausible that new issues about the landfill expansion could be raised during the two-year term of this license – in which case Metro could take necessary action.

Riverbend Landfill

The current landfill footprint is 85 acres and the company owns over 702 acres on the site of which 145 acres are potentially slated for landfilling. In the short term, Riverbend has proposed to build a mechanically stabilized earthen berm to raise the perimeter height of the landfill enough to allow it to continue to take waste at its current rate for 2-3 years. Riverbend is considering seeking a longer-term lateral expansion to the landfill – potentially up to 60 additional acres. Waste Management is engaged in a series of public meetings in Yamhill County to discuss the potential expansion, future green waste technology and use of land not designated for land disposal for other community uses such as parks or agriculture. A 60 acre lateral expansion could provide as much as 20 years of capacity to the landfill.

Waste Management has also pursued other options to lessen dependency on the landfill, including diversion of non-putrescible waste from the landfill to the Tualatin Valley Waste Recovery facility in Hillsboro and relocation of the public recycling center to a more convenient location at the landfill site.

Waste Facts

In calendar year 2011, about 583,000 tons of solid waste were delivered to Riverbend from all sources (Table 1). Of these 583,000 tons, about 237,000 tons (41 percent) originated inside the Metro district. The balance came from areas outside of Metro.

In addition to the solid waste received for disposal, Riverbend accepted about another 75,000 tons of contaminated soils that were used for landfill operations, mainly alternative daily cover (Table 1). Of these 75,000 additional tons, about 21,000 originated inside the Metro boundary (Table 2).

Table 1	
Materials Received at Riverbend Landfill in 2011	
Solid Waste	
From inside Oregon	573,000 *
From out-of-state	10,000
Total Solid Waste	583,000
ADC/Soils	75,000
Total from all sources	658,000
<i>Source: DEQ, Solid Waste Disposal Report (quarterly). All tonnage amounts are rounded to the nearest 1000.</i>	

Table 2	
Materials Generated in the Metro District and Received at Riverbend Landfill in 2011	
Putrescible waste	208,000
Non-putrescible waste	29,000
Total Solid Waste	237,000 (41% of total waste at Riverbend)
ADC/soils	21,000
Total from Metro	258,000 (39% of total materials at Riverbend)
<i>Source: Metro, SWIS, based on reports filed by Riverbend. All tonnage amounts are rounded to the nearest 1000.</i>	

Of the 237,000 tons of Metro-area solid waste disposed at Riverbend in 2011, about 208,000 tons was putrescible waste collected from residential and commercial generators in Washington and northern Clackamas counties, delivered to one of four privately-owned transfer stations, and transported in large transfer trailers to Riverbend under the authority of a Metro-issued NSL (Table 3). The balance, 29,000 tons, was miscellaneous solid waste – mainly industrial waste, and non-putrescible processing residual directly delivered to the landfill from within the Metro region and delivered under the authority of the designated facility agreement with Riverbend. An additional 21,000 tons of contaminated soils originated in the Metro district, and were used for landfill operations, mainly alternative daily cover.

Table 3			
Metro-Area Putrescible Waste to Riverbend Landfill in 2011 by Transfer Station			
Transfer Station	Location	Putrescible Waste	
		Tons	Percent
Canby TS (Hoodview/West Linn)	Canby	13,008	6%
Forest Grove TS	Forest Grove	108,958	52%
Pride Recycling	Sherwood	63,472	31%
Willamette Resources	Wilsonville	22,487	11%
Total putrescible waste	In-District	207,925	100%

Metro transfer stations and the Troutdale Transfer Station send their waste to Columbia Ridge Landfill, not Riverbend. However, Riverbend serves as a back-up for these facilities whenever the Columbia Gorge is closed due to weather or other emergency situations. Metro transfer stations have not sent waste to Riverbend since 2007. Troutdale Transfer Station has delivered approximately 489 tons of waste to Riverbend within the last two calendar years.

Other Government Decisions

Numerous governments are involved in the oversight of landfills during consideration of a landfill expansion. Following is brief summary of each of the major entities responsible for decisions regarding aspects of the landfill expansion:

* Metro's Solid Waste Information System (SWIS) shows 571,000 tons (as previously reported), which is almost 2,000 fewer tons than shown in the DEQ reports. The difference is apparently due to corrections to deliveries from out-of-Metro counties, which SWIS does not track.

- **Yamhill County.** As part of its authorization process for NSLs and DFAs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding the landfill. The County has informed Metro that the landfill is in compliance with state and local requirements and there is minimal risk of future environmental contamination at the site. On September 20, 2012, the County's director of planning and development also reported to Metro via email that the County's Board of Commissioners are "in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance."

In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County's new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal. The new agreement increases fees, based on volume, paid to the county and could increase County revenue by 60 percent based on previous waste disposal volumes. The County has also recently determined that both the short-term expansion (berm) and longer-term expansion (horizontal expansion) of the landfill are outright allowable uses.

- **DEQ.** As the chief agency responsible for permitting and environmental oversight of the landfill, DEQ must approve any expansion at Riverbend as well as continually monitor the landfill's environmental performance and compliance. DEQ is presently reviewing Waste Management's application for the proposed berm expansion. The key issues under review with the expansion proposal pertain to seismic stability and review of flood way and flood plain boundaries by FEMA (see below). DEQ originally received the application for a large lateral expansion in 2009. Waste Management's most recent permit application, which seeks approval to install a mechanically stabilized earthen berm at the site, was submitted to the DEQ in 2012 as a result of opponents appealing the landfill's previous expansion application in 2009. DEQ's decision on the berm will be subject to a 35-day public comment period and likely involve a public hearing. DEQ does not currently have any outstanding enforcement actions at the landfill. DEQ considers the operational practices and controls in place at the landfill to be appropriate for the proper management of waste disposal and adequate for the protection of health and the environment.
- **Federal Emergency Management Agency (FEMA).** FEMA is the agency responsible for mapping flood and riparian zones. Current flood maps issued by FEMA show both the flood way and the flood plain passing through the landfill even though the landfill has been there since the 1980s. Waste Management submitted technical information to FEMA in May 2012 in support of a request to revise these maps. FEMA is currently reviewing this information and is expected to render a decision soon.
- **Department of State Lands (DSL).** As the state agency responsible for wetland preservation and mitigation, DSL conducted an investigation of the impact of the landfill on wetlands in the area. Thus far, DSL has been satisfied that Waste Management is not disturbing the wetlands.
- **State Historic Preservation Office (SHPO) and Grand Ronde Tribe.** Excavation of soil at the site for daily cover resulted in finding some archeological artifacts but did not find human bones or bone fragments. The situation is being assessed by SHPO and its contractors. The local tribe is also being consulted.

- **Land Use Board of Appeals (LUBA).** Local opponents of the landfill and its expansion have routinely appealed Yamhill County land use decisions and determinations to LUBA. So far all appeals have been in the County's favor, including an October 30, 2012 decision that concluded the proposed expansion of the existing landfill is compatible with the County's comprehensive plan and land use regulations.

Impact of Landfill Closure or Waste Diversion

If Metro-area solid waste could no longer be delivered to Riverbend for disposal for whatever reason, at least 208,000 tons of putrescible waste would have to be shifted to the Columbia Ridge Landfill each year under Metro's disposal contract. Each round trip to Columbia Ridge Landfill is 280 miles longer, on average, than current trips to Riverbend. This increase in transport time and distance would increase costs and reduce environmental sustainability in the region. The change in transport dominates all other economic and environmental effects. The additional transport cost would be about \$5 million per year. This translates to an average increase of almost \$24 on each ton shifted to Columbia Ridge Landfill from Riverbend. Ratepayers in Washington County and northwest Clackamas County would bear virtually all of the cost and residential ratepayers in these counties could see increases of \$1.40 to \$1.80 per month on their garbage bills.

Summary

The future capacity of Riverbend and any decisions that might impact its expansion are indirectly relevant to Metro's decision to allow solid waste to be disposed at the landfill. It is a factor that will be monitored by staff; however, waste delivery to the landfill is ultimately a business transaction between privately-owned companies. Capacity does not appear to impinge on the landfill's ability to accept Metro-area waste from the current group of NSLs under consideration by Metro Council. Metro generally regards these types of requests from the private sector as a market decision – provided that: 1) the use of such disposal sites does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities. Metro has the authority to modify, suspend, or terminate its NSLs at any time if the landfill's capacity becomes constrained or if Yamhill County requests that Metro restrict the flow of solid waste away from Riverbend.

Agenda Item No. 5.4

Resolution No. 12-4389, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Pride Recycling Company for Delivery and Disposal of Putrescible Waste at the Riverbend Landfill Located in Yamhill County, Oregon.

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A) RESOLUTION NO. 12-4389
RENEWED NON-SYSTEM LICENSE TO PRIDE RECYCLING)
COMPANY FOR DELIVERY AND DISPOSAL OF PUTRESCIBLE) Introduced by Martha J. Bennett,
WASTE AT THE RIVERBEND LANDFILL LOCATED IN) Chief Operating Officer, with the
YAMHILL COUNTY, OREGON) concurrence of Tom Hughes,
) Council President

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

WHEREAS, Pride Recycling Company ("Pride") holds Metro Solid Waste Facility Non-System License No. N-002-11A, which expires on December 31, 2012; and

WHEREAS, Pride has filed a complete application seeking renewal of the non-system license to deliver putrescible waste to the Riverbend Landfill for disposal under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control;" and

WHEREAS, Metro Code Chapter 5.05 provides that applications for non-system licenses for putrescible waste shall be reviewed by the Chief Operating Officer and are subject to approval or denial by the Metro Council; and

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

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

THE METRO COUNCIL RESOLVES AS FOLLOWS:

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

ADOPTED by the Metro Council this ____ day of _____, 2012.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

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



METRO

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

No. N-002-13

LICENSEE:
Pride Recycling Company 13910 SW Tualatin-Sherwood Road Sherwood, OR 97140
CONTACT PERSON:
Mike Leichner Phone: (503) 625-0725 Fax: (503) 625-6179 E-mail: MikeL@pridedisposal.com
MAILING ADDRESS:
Pride Recycling Company P.O. Box 1150 Sherwood, OR 97140

ISSUED BY METRO:

Scott Robinson, Deputy Chief Operating Officer

Date



1	NATURE OF WASTE COVERED BY LICENSE
	Putrescible solid waste generated within the Metro boundary and received at Pride Recycling Company in accordance with Metro Solid Waste Facility Franchise No. F-002-08A.
2	CALENDAR YEAR TONNAGE LIMITATION
	Licensee is authorized to deliver to the non-system facility described in Section 3 of this license up to 70,000 tons per calendar year of the waste described in Section 1 of this license. This license does not increase the total tonnage that the Licensee is authorized to accept under Metro Solid Waste Facility Franchise No. F-002-08A.
3	NON-SYSTEM FACILITY
	<p>The Licensee hereunder is authorized to deliver the waste described above in Section 1 to the following non-system facility:</p> <p style="text-align: center;">Riverbend Landfill 13469 SW Highway 18 McMinnville, OR 97128</p> <p>This license is issued on condition that the non-system facility named in this section is authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality or local regulatory authority that this non-system facility is not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 7 of this license.</p>
4	TERM OF LICENSE
	The term of this license will commence on January 1, 2013 and expire at midnight on December 31, 2014, unless terminated sooner under Section 7 of this license.
5	REPORTING OF ACCIDENTS AND CITATIONS
	Licensee shall report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license.



6	RECORD KEEPING AND REPORTING
	<p>(a) The Licensee shall keep and maintain accurate records of the amount of all solid waste that the Licensee delivers to the non-system facility described in Section 3 of this license. The Licensee shall keep and maintain complete and accurate records of the following for all transactions with the authorized non-system facility:</p> <ul style="list-style-type: none">i. Ticket or weight slip number from the non-system facility;ii. Material category designating the type of material transferred to the non-system facility;iii. Date the load was transferred to the non-system facility;iv. Time the load was transferred to the non-system facility;v. Net weight of the load; andvi. Fee charged by the non-system facility <p>(b) No later than the fifteenth (15th) day of each month, beginning with the first month following the commencement date of this license, Licensee shall:</p> <ul style="list-style-type: none">i. Transmit the records required under Section 6(a) above to Metro in an electronic format prescribed by Metro;ii. Submit to Metro a Regional System Fee and Excise Tax Report, that covers the preceding month; andiii. Remit to Metro the requisite Regional System Fees and Excise Tax in accordance with the Metro Code provisions applicable to the collection, payment, and accounting of such fees and taxes. <p>(c) Licensee shall make all records from which Sections 6(a) and 6(b) above are derived available to Metro (or Metro's designated agent) for its inspection or copying, as long as Metro provides no less than three (3) business days written notice of an intent to inspect or copy documents. Licensee shall, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility named in Section 3, above.</p>

7	ADDITIONAL LICENSE CONDITIONS
	<p>This license shall be subject to the following conditions:</p> <ul style="list-style-type: none">(a) The permissive transfer of solid waste to the non-system facility, listed in Section 3, authorized by this license shall be subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.(b) This license shall be subject to amendment, modification, or termination by Metro's Chief Operating Officer (the "COO") in the event that the COO



	<p>determines that:</p> <ul style="list-style-type: none"> i. There has been sufficient change in any circumstances under which Metro issued this license; ii. The provisions of this license are actually or potentially in conflict with any provision in Metro’s disposal contract with Waste Management Disposal Services of Oregon, Inc., dba Oregon Waste Systems, Inc.; iii. Metro’s solid waste system or the public will benefit from, and will be better served by, an order directing that the waste described in Section 1 of this license be transferred to, and disposed of at, a facility other than the facilities listed in Section 3; or iv. There has been a change in the amount of tonnage that the Licensee is authorized to accept under Solid Waste Facility Franchise No. F-002-08A. In the event that the tonnage authorization provided under the franchise is increased as the result of a growth allowance, the COO may amend Section 2 of this license to increase the calendar year tonnage limitation up to the same tonnage amount stipulated in the franchise. <ul style="list-style-type: none"> (c) This license shall, in addition to subsections (b)(i) through (b)(iv), above, be subject to amendment, modification, suspension, or termination pursuant to the Metro Code. (d) The Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro. (e) This license shall terminate upon the execution of a designated facility agreement with the facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1 of this license. (f) This license authorizes the delivery of solid waste to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro. (g) If the Licensee exceeds the calendar year limitation set forth in Section 2 of this license, each ton or portion thereof by which the Licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500.
--	---

8	COMPLIANCE WITH LAW
	<p>Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Chapter 5.05 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the collection and hauling of the Licensee’s solid waste</p>



	by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the Licensee shall be deemed part of this license as if specifically set forth herein.
--	---

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

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4389 AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-SYSTEM LICENSE TO PRIDE RECYCLING COMPANY FOR DELIVERY AND DISPOSAL OF PUTRESCIBLE WASTE AT THE RIVERBEND LANDFILL LOCATED IN YAMHILL COUNTY, OREGON

November 20, 2012

Prepared by: Warren Johnson
503-797-1836

Approval of Resolution No. 12-4389 will authorize the Chief Operating Officer (COO) to issue a two-year non-system license (NSL) to Pride Recycling Company (Pride) to annually deliver up to 70,000 tons of putrescible waste from the Metro region to Riverbend Landfill (Riverbend) located in Yamhill County, Oregon. The proposed NSL renews the current license that is set to expire on December 31, 2012, and it continues the same authorization that the transfer station has held since 1990. The applicant (Pride) is a locally-owned company headquartered in Sherwood, Oregon.

BACKGROUND

Pride currently holds a Metro-issued franchise¹ to operate a local transfer station authorized to receive 70,000 tons of putrescible waste per year. On August 30, 2012, Pride submitted to Metro an application seeking to renew its NSL with a tonnage authorization of 70,000 tons per calendar year – which is the same tonnage authorization stipulated in the facility's franchise for 2013. Resolution No. 12-4389 would renew that NSL to Pride and allow continued delivery of Metro-area putrescible waste to Riverbend through 2014.

In November 2010, the Metro Council granted Pride an NSL² to deliver a maximum of 70,000 tons per calendar year of putrescible waste to Riverbend for disposal. The term of the NSL commenced on January 1, 2011 and expires on December 31, 2012. In July 2012, Metro amended the NSL³ to increase the annual tonnage authorization by 3,500 tons (up to 73,500 tons) only for calendar year 2012. The NSL was amended in order to align its tonnage authorization with that of Pride's franchise⁴. Pride delivered about 63,000 tons of putrescible waste to Riverbend during calendar year 2011 and about 51,000 tons to the landfill between January and September 2012.

NSLs are the main vehicles by which Metro manages its contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste ("wet waste"), which is delivered to general purpose landfills during the calendar year, to landfills owned by Metro's contract disposal company, Waste Management of Oregon, Inc. This contractual obligation is known as "*the flow guarantee*." NSLs allow Metro to closely monitor and potentially guide waste flows to authorized facilities in order to comply with the contract. Metro has a long-standing policy of allowing privately-owned waste haulers and transfer stations to select their disposal sites provided that: 1) the use of such disposal site does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving

¹ Metro Solid Waste Facility Franchise No. F-002-08A.

² Metro Non-System License No. N-002-11.

³ Metro Non-System License No. N-002-11A.

⁴ Metro Code Section 5.01.125(d)(4) allows the COO to authorize up to a five percent increase in a franchise tonnage authorization upon finding that growth or other conditions affecting demand for disposal cannot be served by the existing tonnage authorization. In 2012, the COO increased Pride's franchise tonnage authorization by 3,500 tons for one year.

disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities (e.g., Yamhill County and Oregon Department of Environmental Quality (DEQ) in the case of Riverbend).

On March 1, 2009, Metro and Waste Management entered into a designated facility agreement (DFA)⁵ for Riverbend which is set to expire on December 31, 2013. The DFA allows generators and haulers to deliver certain types of Metro-area waste directly to the landfill, such as non-putrescible processing residual (“dry waste”), contaminated soil from cleanups, and special wastes, without the need to obtain an NSL from Metro. Since putrescible waste deliveries are primarily managed through NSLs, this DFA does not allow the landfill to accept putrescible waste from the Metro region. As such, privately-owned haulers and transfer stations must obtain a separate NSL from Metro in order to legally deliver Metro-area putrescible waste to any landfill.

Metro Council is scheduled to consider five resolutions that will authorize five privately-owned transfer stations and haulers to deliver putrescible waste to Riverbend during the next two calendar years. In addition to this action for Pride, the Council is scheduled to consider similar resolutions for Hoodview Disposal and Recycling, Inc. (Res. No. 12-4390), Willamette Resources, Inc. (Res. No. 12-4388), Forest Grove Transfer Station (Res. No. 12-4387), and West Linn Refuse and Recycling, Inc. (Res. No. 12-4391) at its meeting on November 29, 2012.

ANALYSIS/INFORMATION

1. Known Opposition

The waste subject to the proposed NSL will be delivered to Riverbend for disposal. There is no known opposition within the Metro region for delivery of Metro-area waste to authorized disposal sites located outside of the region, including Riverbend. Within Yamhill County, there is known local public opposition to the disposal of waste generated outside of the County, including Metro-area waste, at Riverbend.

As part of its authorization process for NSLs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding Riverbend. The County has informed Metro that the landfill is in compliance with state and local requirements. Riverbend became permitted as a Subtitle D⁶ landfill in 1993 which put in place new requirements to minimize risk of future environmental contamination at the site. On September 20, 2012, the County’s director of planning and development also reported to Metro via email that the County’s Board of Commissioners are “in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance.” In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County’s new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal.

⁵ Metro Contract No. 929082.

⁶ In the 1990’s, the federal Resource Conservation and Recovery Act required all general purpose solid waste landfills to install synthetic liners, leachate collection systems, groundwater monitoring and gas collection systems to lessen the impact on surrounding communities and the environment..

Riverbend is permitted to accept solid waste and the appropriate state and local jurisdictions do not object to the landfill receiving Metro-area waste for disposal. Although approval of Resolution No. 12-4389 would authorize Pride to deliver waste to the landfill, the proposed NSL does not obligate Riverbend to accept Metro-area waste. This is noted for Council's consideration because the landfill is facing some capacity-related issues which are further discussed in Attachment 1 to this staff report.

2. Legal Antecedents

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

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

Riverbend first came into use during the mid-eighties and became a Subtitle D landfill in 1993. At that time, the original unlined cells were capped and the landfill has been filling only lined cells and operating with the environmental controls required by the DEQ. The environmental risk associated with the use of Riverbend is expected to be minimal as the landfill is fully regulated by the appropriate local and state authorities.

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

Riverbend is owned and operated by Waste Management, which is a national integrated solid waste company that is well known to Metro regulatory staff. The landfill is permitted by DEQ. Metro staff's investigation of Waste Management has revealed no documented outstanding compliance issues with local or state agencies responsible for health, safety, and environmental regulations.

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

Riverbend uses operational practices and management controls that are typical of Subtitle D landfills. Staff at the DEQ, the landfill's regulator, considers the operational practices and controls in place at Riverbend to be appropriate for the proper management of waste disposal and adequate for the protection of health and the environment.

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

The proposed NSL to Pride covers putrescible solid waste, which currently has limited recovery potential. This proposed NSL puts no long-term constraint on the waste should recovery alternatives emerge for the region. Thus, approval of the proposed NSL renewal is not expected to impact the region's recycling and waste reduction efforts.

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

Metro has a contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste, which is delivered to general purpose landfills during the calendar year, to landfills owned by Waste Management. The proposed NSL covers putrescible waste that will be delivered to Riverbend, which is owned and operated by Waste Management. Thus, approval of this NSL renewal will not conflict with Metro's disposal contract or any other of its existing contractual arrangements.

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

Pride is currently in compliance with its Metro-issued franchise and NSL. Pride has not had any compliance issues with regard to Metro regulations within the last two years. Additionally, the applicant has had no violations related to public health, safety or environmental regulations during the term of the current NSL.

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

The proposed NSL is a renewal of a current license that authorizes the delivery of putrescible solid waste to Riverbend. As requested by the applicant, the NSL includes a 70,000-ton limit – which is the same tonnage authorization stipulated in the facility's franchise. However, both the franchise⁷ and the proposed NSL⁸ allow the COO to increase the facility tonnage authorization during the term of the franchise based on a growth allowance or other conditions affecting demand as established in Metro Code Section 5.01.125 (For instance, the COO granted the applicant a five percent tonnage increase in 2012 to 73,500 tons, but the limit reverts back to 70,000 tons in 2013.)

By adopting this resolution, the Metro Council authorizes the COO to increase the yearly tonnage limit of the NSL by the amount necessary to align it with the authorization stipulated in the franchise without seeking further Council action. This proposed NSL does not increase the total tonnage that Pride is authorized to accept under the terms of its franchise.

An additional factor that is indirectly related to this NSL application and the proposed NSL is the available future disposal capacity of Riverbend. At the current fill rate, Waste Management estimates the landfill has capacity to operate through mid-2014 without some expansion approval or waste diversion. Although the landfill's capacity-issues are not directly relevant to this NSL decision, Attachment 1 to this staff report provides background information which updates Council on waste flow, expansion matters, and pending government decisions relative to the landfill. Should conditions change, Metro may modify, suspend, or terminate NSLs or redirect waste flow to other landfills.

3. Anticipated Effects

The effect of Resolution No. 12-4389 will be to issue a two-year NSL authorizing Pride to deliver up to 70,000 tons per calendar year of putrescible waste to Riverbend for disposal.

⁷ Section 4.3 of Metro Solid Waste Facility Franchise No. F-002-08A

⁸ Section 7(b)(iv) of Metro Non-System License No. N-002-13

4. Budget/Rate Impacts

Since Riverbend is owned and operated by Waste Management there is not an impact to Metro's obligation under the disposal contract. In addition, the Regional System Fee and Excise Tax will continue to be collected on Metro-area waste delivered to Riverbend under the authority of the proposed NSL. The application under consideration is the renewal of a current NSL therefore; any financial impact of this NSL to Metro has already been factored into the budget.

RECOMMENDED ACTION

The COO recommends approval of Resolution No. 12-4389, finding that the license renewal satisfies the requirements of Metro Code Section 5.05.035. Approval of Resolution No. 12-4389 will authorize the COO to issue an NSL, substantially similar to the one attached to the resolution as Exhibit A, to Pride for a two-year period commencing on January 1, 2013 and expiring on December 31, 2014.

WJ:bjl
S:\REM\Johnson\Facilities\Pride\NSL\N-002-13\PRIDE_NSL_N-002-13_stfreport.docx
Queue

Summary of Riverbend Landfill Expansion Information

Riverbend Landfill, located in Yamhill County, is used as a primary disposal site for several privately-owned haulers and transfer stations within the Metro region. Riverbend's ongoing disposal capacity is indirectly germane to Metro Council's decision regarding whether to approve non-system licenses (NSLs) authorizing the use of the landfill as a disposal site.

At the current fill rate, Waste Management estimates that Riverbend has capacity to operate through mid-2014 without the need for expansion or waste diversion. Should a landfill expansion not occur or be delayed beyond that time, Metro's existing NSLs could be modified, suspended, or terminated as necessary to redirect waste flows to other landfills. NSLs contain a standard provision that allows Metro to take such action based upon a change in any circumstance under which Metro initially issued the license (for instance, if Metro later determines that there is a lack of capacity at Riverbend or Yamhill County requests that Metro stop further waste deliveries to the landfill, Metro could immediately modify, suspend, or terminate the NSL). In addition, a Metro-approved NSL does not require Riverbend to accept solid waste from its customers should it encounter capacity limitations. It is also plausible that new issues about the landfill expansion could be raised during the two-year term of this license – in which case Metro could take necessary action.

Riverbend Landfill

The current landfill footprint is 85 acres and the company owns over 702 acres on the site of which 145 acres are potentially slated for landfilling. In the short term, Riverbend has proposed to build a mechanically stabilized earthen berm to raise the perimeter height of the landfill enough to allow it to continue to take waste at its current rate for 2-3 years. Riverbend is considering seeking a longer-term lateral expansion to the landfill – potentially up to 60 additional acres. Waste Management is engaged in a series of public meetings in Yamhill County to discuss the potential expansion, future green waste technology and use of land not designated for land disposal for other community uses such as parks or agriculture. A 60 acre lateral expansion could provide as much as 20 years of capacity to the landfill.

Waste Management has also pursued other options to lessen dependency on the landfill, including diversion of non-putrescible waste from the landfill to the Tualatin Valley Waste Recovery facility in Hillsboro and relocation of the public recycling center to a more convenient location at the landfill site.

Waste Facts

In calendar year 2011, about 583,000 tons of solid waste were delivered to Riverbend from all sources (Table 1). Of these 583,000 tons, about 237,000 tons (41 percent) originated inside the Metro district. The balance came from areas outside of Metro.

In addition to the solid waste received for disposal, Riverbend accepted about another 75,000 tons of contaminated soils that were used for landfill operations, mainly alternative daily cover (Table 1). Of these 75,000 additional tons, about 21,000 originated inside the Metro boundary (Table 2).

Table 1	
Materials Received at Riverbend Landfill in 2011	
Solid Waste	
From inside Oregon	573,000 *
From out-of-state	10,000
Total Solid Waste	583,000
ADC/Soils	75,000
Total from all sources	658,000
<i>Source: DEQ, Solid Waste Disposal Report (quarterly). All tonnage amounts are rounded to the nearest 1000.</i>	

Table 2	
Materials Generated in the Metro District and Received at Riverbend Landfill in 2011	
Putrescible waste	208,000
Non-putrescible waste	29,000
Total Solid Waste	237,000 (41% of total waste at Riverbend)
ADC/soils	21,000
Total from Metro	258,000 (39% of total materials at Riverbend)
<i>Source: Metro, SWIS, based on reports filed by Riverbend. All tonnage amounts are rounded to the nearest 1000.</i>	

Of the 237,000 tons of Metro-area solid waste disposed at Riverbend in 2011, about 208,000 tons was putrescible waste collected from residential and commercial generators in Washington and northern Clackamas counties, delivered to one of four privately-owned transfer stations, and transported in large transfer trailers to Riverbend under the authority of a Metro-issued NSL (Table 3). The balance, 29,000 tons, was miscellaneous solid waste – mainly industrial waste, and non-putrescible processing residual directly delivered to the landfill from within the Metro region and delivered under the authority of the designated facility agreement with Riverbend. An additional 21,000 tons of contaminated soils originated in the Metro district, and were used for landfill operations, mainly alternative daily cover.

Table 3			
Metro-Area Putrescible Waste to Riverbend Landfill in 2011 by Transfer Station			
Transfer Station	Location	Putrescible Waste	
		Tons	Percent
Canby TS (Hoodview/West Linn)	Canby	13,008	6%
Forest Grove TS	Forest Grove	108,958	52%
Pride Recycling	Sherwood	63,472	31%
Willamette Resources	Wilsonville	22,487	11%
Total putrescible waste	In-District	207,925	100%

Metro transfer stations and the Troutdale Transfer Station send their waste to Columbia Ridge Landfill, not Riverbend. However, Riverbend serves as a back-up for these facilities whenever the Columbia Gorge is closed due to weather or other emergency situations. Metro transfer stations have not sent waste to Riverbend since 2007. Troutdale Transfer Station has delivered approximately 489 tons of waste to Riverbend within the last two calendar years.

Other Government Decisions

Numerous governments are involved in the oversight of landfills during consideration of a landfill expansion. Following is brief summary of each of the major entities responsible for decisions regarding aspects of the landfill expansion:

* Metro's Solid Waste Information System (SWIS) shows 571,000 tons (as previously reported), which is almost 2,000 fewer tons than shown in the DEQ reports. The difference is apparently due to corrections to deliveries from out-of-Metro counties, which SWIS does not track.

- **Yamhill County.** As part of its authorization process for NSLs and DFAs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding the landfill. The County has informed Metro that the landfill is in compliance with state and local requirements and there is minimal risk of future environmental contamination at the site. On September 20, 2012, the County's director of planning and development also reported to Metro via email that the County's Board of Commissioners are "in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance."

In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County's new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal. The new agreement increases fees, based on volume, paid to the county and could increase County revenue by 60 percent based on previous waste disposal volumes. The County has also recently determined that both the short-term expansion (berm) and longer-term expansion (horizontal expansion) of the landfill are outright allowable uses.

- **DEQ.** As the chief agency responsible for permitting and environmental oversight of the landfill, DEQ must approve any expansion at Riverbend as well as continually monitor the landfill's environmental performance and compliance. DEQ is presently reviewing Waste Management's application for the proposed berm expansion. The key issues under review with the expansion proposal pertain to seismic stability and review of flood way and flood plain boundaries by FEMA (see below). DEQ originally received the application for a large lateral expansion in 2009. Waste Management's most recent permit application, which seeks approval to install a mechanically stabilized earthen berm at the site, was submitted to the DEQ in 2012 as a result of opponents appealing the landfill's previous expansion application in 2009. DEQ's decision on the berm will be subject to a 35-day public comment period and likely involve a public hearing. DEQ does not currently have any outstanding enforcement actions at the landfill. DEQ considers the operational practices and controls in place at the landfill to be appropriate for the proper management of waste disposal and adequate for the protection of health and the environment.
- **Federal Emergency Management Agency (FEMA).** FEMA is the agency responsible for mapping flood and riparian zones. Current flood maps issued by FEMA show both the flood way and the flood plain passing through the landfill even though the landfill has been there since the 1980s. Waste Management submitted technical information to FEMA in May 2012 in support of a request to revise these maps. FEMA is currently reviewing this information and is expected to render a decision soon.
- **Department of State Lands (DSL).** As the state agency responsible for wetland preservation and mitigation, DSL conducted an investigation of the impact of the landfill on wetlands in the area. Thus far, DSL has been satisfied that Waste Management is not disturbing the wetlands.
- **State Historic Preservation Office (SHPO) and Grand Ronde Tribe.** Excavation of soil at the site for daily cover resulted in finding some archeological artifacts but did not find human bones or bone fragments. The situation is being assessed by SHPO and its contractors. The local tribe is also being consulted.

- **Land Use Board of Appeals (LUBA).** Local opponents of the landfill and its expansion have routinely appealed Yamhill County land use decisions and determinations to LUBA. So far all appeals have been in the County's favor, including an October 30, 2012 decision that concluded the proposed expansion of the existing landfill is compatible with the County's comprehensive plan and land use regulations.

Impact of Landfill Closure or Waste Diversion

If Metro-area solid waste could no longer be delivered to Riverbend for disposal for whatever reason, at least 208,000 tons of putrescible waste would have to be shifted to the Columbia Ridge Landfill each year under Metro's disposal contract. Each round trip to Columbia Ridge Landfill is 280 miles longer, on average, than current trips to Riverbend. This increase in transport time and distance would increase costs and reduce environmental sustainability in the region. The change in transport dominates all other economic and environmental effects. The additional transport cost would be about \$5 million per year. This translates to an average increase of almost \$24 on each ton shifted to Columbia Ridge Landfill from Riverbend. Ratepayers in Washington County and northwest Clackamas County would bear virtually all of the cost and residential ratepayers in these counties could see increases of \$1.40 to \$1.80 per month on their garbage bills.

Summary

The future capacity of Riverbend and any decisions that might impact its expansion are indirectly relevant to Metro's decision to allow solid waste to be disposed at the landfill. It is a factor that will be monitored by staff; however, waste delivery to the landfill is ultimately a business transaction between privately-owned companies. Capacity does not appear to impinge on the landfill's ability to accept Metro-area waste from the current group of NSLs under consideration by Metro Council. Metro generally regards these types of requests from the private sector as a market decision – provided that: 1) the use of such disposal sites does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities. Metro has the authority to modify, suspend, or terminate its NSLs at any time if the landfill's capacity becomes constrained or if Yamhill County requests that Metro restrict the flow of solid waste away from Riverbend.

Agenda Item No. 5.5

Resolution No. 12-4390, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Hoodview Disposal and Recycling, Inc. for Delivery of Putrescible Waste to Canby Transfer and Recycling, Inc. for the Purpose of Transfer and Disposal at the Riverbend Landfill Located in Yamhill County, Oregon.

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A) RESOLUTION NO. 12-4390
RENEWED NON-SYSTEM LICENSE TO HOODVIEW)
DISPOSAL AND RECYCLING, INC. FOR DELIVERY OF) Introduced by Martha J. Bennett,
PUTRESCIBLE WASTE TO CANBY TRANSFER AND) Chief Operating Officer, with the
RECYCLING, INC. FOR THE PURPOSE OF TRANSFER AND) concurrence of Tom Hughes,
DISPOSAL AT THE RIVERBEND LANDFILL LOCATED IN) Council President
YAMHILL COUNTY, OREGON)

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

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

WHEREAS, Hoodview has filed a complete application seeking renewal of the non-system license to deliver putrescible waste to Canby Transfer and Recycling, Inc. for the purpose of transfer to the Riverbend Landfill for disposal under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control;" and

WHEREAS, Metro Code Chapter 5.05 provides that applications for non-system licenses for putrescible waste shall be reviewed by the Chief Operating Officer and are subject to approval or denial by the Metro Council; and

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

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

THE METRO COUNCIL RESOLVES AS FOLLOWS:

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

ADOPTED by the Metro Council this ____ day of _____, 2012.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

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



METRO

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

No. N-118-13

LICENSEE:
Hoodview Disposal & Recycling, Inc., 1600 SE 4 th Avenue Canby, OR 97013
CONTACT PERSON:
Andy Kahut Phone: (503) 664-4778 Fax: (503) 263-6477 E-mail: akahut@kahutwasteservices.com
MAILING ADDRESS:
Hoodview Disposal & Recycling, Inc. P.O. Box 550 Canby, OR 97013

ISSUED BY METRO:

Scott Robinson, Deputy Chief Operating Officer

Date



1	NATURE OF WASTE COVERED BY LICENSE
	Putrescible solid waste that is generated by residential and commercial customers within the Metro region and collected by Hoodview Disposal & Recycling, Inc.
2	CALENDAR YEAR TONNAGE LIMITATION
	Licensee is authorized to deliver to the non-system facility listed in Section 3 of this license up to 7,600 tons per calendar year of the waste described in Section 1 of this license.
3	NON-SYSTEM FACILITY
	<p>The Licensee hereunder may deliver the waste described in Section 1, above, only to the following non-system facility for the purpose of transfer to the Riverbend Landfill for disposal:</p> <p style="text-align: center;">Canby Transfer & Recycling, Inc. 1600 SE 4th Avenue Canby, OR 97013</p> <p>This license is issued on condition that the non-system facility and disposal site named in this section are authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality or local regulatory authority that the non-system facility or disposal site are not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 7 of this license.</p>
4	TERM OF LICENSE
	The term of this license will commence on January 1, 2013 and expire at midnight on December 31, 2014, unless terminated sooner under Section 7 of this license.
5	REPORTING OF ACCIDENTS AND CITATIONS
	Licensee shall report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license.



6	RECORD KEEPING AND REPORTING
	<p>(a) The Licensee shall keep and maintain accurate records of the amount of all solid waste that the Licensee delivers to the non-system facility described in Section 3 of this license. The Licensee shall keep and maintain complete and accurate records of the following for all transactions with the authorized non-system facility:</p> <ul style="list-style-type: none">i. Ticket or weight slip number from the non-system facility;ii. Material category designating the type of material transferred to the non-system facility;iii. Date the load was transferred to the non-system facility;iv. Time the load was transferred to the non-system facility;v. Net weight of the load; andvi. Fee charged by the non-system facility <p>(b) No later than the fifteenth (15th) day of each month, beginning with the first month following the commencement date of this license, Licensee shall:</p> <ul style="list-style-type: none">i. Transmit the records required under Section 6(a) above to Metro in an electronic format prescribed by Metro;ii. Submit to Metro a Regional System Fee and Excise Tax Report, that covers the preceding month; andiii. Remit to Metro the requisite Regional System Fees and Excise Tax in accordance with the Metro Code provisions applicable to the collection, payment, and accounting of such fees and taxes. <p>(c) Licensee shall make all records from which Sections 6(a) and 6(b) above are derived available to Metro (or Metro's designated agent) for its inspection or copying, as long as Metro provides no less than three (3) business days written notice of an intent to inspect or copy documents. Licensee shall, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility named in Section 3, above.</p>

7	ADDITIONAL LICENSE CONDITIONS
	<p>This license shall be subject to the following conditions:</p> <p>(a) The permissive transfer of solid waste to the non-system facility, listed in Section 3, authorized by this license shall be subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.</p> <p>(b) This license shall be subject to amendment, modification or termination by Metro's Chief Operating Officer (the "COO") in the event that the COO determines that:</p>



	<ul style="list-style-type: none"> i. There has been sufficient change in any circumstances under which Metro issued this license; ii. The provisions of this license are actually or potentially in conflict with any provision in Metro’s disposal contract with Waste Management Disposal Services of Oregon, Inc., dba Oregon Waste Systems, Inc.; or iii. Metro’s solid waste system or the public will benefit from, and will be better served by, an order directing that the waste described in Section 1 of this license be transferred to, and disposed of at, a facility other than the facility described in Section 3. <p>(c) This license shall, in addition to subsections (b)(i) through (iii), above, be subject to amendment, modification, termination, or suspension pursuant to the Metro Code.</p> <p>(d) Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.</p> <p>(e) This license shall terminate upon the execution of a designated facility agreement with the facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1 of this license.</p> <p>(f) This license authorizes delivery of solid waste to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro.</p> <p>(g) If the Licensee exceeds the calendar year limitation set forth in Section 2 of this license, each ton or portion thereof by which the Licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500.</p>
--	--

8	COMPLIANCE WITH LAW
	<p>Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Chapter 5.05 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the collection and hauling of the Licensee’s solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the Licensee shall be deemed part of this license as if specifically set forth herein.</p>



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

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4390 AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-SYSTEM LICENSE TO HOODVIEW DISPOSAL AND RECYCLING, INC. FOR DELIVERY OF PUTRESCIBLE WASTE TO CANBY TRANSFER AND RECYCLING, INC. FOR THE PURPOSE OF TRANSFER AND DISPOSAL AT THE RIVERBEND LANDFILL LOCATED IN YAMHILL COUNTY, OREGON

November 20, 2012

Prepared by: Warren Johnson
503-797-1836

Approval of Resolution No. 12-4390 will authorize the Chief Operating Officer (COO) to issue a two-year non-system license (NSL) to Hoodview Disposal and Recycling, Inc. (Hoodview) to annually deliver up to 7,600 tons of putrescible waste from the Metro region to Canby Transfer and Recycling, Inc. (Canby Transfer) for the purpose of transfer and disposal at Riverbend Landfill (Riverbend) located in Yamhill County, Oregon. The proposed NSL renews the current license that is set to expire on December 31, 2012, and it continues the same authorization that Hoodview has held since 2005. The applicant (Hoodview) and the destination facility (Canby Transfer) are both affiliated with K.B. Recycling, Inc. headquartered in Canby, Oregon. Riverbend is owned and operated by Waste Management of Oregon, Inc.

BACKGROUND

Hoodview is a local solid waste hauler that is affiliated with KB Recycling. KB recycling owns and operates a Metro-licensed material recovery facility¹ located in Clackamas and Canby Transfer located in Canby, Oregon. On August 6, 2012, Hoodview submitted to Metro an application seeking to renew its NSL with a tonnage authorization of 7,600 tons per calendar year – which is the same tonnage authorization in its current NSL. Resolution No. 12-4390 would renew that NSL to Hoodview and allow continued delivery of Metro-area putrescible waste to Canby Transfer, for disposal at Riverbend, through 2014.

In November 2010, the Metro Council granted Hoodview an NSL² to deliver a maximum of 5,500 tons per calendar year of putrescible waste, collected from its routes located inside the Metro region, to Canby Transfer for the purpose of consolidation and transfer to Riverbend for disposal. The term of the NSL commenced on January 1, 2011 and expires on December 31, 2012. Hoodview subsequently expanded its collection area and requested that Metro increase the tonnage authorization under its NSL. In June 2011, Metro amended the NSL³ to increase the annual tonnage authorization by 2,100 tons (up to 7,600 tons) per calendar year. Hoodview delivered about 6,000 tons of putrescible waste to Canby Transfer during calendar year 2011 and about 4,600 tons to the facility between January and September 2012.

NSLs are the main vehicles by which Metro manages its contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste ("wet waste"), which is delivered to general purpose landfills during the calendar year, to landfills owned by Metro's contract disposal company, Waste Management of Oregon, Inc. This contractual obligation is known as "*the flow guarantee.*" NSLs allow

¹ Metro Solid Waste Facility License No. L-007-12

² Metro Non-System License No. N-118-11

³ Metro Non-System License N-118-11A

Metro to closely monitor and potentially guide waste flows to authorized facilities in order to comply with the contract. Metro has a long-standing policy of allowing privately-owned waste haulers and transfer stations to select their disposal sites provided that: 1) the use of such disposal site does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities (e.g., city of Canby, Clackamas County, and Oregon Department of Environmental Quality (DEQ) in the case of Canby Transfer and Yamhill County and DEQ in the case of Riverbend).

On March 1, 2009, Metro and Waste Management entered into a designated facility agreement (DFA)⁴ for Riverbend which is set to expire on December 31, 2013. The DFA allows generators and haulers to deliver certain types of Metro-area waste directly to the landfill, such as non-putrescible processing residual ("dry waste"), contaminated soil from cleanups, and special wastes, without the need to obtain an NSL from Metro. Since putrescible waste deliveries are primarily managed through NSLs, this DFA does not allow the landfill to accept putrescible waste from the Metro region. As such, privately-owned haulers and transfer stations must obtain a separate NSL from Metro in order to legally deliver Metro-area putrescible waste to any landfill.

Metro Council is scheduled to consider five resolutions that will authorize five privately-owned transfer stations and haulers to deliver putrescible waste to Riverbend during the next two calendar years. In addition to this action for Hoodview, the Council is scheduled to consider similar resolutions for Pride Recycling Company (Res. No. 12-4389), Willamette Resources, Inc. (Res. No. 12-4388), Forest Grove Transfer Station (Res. No. 12-4387), and West Linn Refuse and Recycling, Inc. (Res. No. 12-4391) at its meeting on November 29, 2012.

ANALYSIS/INFORMATION

1. Known Opposition

The waste subject to the proposed NSL will be delivered to Canby Transfer for consolidation and ultimate disposal at Riverbend. There is no known opposition within the Metro region for delivery of Metro-area waste to authorized disposal sites located outside of the region, including Canby Transfer and Riverbend. Within Yamhill County, there is known local public opposition to the disposal of waste generated outside of the County, including Metro-area waste, at Riverbend.

As part of its authorization process for NSLs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding Riverbend. The County has informed Metro that the landfill is in compliance with state and local requirements. Riverbend became permitted as a Subtitle D⁵ landfill in 1993 which put in place new requirements to minimize risk of future environmental contamination at the site. On September 20, 2012, the County's director of planning and development also reported to Metro via email that the County's Board of Commissioners are "in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance." In addition, in June

⁴ Metro Contract No. 929082.

⁵ In the 1990's, the federal Resource Conservation and Recovery Act required all general purpose solid waste landfills to install synthetic liners, leachate collection systems, groundwater monitoring and gas collection systems to lessen the impact on surrounding communities and the environment..

2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County's new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal.

Riverbend is permitted to accept solid waste and the appropriate state and local jurisdictions do not object to the landfill receiving Metro-area waste for disposal. Although approval of Resolution No. 12-4390 would authorize Hoodview to deliver waste to the landfill via Canby Transfer, the proposed NSL does not obligate Riverbend to accept Metro-area waste. This is noted for Council's consideration because the landfill is facing some capacity-related issues which are further discussed in Attachment 1 to this staff report.

2. Legal Antecedents

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

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

The proposed non-system facility is a transfer station rather than a landfill and thus does not pose the same potential environmental risk from wastes delivered from prior users. Canby Transfer began operations in 1996 and services only affiliated hauling companies including Hoodview and West Linn Refuse and Recycling, Inc. located in the Metro region. Staff is not aware of any wastes collected by Hoodview and accepted at Canby Transfer that could pose a risk of environmental contamination.

Riverbend, which is the ultimate destination for the waste subject to the proposed NSL, first came into use during the mid-eighties and became a Subtitle D landfill in 1993. At that time, the original unlined cells were capped and the landfill has been filling only lined cells and operating with the environmental controls required by the DEQ. The environmental risk associated with the use of Riverbend is expected to be minimal as the landfill is fully regulated by the appropriate local and state authorities.

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

Canby Transfer is owned and operated by KB Recycling, a locally-owned company, and Riverbend is owned and operated by Waste Management, a national integrated solid waste company. Both KB Recycling and Waste Management are well known to Metro regulatory staff. Metro staff's investigation of these companies has revealed no documented outstanding compliance issues with local or state agencies responsible for health, safety, and environmental regulations.

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

Canby Transfer and Riverbend are permitted by the DEQ. Canby Transfer uses operational practices and management controls that are typical of transfer stations and that Metro considers adequate for the

protection of health and the environment. In addition, Riverbend uses operational practices and management controls that are typically of Subtitle D landfills. Staff at the DEQ, which regulates both the transfer station and landfill, considers the practices and controls in place at those facilities to be appropriate for the proper management of waste and adequate for the protection of health and the environment.

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

The proposed NSL to Hoodview covers putrescible solid waste, which currently has limited recovery potential. This proposed NSL puts no long-term constraint on the waste should recovery alternatives emerge for the region. Thus, approval of the proposed NSL renewal is not expected to impact the region's recycling and waste reduction efforts.

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

Metro has a contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste, which is delivered to general purpose landfills during the calendar year, to landfills owned by Waste Management. The proposed NSL covers putrescible waste that will ultimately be delivered to Riverbend, which is owned and operated by Waste Management. Thus, approval of this NSL renewal will not conflict with Metro's disposal contract or any other of its existing contractual arrangements.

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

The applicant is affiliated with KB Recycling, which owns and operates a Metro-licensed material recovery facility. On January 20, 2011, Metro issued a Field Notice of Violation⁶ to KB Recycling for failing to maintain required signage at its facility. On February 2, 2011, Metro issued a second Notice of Violation⁷ and imposed a \$50-penalty on the facility for failing to take corrective action on the sign. The facility contested the NOV; however, the enforcement action was subsequently upheld by a hearings officer. The facility has since paid the penalty, corrected its sign, and resolved the matter. Although the above referenced violations are associated with the applicant; they are not directly related to Hoodview or Canby Transfer operations.

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

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

An additional factor that is indirectly related to this NSL application and the proposed NSL is the available future disposal capacity of Riverbend. At the current fill rate, Waste Management estimates

⁶ Metro Field Notice of Violation No. FNOV-276-11

⁷ Metro Notice of Violation No. NOV-280-11

the landfill has capacity to operate through mid-2014 without some expansion approval or waste diversion. Although the landfill's capacity-issues are not directly relevant to this NSL decision, Attachment 1 to this staff report provides background information which updates Council on waste flow, expansion matters, and pending government decisions relative to the landfill. Should conditions change, Metro may modify, suspend, or terminate NSLs or redirect waste flow to other landfills.

3. Anticipated Effects

The effect of Resolution No. 12-4390 will be to issue a two-year NSL authorizing Hoodview to deliver up to 7,600 tons per calendar year of putrescible waste to Canby Transfer for the purpose of consolidation and transfer to Riverbend for disposal.

4. Budget/Rate Impacts

Since Riverbend is owned and operated by Waste Management there is not an impact to Metro's obligation under the disposal contract. In addition, the Regional System Fee and Excise Tax will continue to be collected on Metro-area waste delivered to Riverbend under the authority of the proposed NSL. The application under consideration is the renewal of a current NSL therefore; any financial impact of this NSL to Metro has already been factored into the budget.

RECOMMENDED ACTION

The COO recommends approval of Resolution No. 12-4390, finding that the license renewal satisfies the requirements of Metro Code Section 5.05.035. Approval of Resolution No. 12-4390 will authorize the COO to issue an NSL, substantially similar to the one attached to the resolution as Exhibit A, to Hoodview for a two-year period commencing on January 1, 2013 and expiring on December 31, 2014.

WJ:bjl
S:\REM\Johnson\Facilities\Hoodview\N-118-13\Hoodview_NSL_stfrpt_N-118-13.docx
Queue

Summary of Riverbend Landfill Expansion Information

Riverbend Landfill, located in Yamhill County, is used as a primary disposal site for several privately-owned haulers and transfer stations within the Metro region. Riverbend's ongoing disposal capacity is indirectly germane to Metro Council's decision regarding whether to approve non-system licenses (NSLs) authorizing the use of the landfill as a disposal site.

At the current fill rate, Waste Management estimates that Riverbend has capacity to operate through mid-2014 without the need for expansion or waste diversion. Should a landfill expansion not occur or be delayed beyond that time, Metro's existing NSLs could be modified, suspended, or terminated as necessary to redirect waste flows to other landfills. NSLs contain a standard provision that allows Metro to take such action based upon a change in any circumstance under which Metro initially issued the license (for instance, if Metro later determines that there is a lack of capacity at Riverbend or Yamhill County requests that Metro stop further waste deliveries to the landfill, Metro could immediately modify, suspend, or terminate the NSL). In addition, a Metro-approved NSL does not require Riverbend to accept solid waste from its customers should it encounter capacity limitations. It is also plausible that new issues about the landfill expansion could be raised during the two-year term of this license – in which case Metro could take necessary action.

Riverbend Landfill

The current landfill footprint is 85 acres and the company owns over 702 acres on the site of which 145 acres are potentially slated for landfilling. In the short term, Riverbend has proposed to build a mechanically stabilized earthen berm to raise the perimeter height of the landfill enough to allow it to continue to take waste at its current rate for 2-3 years. Riverbend is considering seeking a longer-term lateral expansion to the landfill – potentially up to 60 additional acres. Waste Management is engaged in a series of public meetings in Yamhill County to discuss the potential expansion, future green waste technology and use of land not designated for land disposal for other community uses such as parks or agriculture. A 60 acre lateral expansion could provide as much as 20 years of capacity to the landfill.

Waste Management has also pursued other options to lessen dependency on the landfill, including diversion of non-putrescible waste from the landfill to the Tualatin Valley Waste Recovery facility in Hillsboro and relocation of the public recycling center to a more convenient location at the landfill site.

Waste Facts

In calendar year 2011, about 583,000 tons of solid waste were delivered to Riverbend from all sources (Table 1). Of these 583,000 tons, about 237,000 tons (41 percent) originated inside the Metro district. The balance came from areas outside of Metro.

In addition to the solid waste received for disposal, Riverbend accepted about another 75,000 tons of contaminated soils that were used for landfill operations, mainly alternative daily cover (Table 1). Of these 75,000 additional tons, about 21,000 originated inside the Metro boundary (Table 2).

Table 1	
Materials Received at Riverbend Landfill in 2011	
Solid Waste	
From inside Oregon	573,000 *
From out-of-state	10,000
Total Solid Waste	583,000
ADC/Soils	75,000
Total from all sources	658,000
<i>Source: DEQ, Solid Waste Disposal Report (quarterly). All tonnage amounts are rounded to the nearest 1000.</i>	

Table 2	
Materials Generated in the Metro District and Received at Riverbend Landfill in 2011	
Putrescible waste	208,000
Non-putrescible waste	29,000
Total Solid Waste	237,000 (41% of total waste at Riverbend)
ADC/soils	21,000
Total from Metro	258,000 (39% of total materials at Riverbend)
<i>Source: Metro, SWIS, based on reports filed by Riverbend. All tonnage amounts are rounded to the nearest 1000.</i>	

Of the 237,000 tons of Metro-area solid waste disposed at Riverbend in 2011, about 208,000 tons was putrescible waste collected from residential and commercial generators in Washington and northern Clackamas counties, delivered to one of four privately-owned transfer stations, and transported in large transfer trailers to Riverbend under the authority of a Metro-issued NSL (Table 3). The balance, 29,000 tons, was miscellaneous solid waste – mainly industrial waste, and non-putrescible processing residual directly delivered to the landfill from within the Metro region and delivered under the authority of the designated facility agreement with Riverbend. An additional 21,000 tons of contaminated soils originated in the Metro district, and were used for landfill operations, mainly alternative daily cover.

Table 3			
Metro-Area Putrescible Waste to Riverbend Landfill in 2011 by Transfer Station			
Transfer Station	Location	Putrescible Waste	
		Tons	Percent
Canby TS (Hoodview/West Linn)	Canby	13,008	6%
Forest Grove TS	Forest Grove	108,958	52%
Pride Recycling	Sherwood	63,472	31%
Willamette Resources	Wilsonville	22,487	11%
Total putrescible waste	In-District	207,925	100%

Metro transfer stations and the Troutdale Transfer Station send their waste to Columbia Ridge Landfill, not Riverbend. However, Riverbend serves as a back-up for these facilities whenever the Columbia Gorge is closed due to weather or other emergency situations. Metro transfer stations have not sent waste to Riverbend since 2007. Troutdale Transfer Station has delivered approximately 489 tons of waste to Riverbend within the last two calendar years.

Other Government Decisions

Numerous governments are involved in the oversight of landfills during consideration of a landfill expansion. Following is brief summary of each of the major entities responsible for decisions regarding aspects of the landfill expansion:

* Metro's Solid Waste Information System (SWIS) shows 571,000 tons (as previously reported), which is almost 2,000 fewer tons than shown in the DEQ reports. The difference is apparently due to corrections to deliveries from out-of-Metro counties, which SWIS does not track.

- **Yamhill County.** As part of its authorization process for NSLs and DFAs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding the landfill. The County has informed Metro that the landfill is in compliance with state and local requirements and there is minimal risk of future environmental contamination at the site. On September 20, 2012, the County's director of planning and development also reported to Metro via email that the County's Board of Commissioners are "in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance."

In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County's new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal. The new agreement increases fees, based on volume, paid to the county and could increase County revenue by 60 percent based on previous waste disposal volumes. The County has also recently determined that both the short-term expansion (berm) and longer-term expansion (horizontal expansion) of the landfill are outright allowable uses.

- **DEQ.** As the chief agency responsible for permitting and environmental oversight of the landfill, DEQ must approve any expansion at Riverbend as well as continually monitor the landfill's environmental performance and compliance. DEQ is presently reviewing Waste Management's application for the proposed berm expansion. The key issues under review with the expansion proposal pertain to seismic stability and review of flood way and flood plain boundaries by FEMA (see below). DEQ originally received the application for a large lateral expansion in 2009. Waste Management's most recent permit application, which seeks approval to install a mechanically stabilized earthen berm at the site, was submitted to the DEQ in 2012 as a result of opponents appealing the landfill's previous expansion application in 2009. DEQ's decision on the berm will be subject to a 35-day public comment period and likely involve a public hearing. DEQ does not currently have any outstanding enforcement actions at the landfill. DEQ considers the operational practices and controls in place at the landfill to be appropriate for the proper management of waste disposal and adequate for the protection of health and the environment.
- **Federal Emergency Management Agency (FEMA).** FEMA is the agency responsible for mapping flood and riparian zones. Current flood maps issued by FEMA show both the flood way and the flood plain passing through the landfill even though the landfill has been there since the 1980s. Waste Management submitted technical information to FEMA in May 2012 in support of a request to revise these maps. FEMA is currently reviewing this information and is expected to render a decision soon.
- **Department of State Lands (DSL).** As the state agency responsible for wetland preservation and mitigation, DSL conducted an investigation of the impact of the landfill on wetlands in the area. Thus far, DSL has been satisfied that Waste Management is not disturbing the wetlands.
- **State Historic Preservation Office (SHPO) and Grand Ronde Tribe.** Excavation of soil at the site for daily cover resulted in finding some archeological artifacts but did not find human bones or bone fragments. The situation is being assessed by SHPO and its contractors. The local tribe is also being consulted.

- **Land Use Board of Appeals (LUBA).** Local opponents of the landfill and its expansion have routinely appealed Yamhill County land use decisions and determinations to LUBA. So far all appeals have been in the County's favor, including an October 30, 2012 decision that concluded the proposed expansion of the existing landfill is compatible with the County's comprehensive plan and land use regulations.

Impact of Landfill Closure or Waste Diversion

If Metro-area solid waste could no longer be delivered to Riverbend for disposal for whatever reason, at least 208,000 tons of putrescible waste would have to be shifted to the Columbia Ridge Landfill each year under Metro's disposal contract. Each round trip to Columbia Ridge Landfill is 280 miles longer, on average, than current trips to Riverbend. This increase in transport time and distance would increase costs and reduce environmental sustainability in the region. The change in transport dominates all other economic and environmental effects. The additional transport cost would be about \$5 million per year. This translates to an average increase of almost \$24 on each ton shifted to Columbia Ridge Landfill from Riverbend. Ratepayers in Washington County and northwest Clackamas County would bear virtually all of the cost and residential ratepayers in these counties could see increases of \$1.40 to \$1.80 per month on their garbage bills.

Summary

The future capacity of Riverbend and any decisions that might impact its expansion are indirectly relevant to Metro's decision to allow solid waste to be disposed at the landfill. It is a factor that will be monitored by staff; however, waste delivery to the landfill is ultimately a business transaction between privately-owned companies. Capacity does not appear to impinge on the landfill's ability to accept Metro-area waste from the current group of NSLs under consideration by Metro Council. Metro generally regards these types of requests from the private sector as a market decision – provided that: 1) the use of such disposal sites does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities. Metro has the authority to modify, suspend, or terminate its NSLs at any time if the landfill's capacity becomes constrained or if Yamhill County requests that Metro restrict the flow of solid waste away from Riverbend.

Agenda Item No. 5.6

Resolution No. 12-4391, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to West Linn Refuse and Recycling, Inc. for Delivery of Putrescible Waste to Canby Transfer and Recycling, Inc. for the Purpose of Transfer and Disposal at the Riverbend Landfill Located in Yamhill County, Oregon.

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A	)	RESOLUTION NO. 12-4391
RENEWED NON-SYSTEM LICENSE TO WEST LINN REFUSE)	
AND RECYCLING, INC. FOR DELIVERY OF PUTRESCIBLE	)	Introduced by Martha J. Bennett,
WASTE TO CANBY TRANSFER AND RECYCLING, INC. FOR	)	Chief Operating Officer, with the
THE PURPOSE OF TRANSFER AND DISPOSAL AT THE	)	concurrence of Tom Hughes,
RIVERBEND LANDFILL LOCATED IN YAMHILL COUNTY,	)	Council President
OREGON)	

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

WHEREAS, West Linn Refuse and Recycling, Inc. ("WLR") holds Metro Solid Waste Facility Non-System License No. N-119-11, which expires on December 31, 2012; and

WHEREAS, WLR has filed a complete application seeking renewal of the non-system license to deliver putrescible waste to Canby Transfer and Recycling, Inc. for the purpose of transfer to the Riverbend Landfill for disposal under the provisions of Metro Code Chapter 5.05, "Solid Waste Flow Control;" and

WHEREAS, Metro Code Chapter 5.05 provides that applications for non-system licenses for putrescible waste shall be reviewed by the Chief Operating Officer and are subject to approval or denial by the Metro Council; and

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

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

THE METRO COUNCIL RESOLVES AS FOLLOWS:

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

ADOPTED by the Metro Council this ____ day of _____, 2012.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney



METRO

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

No. N-119-13

LICENSEE:
West Linn Refuse & Recycling, Inc. 1600 SE 4 th Avenue Canby, OR 97013
CONTACT PERSON:
Andy Kahut Phone: (503) 664-4778 Fax: (503) 263-6477 E-mail: akahut@kahutwasteservices.com
MAILING ADDRESS:
West Linn Refuse & Recycling, Inc. P.O. Box 1285 Canby, OR 97013

ISSUED BY METRO:

Scott Robinson, Deputy Chief Operating Officer

Date



1	NATURE OF WASTE COVERED BY LICENSE
	Putrescible solid waste that is generated by residential and commercial customers within the Metro region and collected by West Linn Refuse & Recycling, Inc.
2	CALENDAR YEAR TONNAGE LIMITATION
	Licensee is authorized to deliver to the non-system facility listed in Section 3 of this license up to 9,000 tons per calendar year of the waste described in Section 1 of this license.
3	NON-SYSTEM FACILITY
	<p>The Licensee hereunder may deliver the waste described in Section 1, above, only to the following non-system facility for the purpose of transfer to the Riverbend Landfill for disposal:</p> <p style="text-align: center;">Canby Transfer & Recycling, Inc. 1600 SE 4th Avenue Canby, OR 97013</p> <p>This license is issued on condition that the non-system facility and disposal site named in this section are authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality or local regulatory authority that the non-system facility or disposal site are not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 7 of this license.</p>
4	TERM OF LICENSE
	The term of this license will commence on January 1, 2013 and expire at midnight on December 31, 2014, unless terminated sooner under Section 7 of this license.
5	REPORTING OF ACCIDENTS AND CITATIONS
	Licensee shall report to Metro any significant incidents (such as fires), accidents, and citations involving vehicles transporting the solid waste authorized by this license.



6	RECORD KEEPING AND REPORTING
	<p>(a) The Licensee shall keep and maintain accurate records of the amount of all solid waste that the Licensee delivers to the non-system facility described in Section 3 of this license. The Licensee shall keep and maintain complete and accurate records of the following for all transactions with the authorized non-system facility:</p> <ul style="list-style-type: none">i. Ticket or weight slip number from the non-system facility;ii. Material category designating the type of material transferred to the non-system facility;iii. Date the load was transferred to the non-system facility;iv. Time the load was transferred to the non-system facility;v. Net weight of the load; andvi. Fee charged by the non-system facility <p>(b) No later than the fifteenth (15th) day of each month, beginning with the first month following the commencement date of this license, Licensee shall:</p> <ul style="list-style-type: none">i. Transmit the records required under Section 6(a) above to Metro in an electronic format prescribed by Metro;ii. Submit to Metro a Regional System Fee and Excise Tax Report, that covers the preceding month; andiii. Remit to Metro the requisite Regional System Fees and Excise Tax in accordance with the Metro Code provisions applicable to the collection, payment, and accounting of such fees and taxes. <p>(c) Licensee shall make all records from which Sections 6(a) and 6(b) above are derived available to Metro (or Metro's designated agent) for its inspection or copying, as long as Metro provides no less than three (3) business days written notice of an intent to inspect or copy documents. Licensee shall, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility named in Section 3, above.</p>

7	ADDITIONAL LICENSE CONDITIONS
	<p>This license shall be subject to the following conditions:</p> <p>(a) The permissive transfer of solid waste to the non-system facility, listed in Section 3, authorized by this license shall be subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.</p> <p>(b) This license shall be subject to amendment, modification or termination by Metro's Chief Operating Officer (the "COO") in the event that the COO</p>



	<p>determines that:</p> <ul style="list-style-type: none"> i. There has been sufficient change in any circumstances under which Metro issued this license; ii. The provisions of this license are actually or potentially in conflict with any provision in Metro’s disposal contract with Waste Management Disposal Services of Oregon, Inc., dba Oregon Waste Systems, Inc.; or iii. Metro’s solid waste system or the public will benefit from, and will be better served by, an order directing that the waste described in Section 1 of this license be transferred to, and disposed of at, a facility other than the facility described in Section 3. <p>(c) This license shall, in addition to subsections (b)(i) through (iii), above, be subject to amendment, modification, termination, or suspension pursuant to the Metro Code.</p> <p>(d) Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.</p> <p>(e) This license shall terminate upon the execution of a designated facility agreement with the facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1 of this license.</p> <p>(f) This license authorizes delivery of solid waste to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro.</p> <p>(g) If the Licensee exceeds the calendar year limitation set forth in Section 2 of this license, each ton or portion thereof by which the Licensee exceeds the limitation constitutes a separate violation subject to a penalty of up to \$500.</p>
--	--

8	COMPLIANCE WITH LAW
	<p>Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Chapter 5.05 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the collection and hauling of the Licensee’s solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the Licensee shall be deemed part of this license as if specifically set forth herein.</p>



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

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4391 AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-SYSTEM LICENSE TO WEST LINN REFUSE AND RECYCLING, INC. FOR DELIVERY OF PUTRESCIBLE WASTE TO CANBY TRANSFER AND RECYCLING, INC. FOR THE PURPOSE OF TRANSFER AND DISPOSAL AT THE RIVERBEND LANDFILL LOCATED IN YAMHILL COUNTY, OREGON

November 20, 2012

Prepared by: Warren Johnson
503-797-1836

Approval of Resolution No. 12-4391 will authorize the Chief Operating Officer (COO) to issue a two-year non-system license (NSL) to West Linn Refuse and Recycling, Inc. (WLR) to annually deliver up to 9,000 tons of putrescible waste from the Metro region to Canby Transfer and Recycling, Inc. (Canby Transfer) for the purpose of transfer and disposal at Riverbend Landfill (Riverbend) located in Yamhill County, Oregon. The proposed NSL renews the current license that is set to expire on December 31, 2012, and it continues the same authorization that WLR has held since 2005. The applicant (WLR) and the destination facility (Canby Transfer) are both affiliated with K.B. Recycling, Inc. headquartered in Canby, Oregon. Riverbend is owned and operated by Waste Management of Oregon, Inc.

BACKGROUND

WLR is a local solid waste hauler that is affiliated with KB Recycling. KB recycling owns and operates a Metro-licensed material recovery facility¹ located in Clackamas and Canby Transfer located in Canby, Oregon. On August 7, 2012, WLR submitted to Metro an application seeking to renew its NSL with a tonnage authorization of 9,000 tons per calendar year – which is the same tonnage authorization in its current NSL. Resolution No. 12-4391 would renew that NSL to WLR and allow continued delivery of Metro-area putrescible waste to Canby Transfer, for disposal at Riverbend, through 2014.

In November 2010, the Metro Council granted WLR an NSL² to deliver a maximum of 9,000 tons per calendar year of putrescible waste, collected from its routes located inside the Metro region, to Canby Transfer for the purpose of consolidation and transfer to Riverbend for disposal. The term of the NSL commenced on January 1, 2011 and expires on December 31, 2012. WLR delivered about 7,000 tons of putrescible waste to Canby Transfer during calendar year 2011 and about 5,000 tons to the facility between January and September 2012.

NSLs are the main vehicles by which Metro manages its contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste ("wet waste"), which is delivered to general purpose landfills during the calendar year, to landfills owned by Metro's contract disposal company, Waste Management of Oregon, Inc. This contractual obligation is known as "*the flow guarantee.*" NSLs allow Metro to closely monitor and potentially guide waste flows to authorized facilities in order to comply with the contract. Metro has a long-standing policy of allowing privately-owned waste haulers and transfer stations to select their disposal sites provided that: 1) the use of such disposal site does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory

¹ Metro Solid Waste Facility License No. L-007-12

² Metro Non-System License No. N-119-11

authorities (e.g., city of Canby, Clackamas County, and Oregon Department of Environmental Quality (DEQ) in the case of Canby Transfer and Yamhill County and DEQ in the case of Riverbend).

On March 1, 2009, Metro and Waste Management entered into a designated facility agreement (DFA)³ for Riverbend which is set to expire on December 31, 2013. The DFA allows generators and haulers to deliver certain types of Metro-area waste directly to the landfill, such as non-putrescible processing residual (“dry waste”), contaminated soil from cleanups, and special wastes, without the need to obtain an NSL from Metro. Since putrescible waste deliveries are primarily managed through NSLs, this DFA does not allow the landfill to accept putrescible waste from the Metro region. As such, privately-owned haulers and transfer stations must obtain a separate NSL from Metro in order to legally deliver Metro-area putrescible waste to any landfill.

Metro Council is scheduled to consider five resolutions that will authorize five privately-owned transfer stations and haulers to deliver putrescible waste to Riverbend during the next two calendar years. In addition to this action for WLR, the Council is scheduled to consider similar resolutions for Pride Recycling Company (Res. No. 12-4389), Willamette Resources, Inc. (Res. No. 12-4388), Forest Grove Transfer Station (Res. No. 12-4387), and Hoodview Disposal and Recycling, Inc. (Res. No. 12-4390) at its meeting on November 29, 2012.

ANALYSIS/INFORMATION

1. Known Opposition

The waste subject to the proposed NSL will be delivered to Canby Transfer for consolidation and ultimate disposal at Riverbend. There is no known opposition within the Metro region for delivery of Metro-area waste to authorized disposal sites located outside of the region, including Canby Transfer and Riverbend. Within Yamhill County, there is known local public opposition to the disposal of waste generated outside of the County, including Metro-area waste, at Riverbend.

As part of its authorization process for NSLs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding Riverbend. The County has informed Metro that the landfill is in compliance with state and local requirements. Riverbend became permitted as a Subtitle D⁴ landfill in 1993 which put in place new requirements to minimize risk of future environmental contamination at the site. On September 20, 2012, the County’s director of planning and development also reported to Metro via email that the County’s Board of Commissioners are “in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance.” In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County’s new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal.

Riverbend is permitted to accept solid waste and the appropriate state and local jurisdictions do not object to the landfill receiving Metro-area waste for disposal. Although approval of Resolution No. 12-

³ Metro Contract No. 929082.

⁴ In the 1990’s, the federal Resource Conservation and Recovery Act required all general purpose solid waste landfills to install synthetic liners, leachate collection systems, groundwater monitoring and gas collection systems to lessen the impact on surrounding communities and the environment..

4391 would authorize WLR to deliver waste to the landfill via Canby Transfer, the proposed NSL does not obligate Riverbend to accept Metro-area waste. This is noted for Council's consideration because the landfill is facing some capacity-related issues which are further discussed in Attachment 1 to this staff report.

2. Legal Antecedents

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

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

The proposed non-system facility is a transfer station rather than a landfill and thus does not pose the same potential environmental risk from wastes delivered from prior users. Canby Transfer began operations in 1996 and services only affiliated hauling companies including WLR and Hoodview Disposal and Recycling, Inc. located in the Metro region. Staff is not aware of any wastes collected by WLR and accepted at Canby Transfer that could pose a risk of environmental contamination.

Riverbend, which is the ultimate destination for the waste subject to the proposed NSL, first came into use during the mid-eighties and became a Subtitle D landfill in 1993. At that time, the original unlined cells were capped and the landfill has been filling only lined cells and operating with the environmental controls required by the DEQ. The environmental risk associated with the use of Riverbend is expected to be minimal as the landfill is fully regulated by the appropriate local and state authorities.

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

Canby Transfer is owned and operated by KB Recycling, a locally-owned company, and Riverbend is owned and operated by Waste Management, a national integrated solid waste company. Both KB Recycling and Waste Management are well known to Metro regulatory staff. Metro staff's investigation of these companies has revealed no documented outstanding compliance issues with local or state agencies responsible for health, safety, and environmental regulations.

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

Canby Transfer and Riverbend are permitted by the DEQ. Canby Transfer uses operational practices and management controls that are typical of transfer stations and that Metro considers adequate for the protection of health and the environment. In addition, Riverbend uses operational practices and management controls that are typically of Subtitle D landfills. Staff at the DEQ, which regulates both the transfer station and landfill, considers the practices and controls in place at those facilities to be appropriate for the proper management of waste and adequate for the protection of health and the environment.

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

The proposed NSL to WLR covers putrescible solid waste, which currently has limited recovery potential. This proposed NSL puts no long-term constraint on the waste should recovery alternatives emerge for the region. Thus, approval of the proposed NSL renewal is not expected to impact the region's recycling and waste reduction efforts.

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

Metro has a contractual obligation to deliver a minimum of 90 percent of the region's putrescible waste, which is delivered to general purpose landfills during the calendar year, to landfills owned by Waste Management. The proposed NSL covers putrescible waste that will ultimately be delivered to Riverbend, which is owned and operated by Waste Management. Thus, approval of this NSL renewal will not conflict with Metro's disposal contract or any other of its existing contractual arrangements.

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

The applicant is affiliated with KB Recycling, which owns and operates a Metro-licensed material recovery facility. On January 20, 2011, Metro issued a Field Notice of Violation⁵ to KB Recycling for failing to maintain required signage at its facility. On February 2, 2011, Metro issued a second Notice of Violation⁶ and imposed a \$50-penalty on the facility for failing to take corrective action on the sign. The facility contested the NOV; however, the enforcement action was subsequently upheld by a hearings officer. The facility has since paid the penalty, corrected its sign, and resolved the matter. Although the above referenced violations are associated with the applicant; they are not directly related to WLR or Canby Transfer operations.

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

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

An additional factor that is indirectly related to this NSL application and the proposed NSL is the available future disposal capacity of Riverbend. At the current fill rate, Waste Management estimates the landfill has capacity to operate through mid-2014 without some expansion approval or waste diversion. Although the landfill's capacity-issues are not directly relevant to this NSL decision, Attachment 1 to this staff report provides background information which updates Council on waste flow, expansion matters, and pending government decisions relative to the landfill. Should conditions change, Metro may modify, suspend, or terminate NSLs or redirect waste flow to other landfills.

⁵ Metro Field Notice of Violation No. FNOV-276-11

⁶ Metro Notice of Violation No. NOV-280-11

3. Anticipated Effects

The effect of Resolution No. 12-4391 will be to issue a two-year NSL authorizing WLR to deliver up to 9,000 tons per calendar year of putrescible waste to Canby Transfer for the purpose of consolidation and transfer to Riverbend for disposal.

4. Budget/Rate Impacts

Since Riverbend is owned and operated by Waste Management there is not an impact to Metro's obligation under the disposal contract. In addition, the Regional System Fee and Excise Tax will continue to be collected on Metro-area waste delivered to Riverbend under the authority of the proposed NSL. The application under consideration is the renewal of a current NSL therefore; any financial impact of this NSL to Metro has already been factored into the budget.

RECOMMENDED ACTION

The COO recommends approval of Resolution No. 12-4391, finding that the license renewal satisfies the requirements of Metro Code Section 5.05.035. Approval of Resolution No. 12-4391 will authorize the COO to issue an NSL, substantially similar to the one attached to the resolution as Exhibit A, to WLR for a two-year period commencing on January 1, 2013 and expiring on December 31, 2014.

Wj:bjl
S:\REM\Johnson\Facilities\West Linn Refuse\N-119-13\WestLinn_NSL_stfrpt_N-119-13.docx
Queue

Summary of Riverbend Landfill Expansion Information

Riverbend Landfill, located in Yamhill County, is used as a primary disposal site for several privately-owned haulers and transfer stations within the Metro region. Riverbend's ongoing disposal capacity is indirectly germane to Metro Council's decision regarding whether to approve non-system licenses (NSLs) authorizing the use of the landfill as a disposal site.

At the current fill rate, Waste Management estimates that Riverbend has capacity to operate through mid-2014 without the need for expansion or waste diversion. Should a landfill expansion not occur or be delayed beyond that time, Metro's existing NSLs could be modified, suspended, or terminated as necessary to redirect waste flows to other landfills. NSLs contain a standard provision that allows Metro to take such action based upon a change in any circumstance under which Metro initially issued the license (for instance, if Metro later determines that there is a lack of capacity at Riverbend or Yamhill County requests that Metro stop further waste deliveries to the landfill, Metro could immediately modify, suspend, or terminate the NSL). In addition, a Metro-approved NSL does not require Riverbend to accept solid waste from its customers should it encounter capacity limitations. It is also plausible that new issues about the landfill expansion could be raised during the two-year term of this license – in which case Metro could take necessary action.

Riverbend Landfill

The current landfill footprint is 85 acres and the company owns over 702 acres on the site of which 145 acres are potentially slated for landfilling. In the short term, Riverbend has proposed to build a mechanically stabilized earthen berm to raise the perimeter height of the landfill enough to allow it to continue to take waste at its current rate for 2-3 years. Riverbend is considering seeking a longer-term lateral expansion to the landfill – potentially up to 60 additional acres. Waste Management is engaged in a series of public meetings in Yamhill County to discuss the potential expansion, future green waste technology and use of land not designated for land disposal for other community uses such as parks or agriculture. A 60 acre lateral expansion could provide as much as 20 years of capacity to the landfill.

Waste Management has also pursued other options to lessen dependency on the landfill, including diversion of non-putrescible waste from the landfill to the Tualatin Valley Waste Recovery facility in Hillsboro and relocation of the public recycling center to a more convenient location at the landfill site.

Waste Facts

In calendar year 2011, about 583,000 tons of solid waste were delivered to Riverbend from all sources (Table 1). Of these 583,000 tons, about 237,000 tons (41 percent) originated inside the Metro district. The balance came from areas outside of Metro.

In addition to the solid waste received for disposal, Riverbend accepted about another 75,000 tons of contaminated soils that were used for landfill operations, mainly alternative daily cover (Table 1). Of these 75,000 additional tons, about 21,000 originated inside the Metro boundary (Table 2).

Table 1	
Materials Received at Riverbend Landfill in 2011	
Solid Waste	
From inside Oregon	573,000 *
From out-of-state	10,000
Total Solid Waste	583,000
ADC/Soils	75,000
Total from all sources	658,000
<i>Source: DEQ, Solid Waste Disposal Report (quarterly). All tonnage amounts are rounded to the nearest 1000.</i>	

Table 2	
Materials Generated in the Metro District and Received at Riverbend Landfill in 2011	
Putrescible waste	208,000
Non-putrescible waste	29,000
Total Solid Waste	237,000 (41% of total waste at Riverbend)
ADC/soils	21,000
Total from Metro	258,000 (39% of total materials at Riverbend)
<i>Source: Metro, SWIS, based on reports filed by Riverbend. All tonnage amounts are rounded to the nearest 1000.</i>	

Of the 237,000 tons of Metro-area solid waste disposed at Riverbend in 2011, about 208,000 tons was putrescible waste collected from residential and commercial generators in Washington and northern Clackamas counties, delivered to one of four privately-owned transfer stations, and transported in large transfer trailers to Riverbend under the authority of a Metro-issued NSL (Table 3). The balance, 29,000 tons, was miscellaneous solid waste – mainly industrial waste, and non-putrescible processing residual directly delivered to the landfill from within the Metro region and delivered under the authority of the designated facility agreement with Riverbend. An additional 21,000 tons of contaminated soils originated in the Metro district, and were used for landfill operations, mainly alternative daily cover.

Table 3			
Metro-Area Putrescible Waste to Riverbend Landfill in 2011 by Transfer Station			
Transfer Station	Location	Putrescible Waste	
		Tons	Percent
Canby TS (Hoodview/West Linn)	Canby	13,008	6%
Forest Grove TS	Forest Grove	108,958	52%
Pride Recycling	Sherwood	63,472	31%
Willamette Resources	Wilsonville	22,487	11%
Total putrescible waste	In-District	207,925	100%

Metro transfer stations and the Troutdale Transfer Station send their waste to Columbia Ridge Landfill, not Riverbend. However, Riverbend serves as a back-up for these facilities whenever the Columbia Gorge is closed due to weather or other emergency situations. Metro transfer stations have not sent waste to Riverbend since 2007. Troutdale Transfer Station has delivered approximately 489 tons of waste to Riverbend within the last two calendar years.

Other Government Decisions

Numerous governments are involved in the oversight of landfills during consideration of a landfill expansion. Following is brief summary of each of the major entities responsible for decisions regarding aspects of the landfill expansion:

* Metro's Solid Waste Information System (SWIS) shows 571,000 tons (as previously reported), which is almost 2,000 fewer tons than shown in the DEQ reports. The difference is apparently due to corrections to deliveries from out-of-Metro counties, which SWIS does not track.

- **Yamhill County.** As part of its authorization process for NSLs and DFAs, Metro asks local host governments whether the destination facility is in compliance with local laws and whether it has any issues, concerns or objections to Metro-area waste flowing to disposal sites within their jurisdiction. Yamhill County is responsible for local land use decisions regarding the landfill. The County has informed Metro that the landfill is in compliance with state and local requirements and there is minimal risk of future environmental contamination at the site. On September 20, 2012, the County's director of planning and development also reported to Metro via email that the County's Board of Commissioners are "in agreement that Riverbend continues to meet their expectations regarding its environmental record and overall performance."

In addition, in June 2012, Yamhill County entered into a new five-year licensing agreement with Riverbend which replaced the previous agreement from 1994. The term of the County's new agreement became effective on July 1, 2012 and will extend beyond the two-year term of this proposed NSL renewal. The new agreement increases fees, based on volume, paid to the county and could increase County revenue by 60 percent based on previous waste disposal volumes. The County has also recently determined that both the short-term expansion (berm) and longer-term expansion (horizontal expansion) of the landfill are outright allowable uses.

- **DEQ.** As the chief agency responsible for permitting and environmental oversight of the landfill, DEQ must approve any expansion at Riverbend as well as continually monitor the landfill's environmental performance and compliance. DEQ is presently reviewing Waste Management's application for the proposed berm expansion. The key issues under review with the expansion proposal pertain to seismic stability and review of flood way and flood plain boundaries by FEMA (see below). DEQ originally received the application for a large lateral expansion in 2009. Waste Management's most recent permit application, which seeks approval to install a mechanically stabilized earthen berm at the site, was submitted to the DEQ in 2012 as a result of opponents appealing the landfill's previous expansion application in 2009. DEQ's decision on the berm will be subject to a 35-day public comment period and likely involve a public hearing. DEQ does not currently have any outstanding enforcement actions at the landfill. DEQ considers the operational practices and controls in place at the landfill to be appropriate for the proper management of waste disposal and adequate for the protection of health and the environment.
- **Federal Emergency Management Agency (FEMA).** FEMA is the agency responsible for mapping flood and riparian zones. Current flood maps issued by FEMA show both the flood way and the flood plain passing through the landfill even though the landfill has been there since the 1980s. Waste Management submitted technical information to FEMA in May 2012 in support of a request to revise these maps. FEMA is currently reviewing this information and is expected to render a decision soon.
- **Department of State Lands (DSL).** As the state agency responsible for wetland preservation and mitigation, DSL conducted an investigation of the impact of the landfill on wetlands in the area. Thus far, DSL has been satisfied that Waste Management is not disturbing the wetlands.
- **State Historic Preservation Office (SHPO) and Grand Ronde Tribe.** Excavation of soil at the site for daily cover resulted in finding some archeological artifacts but did not find human bones or bone fragments. The situation is being assessed by SHPO and its contractors. The local tribe is also being consulted.

- **Land Use Board of Appeals (LUBA).** Local opponents of the landfill and its expansion have routinely appealed Yamhill County land use decisions and determinations to LUBA. So far all appeals have been in the County's favor, including an October 30, 2012 decision that concluded the proposed expansion of the existing landfill is compatible with the County's comprehensive plan and land use regulations.

Impact of Landfill Closure or Waste Diversion

If Metro-area solid waste could no longer be delivered to Riverbend for disposal for whatever reason, at least 208,000 tons of putrescible waste would have to be shifted to the Columbia Ridge Landfill each year under Metro's disposal contract. Each round trip to Columbia Ridge Landfill is 280 miles longer, on average, than current trips to Riverbend. This increase in transport time and distance would increase costs and reduce environmental sustainability in the region. The change in transport dominates all other economic and environmental effects. The additional transport cost would be about \$5 million per year. This translates to an average increase of almost \$24 on each ton shifted to Columbia Ridge Landfill from Riverbend. Ratepayers in Washington County and northwest Clackamas County would bear virtually all of the cost and residential ratepayers in these counties could see increases of \$1.40 to \$1.80 per month on their garbage bills.

Summary

The future capacity of Riverbend and any decisions that might impact its expansion are indirectly relevant to Metro's decision to allow solid waste to be disposed at the landfill. It is a factor that will be monitored by staff; however, waste delivery to the landfill is ultimately a business transaction between privately-owned companies. Capacity does not appear to impinge on the landfill's ability to accept Metro-area waste from the current group of NSLs under consideration by Metro Council. Metro generally regards these types of requests from the private sector as a market decision – provided that: 1) the use of such disposal sites does not violate Metro Code or any of Metro's waste-related contracts, 2) all appropriate Regional System Fee and Excise Tax is remitted to Metro for the waste delivered to the disposal site, and 3) the receiving disposal site is appropriately authorized and allowed to operate by the local and state regulatory authorities. Metro has the authority to modify, suspend, or terminate its NSLs at any time if the landfill's capacity becomes constrained or if Yamhill County requests that Metro restrict the flow of solid waste away from Riverbend.

Agenda Item No. 5.7

Resolution No. 12-4392, For the Purpose of Confirming
Appointments to the Metro Public Engagement Review Committee
(PERC).

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING) RESOLUTION NO. 12-4392
APPOINTMENTS TO THE METRO PUBLIC)
ENGAGEMENT REVIEW COMMITTEE (PERC)) Introduced by

WHEREAS, in furtherance of Metro’s Principles of Citizen Involvement, set forth in Resolution No. 97-2433, adopted January 23, 1997, the Metro Council established an Advisory Committee known as the Public Engagement Review Committee (PERC), to advise the Metro Council on the development and maintenance of programs and procedures to aid communication between the public and the Metro Council; and

WHEREAS, by a fair and open process, Metro has recruited applicants for PERC and the Metro Council President has appointed selected applicants consisting of members of the public, representatives of community organizations, and public involvement staff from local jurisdictions; and

WHEREAS, Metro Code Chapter 2.19.030 requires that the Metro Council confirm appointments made by the Council President to Metro’s Advisory Committees; and now therefore

BE IT RESOLVED that the following appointments by the Metro Council President to PERC are hereby confirmed to serve on PERC for the terms noted:

PERC Members and Terms

At-large representatives from the region

Three-year term:

Eleanor Hunter, Clackamas County, Oak Grove Community Council
Candice Kelly, Washington County, Tualatin Tomorrow, Tualatin Heritage Center Board
Juan Carlos Ocaña-Chiu, Multnomah County, Multnomah County ADSD

Two-year term:

Corinne Bloomfield, Washington County, Hillsboro 2020 Vision
Jose Luis Nava, Washington County, Latino Leadership Network of Washington County, Washington County Citizen Action Network
Juanita Walton, Multnomah County, Benetti Partners, certification from the International Association for Public Participation

One-year term:

Greg Greenway, Multnomah County, Portland Public Involvement Advisory Council, Threshold 2008
Jennifer Sexton, Multnomah County, Hansa Research
Tara Sulzen, Multnomah County, 1000 Friends of Oregon, Bus Project Board

Community organization representatives

Three-year term:

Julia Meier, Coalition of Communities of Color

Two-year term:

Sue Marshall, Coalition for a Livable Future Representative

One-year term:

Casey Barnard, Emerald Cities of Portland

Jurisdictional representatives (terms decided by jurisdictions)

Barbara Smolak, Clackamas County

Mike Pullen, Multnomah County

Stephen Roberts, Washington County

Committee terms will run from January to December. Recruitment to fill vacancies will begin each fall and the Metro Council will appoint new members each December.

ADOPTED by the Metro Council this _____ day of November 2012.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney



Metro Public Engagement Review Overview

Introduction and overview

In response to evolving communications and public engagement practices, Metro staff has developed a multi-track public engagement review process. Public engagement review engages the public, community organizations, and local government public involvement staff to actively monitor and contribute to Metro's public engagement efforts. Efficient public engagement at the project and program level benefit from review at the agency level. The new process supplements the public involvement outreach done regularly at the project and program levels. All Metro public engagement activity is guided by the principles of citizen involvement adopted by the Metro Council in 1997.

Purpose

Active public engagement is essential to Metro's role as regional convener and makes Metro a more responsive and collaborative agency. Metro believes that good government requires the collaboration of elected officials, staff and representation of diverse residents of the region. Continual cooperation among these parties results in rich and sustainable policy decisions. Therefore, Metro is committed to fostering a robust public engagement environment.

Metro's public engagement review process enables:

1. Constructive feedback on Metro's public engagement practices.
2. More focused and effective public engagement activity.
3. Access to local expert knowledge and best practices.

Objectives and outcomes

Build public trust: through transparent and open policy development and planning processes. Respect and consider all community input.

Build sustainable decisions: by convening diverse regional stakeholders and residents in order to identify and realize mutual interests and beneficial outcomes.

Promote equity: by recognizing the rich diversity of the region and ensuring that benefits and burdens of growth and change are distributed equitably.

Understand local aspirations: by engaging local experts and community members in order to access local knowledge and aspirations.

Achieve efficiency: by organizing public engagement activities to make the best use of public participants' time, effort, and interests.

Improve best practices: by coordinating with other public involvement experts and community members.

Broaden outreach: by engaging populations that have not traditionally been involved in Metro policy and decisions, such as older people, children, the disabled, students, communities of color, people of lower income and those who have recently come to the region.

Tools and tactics

Metro will convene a standing public engagement review committee, a community summit and a public engagement peer group to monitor Metro's public engagement efforts. The public engagement review process will also include an annual Opt In public engagement review survey and the production of an annual public engagement report. Tools and tactics include:

Public engagement review committee (PERC)

Chapter V, Section 27 of the Metro Charter requires that a standing "citizens' committee" be established and maintained by the Metro Office of Citizen Involvement. The PERC will meet twice a year and serve as a key component of Metro's efforts to develop successful public engagement processes. The committee will include at least three at-large community members, three staff or board members from local community organizations and a public involvement staff member from Clackamas, Multnomah and Washington counties.

Duties of the PERC include:

- Assist in developing the community summit agenda
- Assist with outreach to community summit participants
- Assist in facilitating the community summit
- Review the annual public engagement report
- Provide input on content of the annual Opt In public engagement review survey

Members of the PERC will be appointed as follows:

- Representatives (and alternates if desired) of the counties shall be appointed by the presiding executive of their jurisdiction/agency. Alternatively, a county may nominate an employee of a city or special district within the county, with the consent of the jurisdiction's administrator.
- Community member and community organization representatives and their alternates will be nominated through a public application process, appointed by the Metro Council President and confirmed by the Metro Council.

Criteria for the selection of community member and community organization representatives include:

- **Community Service:** Demonstrated commitment to community involvement.
- **Experience:** Demonstrated skills, knowledge or experience valuable to support Metro's public engagement principles.
- **Diversity:** Collectively representative of the geographic and demographic diversity of the region.

Although PERC members are intended to be serve positions of three years, in the inaugural year staff is recommending that some members serve one or two-year terms in order to have a rotating membership and recruitment process. Member recruitment will occur annually for one-third of the community member and community organization positions in order to ensure continuity on the committee. Local jurisdiction representatives will be reappointed as desired by the sponsoring county. The following individuals will serve on the PERC for one, two or three year terms:

PERC Members and Terms

At-large representatives from the region

Three-year term:

Eleanor Hunter, Clackamas County, Oak Grove Community Council Chair
Candice Kelly, Washington County, Tualatin Tomorrow, Tualatin Heritage Center Board
Juan Carlos Ocaña-Chiu, Multnomah County, Multnomah County ADSD

Two-year term:

Corinne Bloomfield, Washington County, Hillsboro 2020 Vision
Jose Luis Nava, Washington County, Latino Leadership Network of Washington County,
Washington County Citizen Action Network
Juanita Walton, Multnomah County, Benetti Partners, certification from the International Association for Public Participation

One-year term:

Greg Greenway, Multnomah County, Portland Public Involvement Advisory Council, Threshold 2008
Jennifer Sexton, Multnomah County, Hansa Research
Tara Sulzen, Multnomah County, 1000 Friends of Oregon, Bus Project Board Member

Community organization representatives

Three-year term:

Julia Meier, Coalition of Communities of Color

Two-year term:

Sue Marshall, Coalition for a Livable Future Representative

One-year term:

Casey Barnard, Emerald Cities of Portland

Jurisdictional representatives (terms decided by jurisdictions)

Barbara Smolak, Clackamas County
Mike Pullen, Multnomah County
Stephen Roberts, Washington County

Committee terms will run from January to December. Recruitment to fill vacancies will begin each fall and the Metro Council will appoint new members each December.

Community Summit

Metro will convene an annual summit of community stakeholders representing diverse aspects of the region, members of Metro citizen advisory committees and oversight committees on ongoing projects. Meetings will be advertised and open to the general public.

The function of the community summit is to:

- Evaluate Metro public engagement practices from the previous year

- Share local community information
- Give advice on priorities and engagement strategies for upcoming Metro policy initiatives

Public engagement peer group

Metro will convene two meetings annually of public engagement staff and professionals from across the Portland metropolitan area.

The function of the public engagement peer group is to:

- Share and learn about best practices and new tools, including international, national and local examples and case studies
- Share information, upcoming policy discussions and events in order to facilitate collaboration and leverage individual jurisdiction outreach efforts
- Provide input on public engagement process for individual projects
- Document best practices for public engagement
- Review and update public engagement principles and planning guide

Feedback from the survey and the first peer group meeting held in July 2012 indicated that there are several areas of interest for further discussion and research. Four key topic areas were:

- Evaluation
- Involving hard-to-reach audiences (equity and diversity)
- Developing shared resources
- New ideas and best practices

These topic areas have great potential for both small group work among peer group members and student projects through the University of Oregon and Portland State University. The peer group will mentor students and provide them with resources, connections and access to organizations to accomplish projects.

The University of Oregon will work with Metro and the peer group on developing student master thesis projects. Portland State University will work with Metro and the peer group to develop potential projects for graduate students in the Masters of Urban and Regional Planning program and research projects for graduate level assistants.

Public engagement review annual schedule

<p>January New member orientation</p>	<p>February</p>
<p>March Opt In survey</p>	<p>April PEER group meeting</p>
<p>May PERC spring meeting</p> <ul style="list-style-type: none"> ○ Advise on annual report ○ Review Opt In survey ○ Input on Community Summit 	<p>June</p>

July Publish annual report	August
September Community Summit	October PERC recruitment PEER group meeting
November PERC fall meeting <ul style="list-style-type: none"> ○ Debrief Community Summit Review and select new PERC members	December New PERC member appointments

Measurement and evaluation

The success of Metro’s public engagement program is defined by consistently effective and efficient communication between Metro and the public. Metro staff will use the following tools to evaluate the success of Metro’s public engagement processes:

- An annual Opt In public engagement review survey will measure public perception of Metro’s public engagement processes
- Community summit and public engagement peer group participant interviews, questionnaires, and/or collected comments
- The public engagement report will summarize project evaluations, including:
 - Objectives
 - Context
 - Levels of involvement
 - Methods and techniques used
 - Who was involved (and who was not involved)
 - Inputs (costs)
 - Outputs (products and activities)
 - Outcomes (benefits/impacts)

STAFF REPORT

FOR THE PURPOSE OF CONFIRMING APPOINTMENTS TO THE METRO PUBLIC ENGAGEMENT REVIEW COMMITTEE

Date: Nov. 29, 2012

Prepared by: Heather Coston ext. 7552

BACKGROUND

At a public hearing on May 24, 2012, the Metro council approved amending the Metro Code regarding the Office of Citizen Involvement to dissolve the Metro Committee for Citizen Involvement and establish a new standing public committee, the Public Engagement Review Committee (PERC). The PERC will convene twice a year and consist of at-large community members, representatives from three community organizations and public involvement staff from Clackamas, Multnomah and Washington counties.

The PERC will serve as a key component of Metro's ongoing efforts to develop and implement successful public engagement processes. The committee will also assist with Metro's annual public engagement report, Opt In public engagement review survey and yearly community summit.

APPLICATION AND SELECTION PROCESS

Following the council's approval, staff opened an application process from July 9 to August 24 and engaged community stakeholders, local agencies and jurisdictions to recruit committee applicants with public involvement experience, strong community connections and diverse geographic and demographic representation.

Staff used the following tools and activities to solicit applications for the PERC:

- Announced recruitment through the Metro Council and staff, newsfeeds and advertisements and Metro's website.
- Solicited nominations from stakeholders and local leaders, including community organizations, public agencies, neighborhood associations, colleges, public involvement peers at public agencies and public involvement firms.
- Presented to the local chapter of the International Association of Public Affairs.

Staff reviewed 33 applications for at-large community member and community organization representation. An additional survey and application matrix identified demographic and geographic representation, personal interests and volunteer experience. This information, along with some phone interviews and evaluation criteria, resulted in a staff recommendation of nine at-large community members and three community organization representatives. Clackamas, Multnomah and Washington counties nominated public involvement staff members to serve as the three jurisdictional representatives.

The criteria used to evaluate applications and make recommendations included:

- a commitment to community involvement;
- skills, knowledge or experience that support the public engagement principles adopted by Metro;
- an ability to represent the geographic and demographic diversity of the region.

After consulting with councilors and the communication director, staff recommends the following members be appointed to PERC: Casey Barnard, Corinne Bloomfield, Greg Greenway, Eleanor Hunter, Candice Kelly, Sue Marshall, Julia Meier, Jose Luis Nava, Juan Carlos Ocaña-Chiu, Mike Pullen, Stephen Roberts, Jennifer Sexton, Barbara Smolak, Tara Sulzen and Juanita Walton.

ANALYSIS/INFORMATION

1. **Known Opposition** None
2. **Legal Antecedents** Resolution No. 97-2433 establishing Metro's Principles of Citizen Involvement; Metro Code Chapter 2.19.030; and Ordinance No. 12-_____ amending Metro Code Chapter 2.19.030.
3. **Anticipated Effects** The appointment of the 15 applicants to the PERC will allow Metro to more successfully engage communities with Metro's initiatives, improve public engagement best practices and prioritize projects for public outreach.
4. **Budget Impacts** No budget impacts. Program needs are addressed through a shifting of existing staff resources and accessing Communications M&S included in the COO proposed budget for FY 2012-13.

RECOMMENDED ACTION

Confirm the appointments of Casey Barnard, Corinne Bloomfield, Greg Greenway, Eleanor Hunter, Candice Kelly, Sue Marshall, Julia Meier, Jose Luis Nava, Juan Carlos Ocaña-Chiu, Mike Pullen, Stephen Roberts, Jennifer Sexton, Barbara Smolak, Tara Sulzen and Juanita Walton to the Public Engagement Review Committee (PERC).

Agenda Item No. 5.8

Resolution No. 12-4393, For the Purpose of Confirming the Appointment of Anne Darrow to the Metro Audit Committee.

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE) RESOLUTION NO. 12- 4393
APPOINTMENT OF ANNE DARROW TO THE)
METRO AUDIT COMMITTEE) Introduced by _____
)
)

WHEREAS, Ordinance No. 10-1233 amended Metro Code Section 2.15.080, External Audits, and added a New Metro Code Section 2.19.250, "Audit Committee;" and

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

WHEREAS, the Committee enhances the external audit function by monitoring the external auditor's services and activities to ensure that independence is maintained between the external auditor and management; and

WHEREAS, a vacancy has occurred in the Audit Committee; and

WHEREAS, Anne Darrow has been nominated to the Metro Audit Committee by Suzanne Flynn, Metro Auditor, as a voting, citizen member to complete the four-year term of the resigned member; and

WHEREAS, the Council President accepts the appointment of Anne Darrow to the Committee; now, therefore,

BE IT RESOLVED, that the Metro Council confirms the appointment of Anne Darrow as a member of the Metro Audit Committee as set forth in Exhibit "A" attached hereto for the Committee position and terms set forth therein.

ADOPTED by the Metro Council this ____ day of _____ 2012.

Tom Hughes, Council President

Approved as to Form:

Allison K. Campbell, Metro Attorney

Exhibit A to Resolution No. 12-4393

METRO AUDIT COMMITTEE

Committee Member Appointment

The following person is appointed to complete the four (4) year term created by a vacancy, and shall be eligible thereafter to serve one additional four-year term:

- **Anne Darrow** Citizen (voting) member

BIOGRAPHY

New member appointment:

Anne Darrow

Ms. Darrow is a CPA, with a BS in Business Administration and a MBA. She has worked in private industry as a controller and also as an external auditor with Ernst and Young.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION No. 12-4393 FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF ANNE DARROW TO THE METRO AUDIT COMMITTEE

Date: November 20, 2012

Prepared

by: Suzanne Flynn
Metro Auditor
503/797-1891

BACKGROUND

The Audit Committee assists the Metro Council in reviewing accounting policies and reporting practices as they relate to the Metro's Comprehensive Annual Financial Report. The Committee provides independent review and oversight of the government's financial reporting processes, internal controls, and independent auditors.

The prospective member listed in Exhibit A was nominated to serve on the Committee in a voting capacity to complete the four-year term of a member who resigned from the committee.

ANALYSIS/INFORMATION

1. **Known Opposition:** none

2. **Legal Antecedents:**

Metro Code Chapter 2.19, "Metro Advisory Committees," provides generally applicable rules for the creation of committees providing advice to the Metro Council and appointment of members to such committees.

Metro Ordinance 10-1233 for the Purpose of Establishing an Audit Committee and Amending Metro Code Section 2.15.080 External Audits and Adding a New Metro Code Section 2.19.250 Audit Committee.

3. **Anticipated Effects:**

This appointment will replace a vacancy that has occurred on the Committee.

4. **Budget Impacts:** None

RECOMMENDED ACTION

The Council President recommends adoption of Resolution No. 12 -4393.

Agenda Item No. 5.9

Resolution No. 12-4396, For the Purpose of Making Citizen
Appointments to the Transportation Policy Alternatives
Committee (TPAC).

Consent Agenda

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF MAKING) RESOLUTION NO. 12-4396
COMMUNITY REPRESENTATIVE)
APPOINTMENTS TO THE TRANSPORTATION) Introduced by Martha J. Bennett, Chief
POLICY ALTERNATIVES COMMITTEE (TPAC)) Operating Officer in Concurrence with Tom
Hughes, Council President

WHEREAS, Metro Code Sections 2.19.030(b) and 2.19.180(b)(6), and the Transportation Policy Alternatives Committee (TPAC) bylaws, provide that the Metro Council President shall appoint members of TPAC, subject to confirmation by the Metro Council; and

WHEREAS, TPAC coordinates and guides the regional transportation planning program in accordance with the policy of the Metro Council; and

WHEREAS, TPAC has five seats for community representatives currently vacant; and

WHEREAS, the Metro Council President has made the following appointments to fill the TPAC vacancies:

Name; New Appointment; 2-Year Term:

1. Adrian Esteban, engineer, David Evans and Associates. (New appointment; Appoint to complete Two-Year Term – January 2013 through December 2014)
2. Heather McCarey, executive director, Westside Transportation Alliance. (New appointment; Appoint to complete Two-Year Term – January 2013 through December 2014)
3. Cora Potter, service specialist, Ride Connection. (New appointment; Appoint to complete Two-Year Term – January 2013 through December 2014)

Name; New Appointment; 1-Year Term:

1. Steven J. Entenman, engineer, Harper Houf Peterson Righellis, Inc. (New appointment; Appoint to complete One-Year Term – January 2013 through December 2013)
2. Jeffrey Swanson, adjunct faculty member, School of Business Administration, Portland State University. (New appointment; Appoint to complete One-Year Term – January 2013 through December 2013);

now therefore,

BE IT RESOLVED that the Metro Council hereby confirms the Metro Council President’s appointment of the foregoing individuals to serve as TPAC community representative members, for the terms noted above.

ADOPTED by the Metro Council this _____ day of November, 2012.

Tom Hughes, Council President

Approved as to form:

Alison Kean Campbell, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4396, FOR THE PURPOSE OF CONFIRMING THE COUNCIL PRESIDENT'S APPOINTMENT OF STEVEN ENTENMAN, ADRIAN ESTEBAN, HEATHER MCCAREY, CORA POTTER, AND JEFFERY SWANSON AS COMMUNITY REPRESENTATIVES TO THE TRANSPORTATION POLICY ALTERNATIVES COMMITTEE (TPAC) FOR 2013-2014, FILLING VACANCIES

Date: November 16, 2012

Prepared by: Adam Gardner

BACKGROUND

The Transportation Policy Alternatives Committee (TPAC) provides technical advice to the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council regarding transportation planning and policy. TPAC has 21 members: 15 technical staff from governments in the region and 6 volunteer community members. The community members represent various areas of transportation expertise, parts of the region and community perspectives.

Currently TPAC has five vacant community representative seats. Three of the vacant seats are for 2-year terms, the result of the expiration of previous terms, while two of the seats are for 1-year terms, the result of resignations. After publicizing an application process from Sept. 26 to Oct. 19, Metro received 29 applications. All five nominees were interviewed as a part of the public recruitment process during the fall of 2012.

Members nominated are as follows:

2-Year Terms

1. Adrian Esteban, currently a transportation engineer at David Evans and Associates, has experience as a project manager and transportation engineer for numerous transportation design projects. Regional Travel Options (RTO) Subcommittee Community Representative, Board Member of the Rose City Park Neighborhood Association, Treasurer of the Rose City Park Neighborhood Association. Education: Bachelor of Science in Civil Engineering, University of California, Master of Business Administration, University of Oregon.

2. Heather McCarey, currently the executive director at the Westside Transportation Alliance, has experience with transportation committees and understanding of transportation planning, funding, and policy. Committee member of the Transportation Options Marketing Committee RTO Subcommittee on future funding, Sullivan's Gulch Project Advisory Committee, N/NE Quadrant Stakeholder Advisory Committee, Westside Economic Alliance, Hillsboro Vision Implementation Committee, Beaverton Vision Implementation Committee, TV Highway Technical Advisory Committee. Education: BA in Sociology, and Earth Science, Furman University. Master of City and Regional Planning, Georgia Institute of Technology.

3. Cora Potter, currently a service specialist with Ride Connection, has experience working with transportation partners, customers, public agencies and community agencies to coordinate, plan and expand area transportation services. Land Use Chair of the Lents Neighborhood Association, Portland in the Round Board Member & Records Keeper, Portland Streetcar Citizens Advisory Committee, Lents Town Center Urban Renewal Advisory Committee, At-Large Resident Representative, Foster/Woodstock

Streetscape Improvement Advisory Committee, 82nd Avenue of Roses High Crash Corridor Advisory Committee. Education: BA in Anthropology, Eastern Washington University.

1-Year Terms

4. Steven J. Entenman, currently an engineer at Harper Houf Peterson Righellis, Inc, has provided professional structural engineering services for public and private transportation related projects. Committee member for the East Metro Connctions Plan, Board Member of the East Metro Economic Alliance (EMEA), Chairman of the EMEA Transportation Committee, Member of the City of Gresham Transportation Sub-committee. Education: BSCET Civil Engineering, Oregon Institute of Technology.

5. Jeffrey Swanson, currently an adjunct faculty member at Portland State University, has experience as an economist and businessman pertaining to land use, transportation, and environment. Served as a Member and Vice Chair of the Portland Freight Committee, director and officer of the Working Waterfront Coalition, member of the St. Johns Neighborhood Stakeholder Advisory Committee, member of the Pacific NW Association of Rail Shippers. Education: Bachelor of Science in Economics, Portland State University, Master of Science in Economics, Portland State University.

ANALYSIS/INFORMATION

1. **Known Opposition:** None
2. **Legal Antecedents:** Metro Code Sections 2.19.030 (a) and (b) and 2.19.180 (b)(6); Metro TPAC Bylaws.
3. **Anticipated Effects:** Approval fills all vacancies for community representatives on TPAC.
4. **Budget Impacts:** None.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution No. 12-4396.

Agenda Item No. 6.1

Ordinance No. 12-1296, For the Purpose of Amending the Urban Growth Boundary in the Vicinity of the City of Lake Oswego Upon Application by the City of Lake Oswego.

Ordinances – First Read

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) Ordinance No. 12-1296
URBAN GROWTH BOUNDARY IN THE)
VICINITY OF THE CITY OF LAKE) Introduced by Chief Operating Officer Martha
OSWEGO UPON APPLICATION BY THE) Bennett with the Concurrence of Council
CITY OF LAKE OSWEGO) President Tom Hughes

WHEREAS, Urban Growth Management Functional Plan Title 14: Urban Growth Boundary provides a mechanism to amend the urban growth boundary (UGB) through a “major amendment” process; and

WHEREAS, the City of Lake Oswego filed an application for a major amendment to the UGB pursuant to Metro Code Section 3.07.1430; and

WHEREAS, the application was considered by a hearings officer appointed by Metro at a public hearing in Lake Oswego on September 20, 2012; and

WHEREAS, on November 1, 2012 the hearings officer submitted a proposed order recommending approval of the application, together with findings of fact and conclusions of law in support of a decision by the Metro Council that the application satisfies the requirements of the Metro Code; and

WHEREAS, the Council considered the proposed order and testimony at a public hearing on December 6, 2012 under the procedural requirements of Metro Code Section 3.07.1430.U; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The UGB is hereby amended, as indicated in Exhibit A, attached and incorporated into this Ordinance, to add 9.8 acres to the UGB for development of an indoor tennis facility and related neighborhood park amenities.
2. The Findings of Fact and Conclusions of Law in Exhibit B, attached and incorporated into this ordinance, explain how this amendment to the UGB complies with applicable provisions of the Regional Framework Plan, Metro Code, and applicable statewide planning laws.

ADOPTED by the Metro Council this ____ day of December 2012.

Tom Hughes, Council President

Attest:

Approved as to form:

Kelsey Newell, Regional Engagement
Coordinator

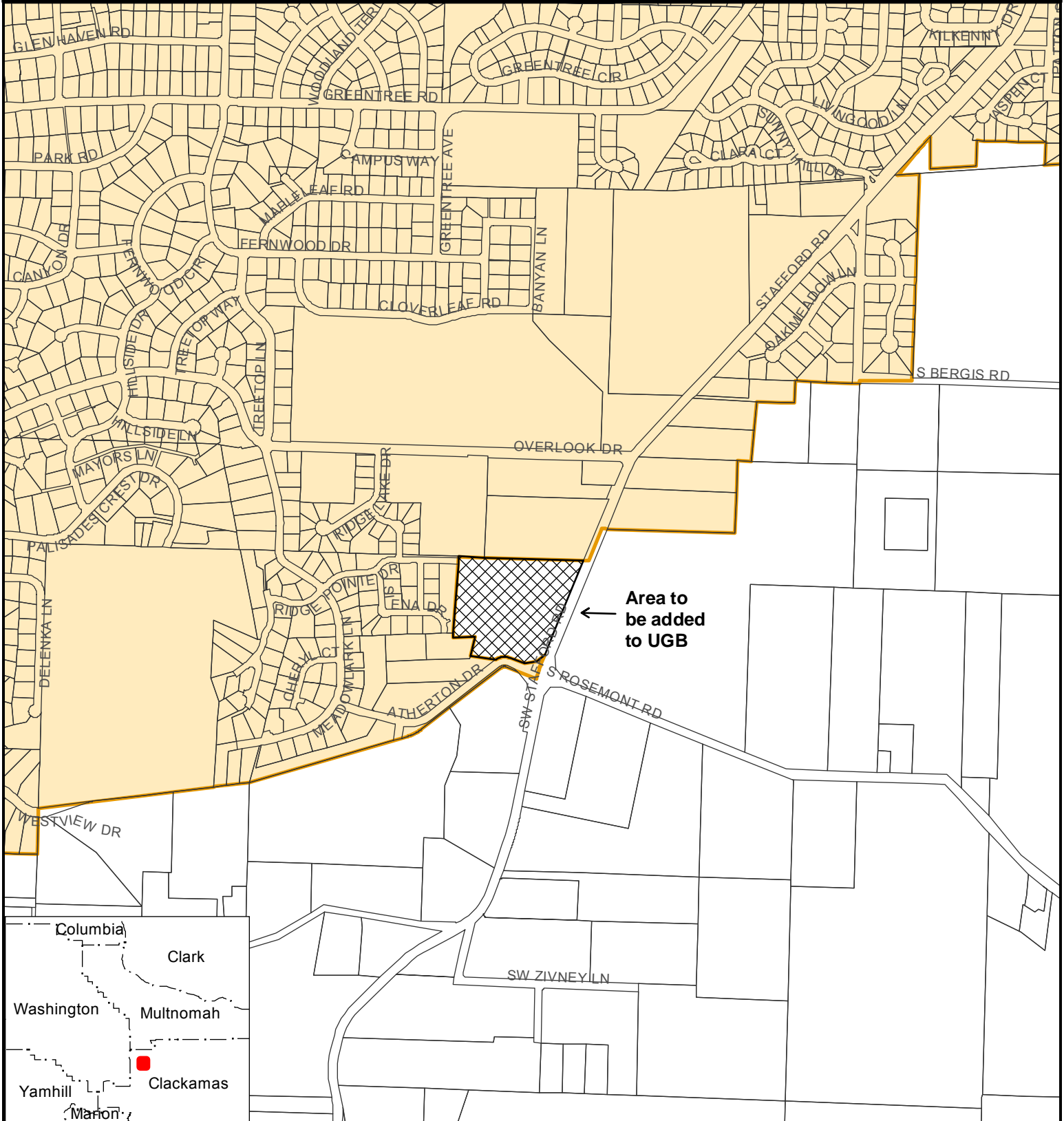
Alison Kean Campbell, Metro Attorney

Case No. 12-01

2S1E15, 2S1E16




Urban Growth Boundary Major Amendment

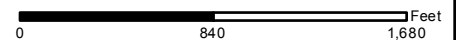
Clackamas County



Case No. 12-01 UGB Major Amendment

1:10,000

-  Area to be added to UGB
-  Taxlots
-  Urban growth boundary



Data Resource Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

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

Exhibit B to Ordinance 12-1296

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF OREGON
for
METRO**

IN THE MATTER OF) **PROPOSED ORDER**
THE APPLICATION FOR MAJOR)
AMENDMENT TO THE URBAN)
GROWTH BOUNDARY FILED BY) OAH Case No. 1202947
CITY OF LAKE OSWEGO) UGB Case No. 12-01

HISTORY

On June 12, 2012, the City of Lake Oswego (the City), through city manager David Donaldson, submitted an Application for a Major Amendment to the Metro Urban Growth Boundary (UGB), proposing an addition to the UGB of approximately 9.8 acres of property. The proposed use of the property is to accommodate an indoor tennis center and related neighborhood park amenities. Metro published a Notice of Public Hearing for Tuesday August 14, 2012, at 7:00 p.m. in the Lake Oswego Council Chambers, 380 A Avenue, Lake Oswego (Lake Oswego Council Chambers). Metro published a Notice of Postponed Public Hearing for Thursday September 20, 2012 at 6:00 p.m. to be held at the same location.

The matter was referred to the Office of Administrative Hearings (OAH) for a hearing on August 30, 2012. Senior Administrative Law Judge (ALJ) A. Bernadette House of the OAH was assigned to the matter. On September 20, 2012, at 6:00 p.m., ALJ House convened a public hearing at the Lake Oswego Council Chambers.

Applicant: City of Lake Oswego

Applicant's Representative: Angelo Planning Group

Appearing at Hearing on behalf of Applicant:

Jack D. Hoffman, Mayor;

Mary Dorman, project manager for Angelo Planning Group;

Sally Moncrief, City Councilor; and

Kim Gilmer, director, Parks and Recreation Department.

Representative for Metro

Tim O'Brien, principle regional planner

In the Matter of City of Lake Oswego, Proposed Major Amendment to the Urban Growth Boundary

OAH Case No. 1202947

Page 1 of 40

Individuals giving public comment:

Individuals giving public comment¹

1. Jay Minor – in favor (with accompanying written statement)
2. Brian Dunkley – opposed (with accompanying written statement)
3. Andrew Gibson, Stoel Rives, LLP, for the Atherton Heights Homeowners Association (HOA) opposed (record left open for submission of written statement)
4. Anita Derry – opposed
5. Jeannann McCoy – opposed
6. Paul Kachel – in favor
7. Rick Cook – opposed (with additional written statement)
8. Doug Jost – in favor
9. Charlie Kachel – in favor
10. Cyndi Murray – in favor
11. Tia Ross – opposed
12. Carolyne Jones – opposed
13. Liz Lamade – in favor
14. Josie Dix – in favor
15. Lili Bekuhrs – in favor
16. Jim Zupancic, on behalf of Stafford Hills Club, LLC. – opposed (with accompanying written statement.)
17. Kathy Schaub – in favor
18. Mary Olson – opposed
19. Gary McKenzie – in favor
20. Gunnar Brinck – in favor
21. Charles Ormsby – opposed (requested record to be left open for submission of written statement - none received.)
22. Evie Fuson – in favor

EVIDENTIARY STANDARDS

Testimony and evidence must be directed toward the applicable criteria or other criteria that the person believes apply to the proposal. Metro Code 3.07.1430(L)(2). A person wishing to represent an organization, orally or in writing, must show the date of the meeting at which the organization adopted the position presented and authorized the person to represent it. Metro Code 3.07.1430(J).

EVIDENTIARY RULINGS

¹ Appendix I is a list of exhibits submitted by the parties and written testimony submitted by members of the public.

Prior to, and during, the September 20, 2012 public hearing, several individuals submitted testimony as representatives of an organization. The following written testimony, marked as the exhibit listed, was submitted without documentation of the date of the meeting at which the organization adopted the position represented and authorized the person to present it, per Metro Code section 3.07.1430(J): Exhibit H, letter of September 19, 2012, from Brian Dunkley, as Secretary of the Atherton Heights Homeowners Association (Atherton HOA), is marked for the record. It was not considered as the position of the Atherton HOA but was considered as Mr. Dunkley's personal testimony.

ISSUE

Whether the City of Lake Oswego's proposal to add approximately 9.8 acres of land to the Metro UGB for the purpose of developing a tennis facility meets the criteria for a major amendment to Metro's Urban Growth Management Plan. Metro Code 3.07.1430.

FINDINGS OF FACT

(1) On June 4, 2012, David Donaldson, city manager acting on behalf of City, filed a petition to amend the UGB to include 9.8 acres for an indoor tennis and neighborhood park facility. City is the property owner. The subject property, also known as known as the Rassekh Park Property (the property), consists of one tax lot (Tax Lot 21E16D 01100) located at the corner of SW Stafford Road and SW Rosemont Road. The property is located within the boundaries of the City of Lake Oswego. (Ex. A1, Ex. D.)

(2) The property was initially included in the UGB through Metro Ordinance 98-799D, adopted on December 17, 1998. In 2006, the City requested a UGB trade under the Minor Adjustment process to remove the property from the UGB and include six tax lots totaling 13.9 acres inside the UGB. The purpose of the 2006 request was to build a recreational facility that was better suited on the larger site due to environmental impacts on the larger parcel. On May 18, 2006, the request was approved and the majority of the 13.9 acres added to the UGB are composed of the Hazelia Field at Luscher Farm that includes a dog park, football-soccer artificial fields, natural area-wildlife viewing, playground area, restrooms, and trails and paths. (Ex. D.)

(3) In 2009, Metro, as required by Oregon land use law, assessed the region's capacity to accommodate the number of people anticipated to live or work inside the UGB over the next 20 years. The Metro forecast projected population and employment growth over a 20-year timeframe; conducted an inventory of vacant, buildable lands inside the UGB; assessed the capacity of the then-current UGB to accommodate population and employment growth; determined whether additional capacity was needed and documented the results of the analyzes in the Urban Growth Report. Metro Council

accepted the 2009 Urban Growth Report and completed the 5-year legislative process required by State law in 2010-2011. (Ex. A1 at 29.²) Through that most recent legislative process, Metro addressed residential and employment growth, with a particular focus on large sites for traded-sector industrial uses. (*Id.*, D at 2.)

(4) Metro's focus on industrial and housing needs precluded opportunities for cities to present specific needs related to parks. (Test. of Dorman.)

(5) The next legislatively required analysis of land supply will not occur before December 2014. (Ex. D at 3.) The current proposal is for the purpose of adding land to the boundary for a recreational need. In 2009, the Metro UGB Report estimated that 1,300 acres of vacant land inside the UGB would be used for future parks. The 2009 estimate was based on local ability to provide for future parks through system development changes. It was not based on a compilation of needs indicated by individual cities and counties. The report was intended to be a reasonable estimate and not a precise accounting and does not preclude demonstration of a specific need of a city or county that cannot be satisfied in another part of the region. Even if the next Metro Council five-year review were to include consideration for park needs, and it may not, including a line item in an urban growth report for parks will not necessarily result in parks for citizens to enjoy. (*Id.*, at 3, 4; Test. of O'Brien, Dorman.)

(6) The Major Amendment process provides a mechanism by which a local jurisdiction may bring land into the UGB for specific park needs that are not anticipated in the cyclical legislative UGB expansion considerations. The City based its proposal on studies and other information regarding a specific long range need for providing tennis facilities to meet present and future populations based on established methodologies for the proposed use and coordinated population demographic projections used in the City's Comprehensive Plan Update (August 2010) and Parks Plan (2025). (Ex. D3 at 4.)

(7) In 2008, the City Council directed staff to conduct a long-term feasibility study for the Municipal Golf Course with the goal of developing options for improved profitability of the golf course as well as investigating the feasibility of co-locating a new indoor tennis facility at the golf course site. The City hired the consulting team of PBK Architects, Inc., National Golf Foundation, and Tennis Planning Consultants, Inc., to conduct the Golf and Tennis Feasibility Study³ (GTF Study). As part of its analysis, the team considered each facility individually, including current operations and proposed

² As cited in the City's proposal, *see 2010 Growth Management Assessment*, Metro (August 2010) at <http://library.oregonmetro.gov/files/ugr.pdf>. The 2009 Urban Growth Report, relied upon in the *2010 Growth Management Assessment*, was accepted by the Metro Council on December 10, 2009. (<http://news.oregonmetro.gov/1/post.cfm/metro-council-accepts-regional-forecast-and-urban-growth-report>).

³ *The Golf and Tennis Feasibility*, PBK Architects, Inc., National Golf Foundation, and Tennis Planning Consultants, Inc., prepared for the City of Lake Oswego (December 15, 2009.)

options for improving the long term financial capabilities of both facilities. (Ex. A1 at 1, 2.)

(8) The consulting team identified minimum site requirements for alternative sites for an indoor tennis facility. The minimum requirements included considerations for future expansion from 8 courts to 10-12 courts to avoid the current situation where expansion on the current site to meet increased need is not possible. The team recommended a total of 4.10 acres for the facility, possible expansion, parking, and landscaping buffer zones. (Ex. A1 at 7.)

(9) The consulting team, with input from the City's Parks and Recreation Advisory Board (PRAB) and a 16-member Golf-Tennis Subcommittee identified and evaluated six alternative sites based on the proposed minimum site requirements. The team focused on sites already owned by the City for cost considerations but also considered an additional site, the National Guard Armory Site, not currently owned by the City but within city limits. (Ex. A1 at 7.)

(10) Based on its commission, the consultant team analyzed and projected the market share available to each facility (golf and indoor tennis), evaluated current facility operations, and proposed options for improving the long term financial capabilities of both facilities. The tennis market study considered the following factors: population within the market area (15 minute drive-time); median income within market area; tennis population as a percentage of total population based on median income; existing indoor tennis facilities within the market area; and effective tennis players per court within the market area. (Ex. A1 at 2.)

(11) Tennis Planning Consultants (TPC) defined the Lake Oswego Tennis Market (LOTM) as the areas within the City zip codes 97034 and 97035 because those areas closely match Lake Oswego Urban Service Boundary. In 2009, the total population within the market area was approximately 42,861. The estimated number of tennis players, which for purposes of the study was determined to track closely with median income, was 7,238 within the City's tennis market. (Ex. A1 at 2.) TPC's methodology and conclusions were based on industry standards and the projections of demand represent the best planning information that is available. (Ex. P at 3.)

(12) Currently there are 13 indoor tennis courts within the City's tennis market, including the 4 indoor courts at the existing City facility and 9 indoor courts at the Mountain Park Racquet Club. These 13 courts serve the estimated 7,238 players which translate to a ratio of 557 players per court. TPC's norm for ratio of player to court ratio for indoor tennis facilities is 200 or up to 250 players at full occupancy per indoor court. Additionally, TPC determined the City has a very strong market for additional indoor tennis courts. (Exs. A1 at 2, P at 2.)

(13) The 2009 feasibility study considered the additional indoor courts at the

Stafford Hills Racquet Club (SHC). The SHC was under construction at the time of the study but is projected, when completed in November 2012, to include 7 indoor tennis courts as part of a full-service athletic club. The facility is not located within the City market area as defined in the study. However, the feasibility study, accounted for the projected 7 additional indoor courts at SHC (due to the close proximity to the immediate market area) in addition to existing area courts at the Mountain Park Racquet Club (9 courts), and the 8 courts from the proposed Rassekh property indoor. The total number of 24 courts equates to about 300 players per court based on existing demand from the Lake Oswego tennis market. (Ex. A1 at 2.)

(14) TPC accounted for three indoor tennis facilities, located outside of the market area, but which draw some players from within the market area. Only a portion of those clubs affect the market area due to factors such as location, tennis programs, and tennis facilities. The existing demand for indoor tennis facilities with the City's market area is more than twice the normal player per court ratios. (Exs. P at 7, D at 5.)

(15) Expansion of the existing City indoor tennis facility at Springbrook Park is prohibited by City Charter. (Ex. B.) Past attempts to remove the limitation have not been successful. (Ex. A1 at 1.) In addition, the current facility has limited lobby space and faces compliance issues with accessibility requirements under the Americans with Disabilities Act (ADA). (Test. of Gilmer.)

(16) Usage of the existing indoor facility fluctuates seasonally, with lower indoor court usage during summer months. Data for summer 2012 showed an increase in the number of individuals taking classes, despite a lower number of class offerings. (Test. of Gilmer; Ex. O at 3, 6.)

(17) Year round court use averages 50 % nationally. The City's current facility year round use averaged 66.10% in 2011. According to TPC data, national average use for an indoor facility during the playing season (September through May) is 70%. For the period 2006 through 2011, the City's facility use has averaged over 80% in four of the past five years during the playing season, and was at 81.75% in 2011. TPC found that historically the City's indoor facility operated at near capacity for court rentals and tennis players cannot easily reserve court time during prime season of September through May. (Test. of Gilmer; Ex. O at 4, 5.)

(18) Class enrollment capacity has not been at 100%. TPC found that the limited number of current courts, four, limits the number, types, and times of classes that can be offered are factors limiting enrollment for classes. Despite these limitations, the existing facility had, at the time of the 2009 study, increased its efficiency and program offerings which resulted in a 35% increase over the five prior years while maintaining relatively low hourly court rates. (Ex. P at 10.)

(19) The consulting team reported its findings in the Golf and Tennis Feasibility

Study (the Study). The team’s review of each site and summarized findings are included in the City’s amendment proposal. (Ex. A1 at 8-10.) Each site was reviewed for location, ownership, usable area, and site characteristics. The team concluded that three locations, the Rassekh, the West end Building (WEB), and the National Guard Armory properties were the best potential sites for the proposed new indoor tennis facility. The team also recommended sale of the existing facility and other details to facilitate uninterrupted services and potential funding sources for the anticipated costs of the project. (Ex. A1 at 11.)

(20) The alternatives analysis in the GTF Study started with six sites, with five of the sites inside the existing UGB including: Iron Mountain Park Site, Lake Oswego Golf Course Driving Range, West Waluga Park Site, National Guard Armory Site and the West End Building site. The sixth site is the subject property, the Rassekh Site that is inside the city limits but outside the UGB. (Ex. A1 at 7, D at 5.)

(21) Of the six alternative sites analyzed, the Golf and Tennis Feasibility Study concluded:

The Rassekh, West End Building (WEB) and National Guard Armory properties represent the best potential sites for a proposed new indoor tennis facility in the Lake Oswego tennis market. This conclusion is based on an in-depth market study of the Lake Oswego tennis market demographic population/income levels, a study of existing and proposed indoor tennis projects within the Lake Oswego tennis market for the proposed facility, and an analysis of estimated construction and operating costs for a proposed new facility.

(Ex. D at 6, citing to the GTF Study.)

(22) The GTF Study recommended sale of the existing 2.81 acre site with the four-court Lake Oswego Indoor Tennis Center (LOITC), leasing it back from the purchaser for the short term, and building a new eight-court indoor tennis center at one of the three recommended sites. The GTF Study estimated that sale of LOITC property would produce an estimated \$1 million for the City. The funds could be applied to the new construction and lower the overall costs of financing and operating the new indoor tennis center. (Ex. D at 6.)

(23) The information from the GTF Study was incorporated into the Indoor Tennis Center Site-Study by PRAB. PRAB developed the following comparison cost summary chart:

Table 1: provides a cost summary for the three site options.

Table 1: Cost Summary of Site Options

Project Site Name/Location:	Comparison		
	Area	Cost/Square Foot	Total
Armory Site – Design Option “A”			
Direction Construction Cost			\$4,032,122
Site Development Cost			\$547,491
Soft Cost Allocation	69,100 GSF	\$66	\$775,905
Purchase of Land			\$500,000
Total Cost Project Cost			\$5,855,518
WEB Site – Design Option “B”			
Direction Construction Cost			\$4,750,254
Site Development Cost			\$1,141,930
Soft Cost Allocation	69,700 GSF	\$85	\$900,349
Total Cost Project Cost			\$6,792,533
Rassekh Site – Design Option “C”			
-- Baseline			
Direction Construction Cost			\$2,985,076
Site Development Cost			\$1,063,264
Soft Cost Allocation	73,290 GSF	\$55	\$810,033
Total Cost Project Cost			\$4,858,373

(Ex. A1 at 19, citing to *Indoor Tennis Center – Site Study*, at 44, City of Lake Oswego Parks & Recreation Department (August 28, 2010)⁴

(24) The PRAB reviewed the Study and approved separate recommendations to the City Council relating to golf and tennis in November 2009. Among the recommendations endorsed by the City Council were the following:

- a. A new 8 court indoor tennis facility should be constructed to address the unmet need for more indoor tennis courts. The facility should be sited and designed to accommodate an expansion to at least 10-indoor courts in the future.

⁴ http://www.ci.oswego.or.us/calendar/councilmtgs/2010CCMinutes/Tennis_Report.pdf

- b. The new 8-court indoor tennis facility should include lobby/pro shop, viewing area/banquet room, adequate restroom, changing room and shower facilities, and possibly a small fitness/warm up area.
- c. The new facility should be located on property that is separate from the Golf Course. The Rassekh property, West End Building, and the Armory National Guard site(s) are identified as good potential locations for a new tennis facility.
- d. The new facility should be paid for without taxpayer dollars, preferably with a combination of the sale of the existing indoor court property, Tennis Fund capital reserves, and revenue bonds.
- e. The project should take a phased approach to provide for major decision points along the way.

(Ex. A1 at 11.)

(25) The City, following PRAB's recommendations, retained an architect to develop specific site plans and refine development costs for each of the top three properties identified in the Study. The final report for the Indoor Tennis Center – Site Study (Site Study⁵) considered a specific set of factors set out by the City and summarized the data into key findings. (Ex. A1 at 12-19.)

(26) After the City Council and PRAB considered the results of the Site Study, the City Council identified the Rassekh Site as the preferred option for the indoor tennis center. The City gave primary consideration to the Rassekh site's lower development costs and site opportunities relative to the usable site area, compared with the other two alternatives, because the project will be financed with tennis revenues. Among the listed project costs, direct construction costs alone were estimated at \$2,985,076 for the Rassekh property versus \$4,032,122 for the Armory Site, and \$4,750,254 for the WEB Site. (Ex. A1 at 19.)

(27) On February 7, 2012, the City Council established its annual goals and work plan for 2012, which included further steps to support the proposed project. The City Council directed staff to prepare and submit an application to Metro to include the Rassekh property within the UGB. (Ex. A1 at 19.)

(28) The City has engaged in an extensive three year process, including a market and feasibility study for the proposed indoor tennis center, evaluated alternative sites, and refined site plans, construction costs estimates and financing options. Further steps

⁵ See *Indoor Tennis Center – Site Study prepared for City of Lake Oswego*, Brian C. Jackson, Architect, LLC. (August 28, 2010.)

necessary to continue with the project include, among other things, architectural design and land use permitting processes. The inclusion of the Rassekh property within the UGB is necessary before beginning those additional steps. The proposed use of the property, if it is approved for addition to the UGB, will then be subject to the local land use process, which includes opportunity for public input. That process will require a significant amount of time. (Ex. A1 at 1-27).

(29) The City proposes to finance the project as an enterprise, based on tennis revenues, with revenue bonds. Current interest rates and the competitive bid environment for construction projects are favorable. (Exs. A1 at 29, P at 12, 13.) The City successfully used the enterprise funding model with the existing tennis center and retired the revenue bonds in 2005. (Ex. A1 at 42.)

(30) Metro Staff determined that the City's petition was for a non-housing need and was intended to meet needs that cannot wait until the next analysis of land supply. (Ex. D at 3.)

(31) The City's Comprehensive Plan, originally completed over 35 years ago, is currently under a State-mandated review process. The Comprehensive Plan work program, approved by the Department of Land Conservation and Development in 2010, is to be completed by 2013. The first year of the process focused on developing and testing a Community Vision for 2035, including a preferred land use scenario and developing a conceptual vision Map. The concentration of park, education and other community facilities near Stafford Road and Overlook Drive is identified as a "community hub." (Ex. A1 at 24, citing *Community Vision for 2035*, City of Lake Oswego.⁶)

(32) The City has also completed a Parks Plan 2025, concurrent to the Comprehensive Plan update. The City has coordinated planning efforts, including the use of consistent population and demographic forecasts. Key themes resulting from public outreach and information from the Parks Plan 2025 work have been included in the proposed text amendments for Comprehensive Plan Goals & Policies relating to Recreation. Those themes include:

- A focus on filling gaps in recreation services by adding new facilities to existing parks or partnering with other providers; creating parks that serve multiple needs rather than acquiring new park land.

⁶ *Community Vision for 2035*, City of Lake Oswego,
http://www.ci.oswego.or.us/sites/default/files/fileattachments/planning/cityprojects/12161/exhibit_f-2_lo_community_vision_for_2035.pdf. Also see *2035 Vision Map* at
http://www.ci.oswego.or.us/sites/default/files/fileattachments/planning/cityprojects/12161/exhibit_e-1_2035_visionmap.pdf.

- Identification of the three essential services that residents should have close access to from their homes; play for children, nature experience, and exercise and sports.
- Improving bike and pedestrian access to parks throughout the City.
- Identifying goals to provide facilities that promote community health, provide year-round recreational opportunities, and provide multiple services to a broad range of people.

(Ex. A1 at 24.)

(33) Metro staff reviewed the City's process and resulting proposal to include the Rassekh property into the UGB. Staff determined that the City had shown that the needs demonstrated under Metro Code 3.07.1425(B)(1) and (2) could not reasonably be accommodated on land already inside the UGB. (Ex. D at 6.)

(34) City also evaluated four additional areas in Urban Reserve 4A that are city owned and could be considered as possible alternative sites. The City prioritized minimizing overall development costs for the public project, focusing on properties already owned by the City. Properties in the urban reserve that are not city owned and would require public acquisition were not considered viable alternative from a financial perspective. (Ex. A1 at 41, 42)

(35) Areas 1 and 2, as identified in Exhibit E, are within the adopted Urban Reserve Area (URA) #4A. They were purchased by the City with open space bond funds and any future use is restricted by the conditions of the bond for open space only. (Ex. E at 3.)

(36) In addition Area #2 is encumbered with a deed restriction. The deed restricts future use for open space only and directs that no development of any kind except trails, picnicking, perimeter landscaping and safety lighting may occur on the property. (Ex. E at 9.) Therefore these two areas could not accommodate an indoor tennis center and related neighborhood park amenities and cannot be deemed to better meet the need for efficient accommodation of the identified land needs for the proposal. (*Id.*, at 3, 9.)

(37) City staff analyzed each area regarding suitability for orderly and economic provision of public service facilities and services as required under Metro Code 3.07.1425(C). Area #1, with frontage on both Childs Road and Hilltop Road (residential/local streets), has topographic conditions (steep sloped area) which would make access to an indoor tennis center and related neighborhood park amenities difficult. There is no existing public transportation service to the area. When asked, TriMet indicated that Stafford Road could accommodate buses if service were to be provided.

Area #1 does not have frontage on Stafford Road. (Ex. E at 4.)

(38) Area # 2 has limited frontage on Atherton Drive, which would need to be extended into the site to provide adequate circulation. There is no existing public transportation to the area. As with Area # 1, Area # 2 also lacks frontage on Stafford Road. (Ex. E at 9.)

(39) Water and sewer services would be difficult and expensive to provide to Area #1 due to lack of proximity to existing services and the high costs of providing infrastructure to such a highly sloped area. Extending necessary public facilities to the area would be less orderly and economical than providing these services to the Rassekh property. (Ex. E at 4.) For Area # 2, sewer and water service exist either within Atherton Drive (water) or internal to the Atherton subdivision (sewer) approximately 200 feet north of the analysis area. Proximity and topographical barriers would affect infrastructure costs, making the extension of necessary public facilities to the area less orderly and economical than providing these services to the Rassekh property. (*Id.* at 9.)

(40) Staff analyzed each site for environmental consequences. Area # 1, has severe topographical challenges (steep slopes) that would make it ill suited to active recreation uses such as the proposed indoor tennis center. Developing the indoor tennis center on more topographically challenging sites would increase environmental impacts from more cut and fill. Correspondingly, costs for the project would increase due to increased site preparation, creating economic disadvantages for the overall financial viability of the project. (Ex. E at 5.)

(41) Area #2, as demonstrated in the staff report, has similar geographical challenges as Area #1, resulting in similar environmental impacts and cost increases. (Ex. E at 9.)

(42) Regarding energy consequences of developing each alternative site, staff determined neither Area #1 nor Area #2 are well served by transportation infrastructure, nor can either area be readily served by water and sewer infrastructure due to the lack of proximity to existing services and infrastructure costs that would be incurred due to topographic considerations. (Ex. E at 5, 9.)

(43) Regarding economic consequences, properties within the analysis Area #1 were purchased with open space bond funds and are restricted by the conditions of the bond for open space only. Area #2 is likewise restricted, and is further encumbered by deed restrictions which prohibit development such as that proposed for the indoor tennis center. (Ex. E at 5, 9.)

(44) Regarding social consequences, neither Area #1 nor Area #2 had inherent social advantages when compared with the Rassekh property. The City selected the Rassekh property following extensive analysis and public input as the most appropriate

for the proposed project. (Ex. E at 6, 10.)

(45) Areas #1 and #2 are both zoned Rural Residential Farm and Forest – 5 acres (RRFF-5) and are surrounded by similarly zoned properties. The proposed uses as outlined for the project would have minimal impact on surrounding agricultural and forest activities. (Ex. E at 6, 10.)

(46) Areas #1 and #2, due to use bond and deed restrictions, cannot be used to accommodate housing or employment opportunities. (Ex. E at 6, 10.)

(47) Areas #1 and #2 are not close enough to designated Metro Centers or Corridors in the Lake Oswego area to have a direct impact on the purposes of those centers or corridors. (Ex. E. at 6, 10.)

(48) Staff considered the requirement regarding protection of farmland that is most important for continuation of commercial agriculture in the region. Areas # 1 and #2 are included within the Stafford area. Clackamas County has determined that the entire Stafford URA is comprised of Conflicted Agricultural land and is not suitable for long-term agricultural or forestry operations based on a number of factors. Stafford URA is generally developed with rural residences, very few parcels are greater than 20 acres and commercial agriculture activities limited. Surrounding development, parcelization and potential future residential development at the URA boundaries further limit agricultural potential in this area. Agricultural potential is further reduced by the location of I-205 which isolates the area from rural lands to the south. In addition, the Oregon Department of Forestry has not identified any Mixed Forest/Agriculture or Wildland Forest within the area. Topographical features of both sites and current zoning would also increase the difficulty of farming/agricultural operations. (Ex. E at 6, 7.)

(49) Regarding avoidance of conflict with regionally significant fish and wildlife habitat, Area # 1 does not include any identified regionally significant fish or wildlife habitat areas. (Ex. E at 7) Area # 2 is designated a Moderate Value Habitat Conservation Area. The area is small and can be avoided if development of the site were to occur. Under the deed restrictions, this area may be to be included in a trail/open space system in the future. (Ex. E at 7, 11.)

(50) Area # 3 contains small areas of Sensitive Lands and Habitat Conservation Areas in both the northern and southern portions. This area represents a small portion of the entire area and could be avoided if development of the site were to occur. More significant, these features could be protected and incorporated in any future site planning and development. (Exs. E at 16, D at 21)

(51) Regarding a clear transition between urban and rural lands, using natural and built features to mark the transition, Area #1 represents a “finger” that extends away from the existing UGB. The area would need to be brought into the UGB as part of a

larger amendment process that would include property in the surrounding area to create such a transition. (Ex. E at 7.) Likewise, Area #2 does not provide a clear transition and would require a similar inclusion into a larger amendment process. The Rassekh property provides a clearer transition because it the major roadways (Stafford and Rosemont) provide a defined edge to urban development. (*Id.* at 11.)

(52) Area #3 includes the original Luscher Farm and is comprised of six tax lots totaling approximately 84 acres. Specific development challenges for the northern portion of Area #3 (set out in Exhibit E at 12, 13) would result in more costly development relative to the Rassekh property. The increased costs would likely make the cost of developing the project exceed the identified project funding sources. In addition, the City has undertaken master planning efforts that have been extensively reviewed by the community. The public review process has identified a number of potential uses for the area including passive, urban agricultural use. There are certain development restrictions covering the portion of the Area #3 that is adjacent to Stafford and Rosemont Roads and immediately across the Stafford Road from the Rassekh property. These restrictions would limit the ability to accommodate an indoor tennis center and related neighborhood park amenities as proposed on the Rassekh site. Community support is also very strong for existing current urban agricultural activities on at least 10-acres of this site. (Ex. D at 8, Ex. E at 12, 13.)

(53) In relation to compatibility of the proposed urban use, and in comparing the Rassekh site to Area # 3, Area # 3 is zoned Exclusive Farm Use (EFU) with a portion of the area, approximately 26 acres in the southwest corner, zoned EFU1HL overlay. Properties to the east and south are similarly zoned property. As noted earlier, the southern portion of Area #3 is the core area for the Luscher Farm community garden and urban agriculture activities. The public process for the Luscher Area master planning effort strongly indicated a desire to keep a similar use if and when the property was ever brought inside the UGB. As well, Urban Agriculture has become a large public priority for this portion of Luscher Farm. There is currently a 10-acre CSA, 180-plot community garden, children's garden, Clematis botanical collection, and an Oregon Tilth organic demonstration garden. The community has strongly indicated a desire to retain these activities and to further develop the educational aspects of the Urban Agriculture program. (Exs. A1 at 51, D at 16.)

(54) Regarding Area # 4, it is not contiguous to either the existing UGB or city limits. An amendment to bring this area into the UGB would create an island of urban land outside of the UGB, which is not allowed under Metro Code. (Ex. E at 18.)

(55) City staff considered the location of the alternative sites compared to the Rassekh site. The Rassekh site is not as centrally located as some of the alternative sites that were considered. It is located on a major roadway and is easily accessible to the entire community. Staff determined that the proposed development of the indoor center at this location will complement existing and potential future community uses at the

southerly entrance to the City. For example, co-locating several community-scale recreational facilities in the Luscher Farm area will allow for the efficient accommodation of these needs. Parking areas, restrooms, and other support facilities can potentially be shared between the various park uses (including tennis center, Luscher Farm and Hazelia Field) reducing the amount of land needed relative to siting each park use separately. Co-location will also make it more efficient to provide on-going maintenance and management of the park & recreation facilities. (Exs. A1 at 43, D at 9, E at 14.)

(56) Staff considered site features for ease of development. The Rassekh site allows for the efficient accommodation of the needed facilities on the land due to the relative lack of natural resource and slope constraint. These topographical features allow for efficient construction of a tennis center suited to level, open sites. In comparison to the alternative sites, the Rassekh property can efficiently accommodate the needed tennis center (as demonstrated by the 2010 Indoor Tennis. Center Site Study) and the site allows room for future expansion on the same site rather than requiring additional land for future expansion. (Exs. A1 at 43, D at 9, E at 14.)

(57) Considering the current proposed development and possible future expansion, development of the Rassekh site allows for the natural resources on the site to be protected, preserved, and integrated into the larger design of the tennis center and other park facilities. The existing topography of the Rassekh site provides an opportunity to recess a portion of the tennis facility and to assure a site and building design that is compatible with and related to agricultural/cultural/historic uses at Luscher Farm. (Exs. A1 at 43, D at 9, E at 14.)

(58) The proposed UGB amendment will reinforce the concentration of more active recreational uses close to Stafford Road, in proximity to the existing residential neighborhood, church, high school, Hazelia Field and golf course. The existing farm uses in the North Stafford area are generally small in size (most parcels are less than 20 acres) and are not involved in large-scale commercial operations. Agriculture operations on these farms include hay production, horse raising and boarding, and tree nurseries. (Exs. A1 at 51, D at 16, 17.)

(59) All providers of public facilities and services for the proposed amendment area have indicated that they can serve the Rassekh property in an efficient manner. (Ex. C.) All providers either support or are neutral towards the proposed UGB amendment. According to the City's Engineering Department, the area proposed for inclusion in the UGB can be served in a comparably cost effective manner without detracting from other areas in the UGB. The service provider comments document that the subject property proposed to be included in the UGB can be served with public facilities and services in an orderly and economic manner and will have no impact on the delivery of facilities and services to other lands that are already within the UGB. (*Id.*, Exs. A1 at 44, D at 10.)

(60) The City maintains an existing 12" water line in Stafford Road abutting the subject parcel's east street frontage. There is also an existing 8" water line located in Atherton Drive along the parcel's south street frontage. The water lines are supplied by reservoirs in the City View/Bergis pressure zone. The system has adequate capacity and pressure to serve the property. (Exs. A1 at 44, D at 10, 11.)

(61) The City has an 8" diameter collection system that was stubbed to the west property line of this parcel, and provides gravity flow to a pump station located at the end of Sienna Drive. (Exs. A1 at 44, D at 11.)

(62) A tributary of Pecan Creek crosses through the western fringe of the parcel, and flows to the south. The western portion of the parcel drains directly into this tributary. The eastern portion of the parcel drains to a roadside ditch along Stafford Road, and then enters a constructed conveyance system for the roundabout located at the intersection of Stafford Road and Atherton Drive. This drainage then outfalls back into a roadside ditch along the east side of Stafford Road and continues to flow south, eventually entering Pecan Creek. (Exs. A1 at 44, D at 11.)

(63) The subject property has frontage on Stafford Road a two lane rural road with gravel shoulders. Stafford Road is designated as a minor arterial in the City's Comprehensive Plan. The subject property also has frontage on Atherton Drive, a City local street. A roundabout was constructed at the intersection of Stafford/Rosemont/Atherton in 2003 and there are existing and planned trails and pathways in the vicinity of the subject property. There is no existing public transportation service to the proposed amendment area. TriMet submitted comments on the initial application and indicated that Stafford Road could accommodate buses if service were to be provided. TriMet did not comment on the amended application. (Exs A1 at 44, D at 11.)

(64) The City of Lake Oswego Police Department already handles calls to the subject property because it is within the city limits and due to the city's ownership of the land. The Police Department does not anticipate that including the subject property within the UGB to develop a new indoor tennis center would require any additional police resources. (Exs. A1 at 434, D at 11.)

(65) Both the City's Fire Department, and the Tualatin Valley Fire and Rescue (TVF&R) indicated that their existing facilities have capacity to serve the proposed amendment area without detracting from service levels within the UGB. (Exs. A1 at 44, 45, D at 11.)

(66) The Lake Oswego Parks and Recreation Department indicated that including the subject property in the UGB will enable the department to more effectively meet the parks and recreation needs of its community, in particular development of a larger indoor tennis center which is not possible within the existing UGB. The subject property is

currently zoned Parks & Natural Area (PNA) under Lake Oswego Code. The PNA restricts land use to: Protect, preserve, conserve and enhance natural areas, greenways, and park. It permits a wide range of passive and active recreational uses, and accessory uses on properties for the future use and enjoyment of the city and its residents. The PNA zone implements Statewide Planning Goal 8, Recreation Needs. It also establishes a master planning process for park planning and development. (Exs. A1 at 45, D at 11.)

(67) The proposed amendment area would not generate any additional students. The Lake Oswego School District indicated that while the proposed amendment would not directly increase housing or have a direct impact on enrollment, the District is supportive of the amendment. (Exs. A1 at 45, D at 11.)

(68) Metro staff found that the City provided an alternative analysis of additional city owned lands within adjacent urban reserve area 4A. Metro staff also determined that, as the identified need is a city owned facility that will provide services to the Lake Oswego community it was appropriate that the analysis only addresses the urban reserve area that is contiguous to the city limits, and not any other urban reserve area. (Ex. D at 12.)

(69) Metro staff also noted that, for the alternatives analysis, the City focused on city owned sites within urban reserve 4A and did not evaluate any privately owned properties. Metro staff determined this was a reasonable process given the significant additional cost of acquiring property in an urban reserve where the potential for future urban development would increase the value of the property to a point where the project would not be feasible with the expected "enterprise" funding sources. Based on the five sites that were analyzed, Metro staff concluded that the analysis showed that the Rassekh property best meets the need for considering orderly and economic provision of public facilities and services based on the efficiency of providing public services such as sanitary sewer and water and that the petition addressed the factor as necessary. (Ex. D at 11.)

(70) Analysis of the Rassekh Property for environmental consequences shows that the proposed UGB amendment parcel is more environmentally suitable than other portions of the proposed Stafford Urban Reserve area that lie adjacent to Lake Oswego. This conclusion is based on the topography and natural resources in other parts of the proposed Urban Reserve, including the area currently zoned for rural residential use. (Exs. A1 at 49, D at 14.)

(71) The rural residential areas southwest of Stafford and Rosemont Roads have steep slopes and more riparian corridors than the proposed UGB amendment area to the north side of Rosemont Road. Active recreation uses such as an indoor tennis center would not be well suited to steeper slopes. Developing the proposed indoor tennis center on more topographically challenging sites would increase environmental impacts due to greater amounts of cut and fill and would also increase construction costs, creating

economic disadvantages for the overall financial viability of the project. (Exs. A1 at 49, D at 14.)

(72) The Lake Oswego Comprehensive Plan identifies stream corridors, tree groves, and wetlands on the proposed UGB amendment site. Through the land use review process for major park development in the PNA zone, these resources will be protected and integrated into the overall site development plan. As proposed in the Draft Luscher Area Master Plan, the riparian area on the Rassekh property will be enhanced ecologically by removing blackberry and other invasive species, and replanting with native plants. An interpretive trail loop will take visitors through the restored area and offer natural resource educational opportunities. The internal park trails will connect to pathways along Atherton Drive and Stafford Road and allow access to Cooks Butte Park, Stevens Meadow and to the Stafford Basin Trail to the east. (Exs. A1 at 49, D at 14, 15.)

(73) City staff also analyzed development of the Rassekh site regarding impact for energy consequences. As noted previously, staff determined that the proposed amendment area is already well served by transportation infrastructure and can readily be served by water and sewer infrastructure from Lake Oswego (see Service Provider Comments, Exhibit C). Additionally, the site is located in proximity to other city facilities in the area. Staff determined that this proximity can help to reduce travel distances between facilities and related energy consumption. (Exs. A1 at 49, D at 15.)

(74) For the Rassekh site, the costs to construct and serve the needed public recreational facilities would also be lower for the proposed UGB amendment site than for other parts of the Stafford urban reserve due to the relatively level land with few natural resource constraints and the proximity of existing urban services. Bringing the site into the UGB would also provide economic benefits to the City of Lake Oswego because the City expects to finance construction of the indoor tennis center via revenue bonds that are repaid with tennis user fees. Of the three sites considered in the Indoor Tennis Center - Site Study, the Rassekh site is preferred from the perspective of overall development costs and financial viability. The City also considered the current low interest rate environment as an optimal factor for allowing for the City to proceed with this improvement entirely on the basis of "enterprise" funding, without burdening the general fund. (Exs. A1 at 49, 50, D at 15.)

(75) The proposed UGB amendment site has social advantages over other parts of the Stafford urban reserve. The subject property currently represents a "notch" in the existing UGB and is bounded by developed roadways and urban development on two sides. The City purchased the property for park and open space uses and the site was initially envisioned for development of up to two athletic fields. The site is within the city limits and is zoned for Park & Recreation uses. (Exs. A1 at 50, D at 15.)

(76) Staff analysis and previous studies have identified the existing Lake Oswego Indoor Tennis Center as an important part of the City's overall recreational programming

for life-long active recreation and community livability. The City has maximized use of the existing Indoor Tennis Center and the 4 indoor courts cannot adequately accommodate the community need. The City has undertaken careful and methodical analysis and planning to address the overall need, evaluated alternatives, and projected anticipated costs and financing options for the proposed project. Based on thorough analysis and public input, the City Council concluded that the Rassekh site is the most suitable site for the proposed new indoor tennis center. The City believes that including this site within the UGB will enable the City to move forward with the project and maintain and enhance the overall viability of the indoor tennis program to serve the existing community and also make more indoor and active recreation opportunities available to new users. (Exs. A1 at 50, D at 15.)

(77) Metro staff determined that the City had provided an alternative analysis of additional city owned lands within adjacent urban reserve area 4A. As the identified need is a city owned facility that will provide services to the Lake Oswego community, Metro staff found it appropriate that the analysis only addressed the urban reserve area that is contiguous to the city limits, and not any other urban reserve area. (Ex. D at 15.)

(78) For the alternatives analysis, Metro staff determined that the City appropriately focused on city owned sites within urban reserve 4A and did not evaluate any privately owned properties. Staff concluded this was a reasonable process given the significant additional cost of acquiring property in an urban reserve where the potential for future urban development would increase the value of the property to a point where the project would not be feasible with the expected "enterprise" funding sources. Staff found that, based on the five sites that were analyzed, the City's analysis shows that overall the Rassekh property best meets the need considering comparative environmental, energy, economic and social consequences due mainly to less environmental and economic consequences. (Ex. D at 16.)

(79) The City analyzed the compatibility of the proposed urban use with nearby agricultural and forest activities occurring on land outside the UGB designated for agriculture or forestry pursuant to a statewide planning goal. The land adjacent to the Rassekh property to the east of Stafford Road and south of Rosemont Road is outside the UGB and zoned Exclusive Farm Use; existing uses include Luscher Farm, small-scale "lifestyle" farms and rural residences. The proposed UGB amendment will reinforce the concentration of more active recreational uses close to Stafford Road, in proximity to the existing residential neighborhood, church, high school, Hazelia Field and golf course. The existing farm uses in the North Stafford area are generally small in size (most parcels are less than 20 acres) and are not involved in large-scale commercial operations. Agriculture operations on these farms include hay production, horse raising and boarding, and tree nurseries. (Exs. A1 at 51, D at 16, 17.)

(80) The City determined that the approximately 10 acre Rassekh property represents a "notch" in the existing UGB. The site is bounded by major roads and urban

uses on two sides. There are no forest activities occurring on nearby land. The agriculture activities on Luscher Farm include a relatively unique combination of "urban agriculture" uses. The mix of passive and active open space and recreational uses that exist are already an important part of Lake Oswego, and will assume a more important social and community role over the next 20 years. The proposed indoor tennis center on the Rassekh site will compliment the overall mix of uses and maintain the compatibility and transition between urban and rural uses. (Exs. A1 at 51, D at 17.)

(81) The centers and corridors most closely related to the alternative analysis areas are the Lake Oswego and Lake Grove Town Centers; the A Street and SW Boones Ferry Road Main Streets; and the OR 43, SW Boones Ferry Road, and Country Club Road Corridors. The Lake Oswego Town Center lies roughly 2 and 1/2 miles (along roadways) from the proposed amendment area; the Lake Grove Town Center is roughly 3 - miles away. (Exs. A1 at 51, D at 18.)

(82) As noted by the City, the 2040 Growth Concept describes the purposes of Town Centers, Main Streets, and Corridors as follows:

- Town centers: Town centers provide localized services to tens of thousands of people within a two- to three-mile radius * * * One-to three--story buildings for employment and housing are characteristic. Town centers have a strong sense of community identity and are well served by transit.
- Main streets: Similar to town centers, main streets have a traditional commercial identity but are on a smaller scale with a strong sense of the immediate neighborhood * * * Main streets feature good access to transit.
- Corridors: Corridors are major streets that serve as key transportation routes for people and goods * * * C orridors are served extensively by transit.

(Exs. A1 at 51, 52, D at 18.)

(83) Areas #1, # 2, a nd #3 are not close enough to any of the Centers or Corridors to have a direct impact. Area # 4 is not contiguous to either the existing UGB or city limits. An amendment to bring Area # 4 into the UGB would create an island of urban land outside of the UGB, which is not allowed under Metro Code. (Exs. A1 at 51, 52, D at 18.)

(84) The Rassekh site is not close enough to any of the Centers or Corridors to have a direct impact. (Exs. A1 at 52, D at 18.)

(85) The Rassekh property is already within the city limits and is not designated or protected as farmland. EFU lands in proximity to the Rassekh property are located

within the proposed Stafford Urban Reserve (area 4A). According to Clackamas County findings for adoption of the urban reserves, the entire Stafford urban reserve area is comprised of Conflicted Agricultural Land, meaning it is not suitable for long-term agricultural or forestry operations due to existing on-site land use patterns, adjacent land use patterns and lack of agricultural infrastructure. The designated urban reserve area is generally developed with rural residences, there are very few parcels greater than 20 acres, and commercial agriculture activity is limited. The few commercial operations that do exist are compromised by surrounding development, parcelization and potential future residential development at the UGB edge. Agricultural potential in this area is further reduced because it is effectively cut off from rural lands to the south by Interstate 205, making it too small and isolated to stand alone as a viable commercial agricultural operation. In addition, the Oregon Department of Forestry does not identify any Mixed Forest/Agriculture or Wildland Forest located within this area. (Exs. A1 at 54, D at 19, 20.)

(86) There is an area of regionally significant fish and wildlife habitat on the Rassekh site. The City has delineated the boundaries of several of the resources on the site. Lake Oswego Community Development Code section 50.05.010: Sensitive Lands Overlay Districts protects riparian and wetland resources as well as tree groves based on the results of the required Economic, Social, Environmental, and Energy (ESEE) Process Analysis in compliance with Statewide Land Use Planning Goal 5. In addition, the City of Lake Oswego has tree protection standards (Chapter 55) that would provide a higher level of protection for upland trees than currently exists under Clackamas County code. (Exs. A1 at 54, D at 21.)

(87) Through the land use review process for the new indoor tennis center; the City will avoid conflict with the regionally significant fish and wildlife habitat. As part of the Indoor Tennis Center - Site Study, the sensitive lands were removed from the assumed buildable site area. (Exs. A1 at 54, D at 21.)

(88) The Rassekh property will provide a clear and logical transition between urban and rural lands using both natural and built features. The proposed UGB will parallel Stafford Road and Atherton Drive, and the Indoor Tennis Center site will be adjacent to urban uses to the west and north. The roundabout intersection at Rosemont and Stafford will help emphasize the transition by serving as an unofficial "signal" that a change in the character of the land is occurring. In addition, the Luscher Farm buildings are highly visible from both Rosemont and Stafford Roads and are considered a focal point for the community and help define the agricultural history of this area. These farm buildings will serve as another visual queue that a shift is taking place between urbanized areas to the north of Rosemont Road and rural areas to the south. (Exs. A1 at 55, D at 22.)

(89) The proposed area for inclusion in the UGB is within an urban reserve. The proposed area is not within a rural reserve. The proposed area for UGB expansion will

not create an island of urban land outside the UGB or an island of rural land inside the UGB. (Exs. A1 at 55, D at 22.)

(90) Existing uses in the vicinity of the subject property are described as follows:

- Existing uses to the west side of Stafford Road, between Atherton and Overlook Drive, include a church and preschool, a retirement facility, and an established single family residential neighborhood. Cooks Butte Park is located up the hill further to the west. Lakeridge High School and the Lake Oswego Municipal Golf Course are also located to the west side of Stafford Road, north of Overlook Drive. All of these uses are within the existing UGB.
- Existing uses to the east side of Stafford Road, between Rosemont and Overlook Drive, include the City-owned Luscher Farm and Hazelia Field and park. Existing uses on Luscher Farm include the historic farm, community gardens, community supported agriculture (GSA)-program, Clematis collection, gardening classes, trails, etc. Existing uses at Hazelia Field include the artificial turf athletic field, parking area, restrooms, dog parks and trails. Hazelia Field is currently within the UGB and Luscher Farm is outside of the UGB.
- Existing uses to the south of Rosemont Road include a mix of rural residential and agricultural uses. Other uses at the southeast quadrant of the Stafford/Rosemont roundabout include a retail nursery and a power substation (PGE). Uses south of Atherton Drive include the historic Cook residence and City park (Stevens Meadow). The area south of Rosemont Road and Atherton Drive is outside of the UGB.

(Exs. A1 at 30, D at 24.)

(91) The City's intended use for the Rassekh property is as an indoor tennis center and neighborhood park. A tributary of Pecan Creek is located on the west side of the property and will provide a natural separation and wooded buffer between the recreational facility and established residential neighborhoods to the west. A church is located immediately north of the proposed tennis center site and the two institutional types of uses are compatible. The City will explore options for shared parking and potentially a shared access driveway to serve the two uses. The City is committed to working with the Palisades neighborhood to assure compatibility of the tennis center with the residential neighborhood and rural setting and minimize impacts. The City cites as example of its commitment for compatibility one of the reasons it selected the Rassekh property. The City identified the Rassekh property as a preferred site for the tennis center is because of the unique site features. The relatively large parcel and natural contours and existing vegetation provide opportunities to recess the building and use vernacular architecture that is compatible with rural/agricultural structures and uses, including agricultural structures at Luscher Farm. (Exs. A1 at 30, D at 24.)

(92) Major park improvements are categorized as conditional uses in the Park and Natural Area Zone. The conditional use process requires a public hearing and provides a forum for a site specific focus on compatibility issues and measures to minimize impacts of major park improvements. Issues that are considered through the conditional use process include traffic and parking, lighting, building design, protection of trees and sensitive areas, and landscaping and buffering. During that process, the city may impose design and development standards such as vegetative buffers, transportation improvements, protection of natural amenities, and other requirements to ensure compatibility. (Exs. A1 at 31, D at 24.)

(93) In summary, the City has determined that the change in the location of the UGB to accommodate an indoor tennis center on the Rassekh property will not result in a dramatic change in the type and scale of passive recreation, active recreation and open space/natural resource uses that were proposed in the 1997 Luscher Farm Master Plan. The proposed indoor tennis center use on the site, while oriented to residents of Lake Oswego, will still reflect the rural nature of the area and will provide a softer transition between urban and rural development instead of a hard "edge" that is visible in many parts of the region. Once included in the UGB, additional land use reviews will provide the opportunity for consideration of more detailed site and building plans and specific measures to assure compatibility with uses of adjacent land. (Exs. A1 at 31, D at 24.)

(94) The proposed UGB expansion is not for school facilities nor will it add land for industrial use. (Ex. A1 at 30.)

(95) The City has developed a concept plan for the proposed UGB amendment. (included within Ex. A1, Figures 11 and 12, at 37, 38) in compliance with Title 11 of the Urban Growth Management Functional Plan (UGMFP) 3.07.111A. The City matched the scale of the plan to the scale of the proposed amendment (less than 10 acres), the City ownership of the parcel, and the proposed park, open space and recreational uses. The subject property is already within the city limits and is designated and zoned PNA. Under the 1997 Luscher Farm Master Plan, active recreational uses were anticipated for the subject property. The proposed type of active use, an indoor tennis center instead of athletic fields, was the result of more specific studies of alternative sites for both the tennis center and athletic fields. The bonds used to purchase the site included restrictions which preclude alternative uses such as conversion to housing or employment, or sale of the land. (Ex. A1 at 33.)

(96) Under the guidance provisions of Metro Code 3.07.1110(C), the City has included the following provisions:

- General locations of public facilities and services -- The plan (at Fig. 12) identifies the general location of public facilities and services on and abutting the parcel proposed to be included in the UGB, including

water and sewer lines. Additionally, the service provider comments from the City's Engineering Department address the adequacy of existing facilities and services (see Exhibit C).

- Mode, function, and general location of state transportation facilities, arterials, regional transit facilities, trail facilities, and freight intermodal facilities – The plan (at Fig. 13) identifies the general location of the existing roads (Stafford Road and Atherton Drive) abutting the land to be included in the UGB. There are no state transportation facilities, regional transit lines or freight intermodal facilities in proximity to the proposed UGB amendment. Fig. 17 shows potential access points into the site and regional and local trail connections along the site boundaries.
- System facility connections – Fig. 12 identifies the potential access connections to the roadway network and possible connection points to the water and sewer system. The service provider comments from the City Engineering Department address facility connections and adequacy in greater detail (See Exhibit C). The criteria, under the Lake Oswego Development Code,⁷ for approval of a Master Plan in the PNA include, but are not limited to, the following:

iii. The improvements and uses proposed for the site are capable of being served by the existing or planned transportation systems, public facilities and services;

* * * * *

v. A master plan shall include an analysis of the projected average daily vehicle trips to be generated by the proposed uses to be authorized under the master plan and their distribution pattern, and the impact of the traffic on the capacity of the street system which would serve the uses[.]

- Preliminary methods to finance --- Similar to the existing 4-court indoor tennis center in Lake Oswego, the proposed 8-court indoor tennis center on the Rassekh property would be paid for by a revenue bond based on funds generated from tennis operations. Because interest rates are currently very low and construction bids are competitive, the Parks and Recreation Department expects that the timing would be very good for proceeding with the revenue bond method to finance the proposed indoor tennis facility. The *Indoor Tennis Center – Site Study* includes a discussion of

⁷ Lake Oswego Development Code, section 50.02.003(3) Master Plan Criteria, Park and Natural Zone Area, (Revised December 2011), <http://www.codepublishing.com/or/lakeoswego/?f>

financing options for the indoor tennis center based on two Lake Oswego revenue bond programs.

(Ex. A1 at 34.)

(97) TPC, through real estate research in Lake Oswego, determined that the City can reasonably expect to receive an estimated \$1 million from the 2.81-acre site of the existing LOITC if it can be zoned R-10 (8 lots @ approximately \$125,000 per lot). Design and construction costs for the new tennis center can further be reduced by applying \$500,000 in reserves from the Tennis Fund, which can be generated by slightly increasing fees over a period of 1-2 years to augment current reserves in the Tennis Fund. This strategy has already been implemented, with these funds earmarked as “capital reserves” for the project.

(98) The City’s Parks and Recreation Department has demonstrated a history of successfully financing and operating a strong indoor tennis program. In addition to having retired the previous revenue bonds for the existing LOITC, the facility operation has contributed approximately \$25,000 in net revenues to the general fund over the past five years. Financial projections for the construction and operation of new facility are not expected to impact the City’s general fund or property taxes. (Ex. A1 at 34, 35.)

(99) Updated data on the current LOITC usage (defined as “hours of court time”) shows the following: from 2006 through 2012, total percentage of capacity⁸ use for winter-spring was 2006 - 76%, 2007 - 78%, 2008 - 81%, 2009 - 73%, 2010 - 79%, 2011 - 80%, 2012 - 78%. For 2006 through 2012, total capacity use for summer was 2006 - 12%, 2007 - 22%, 2008 - 20%, 2009 - 20%, 2010 - 21 %, 2011 - 20 %, 2012 - 16 %. In summer 2012, the summer Adult Drill & Play class was cancelled, bringing the hours used in adult classes down to 85, versus a range of a low in 2007 of 125 to a three year consistent high of 149 for each of 2008, 2009, and 2012. (Ex. O at 4.)

(100) Total percentage of year-round court usage for 2006- 2011 (as of September 21, 2012) was as follows: 2006 - 62.61%, 2007 - 66.86%, 2008 - 66.36%, 2009 - 63.42%, 2010 - 66.49%, 2011 - 66.10%. Total percentage of playing-season usage for 2006-2011 was as follows: 2006 - 79.24%, 2007 - 81.98%, 2008 - 82.18%, 2009- 78.08%, 2010- 81.76%, 2011 - 81.75%. The national average court usage, according to TPC is 70% for the playing season and 50% for year round averages. (Ex. O at 4.)

(101) There was a decline in class participation for 2010 to the summer of 2012. Additional data shows programmatic uses have increased such as the number of hours of seasonal court use and league play. The overall need for a new tennis facility has not declined. (Testimony of Gilmer; Ex. O at 2.)

⁸ Percent capacity was calculated as the percentage of court hours used in comparison to available hours (4 courts x 16 hours/day x number of days in season). (Ex. O at 4.)

(102)The City addressed additional concept planning requirements (set out in an additional six bullet points) in its proposal. The City’s proposal is sufficient to address Title 11 concept planning requirements. The proposed acreage is minimal compared to similar concept plans developed for other areas in Washington County, which included many complex factors. The current proposal addresses property that is already included within city limits, is publicly owned, and is designed for park and recreation uses. (Ex. A1 at 35.)

(103)Following an initial proposal amendment for adding the 93-acre Luscher Farm Area to the UGB, the Clackamas County Board of Commissioners issued, on April 3, 2012, a statement of a lack of support for that amendment due to numerous concerns. The City met with representatives of Clackamas County, as well as those from the cities of West Linn and Tualatin in April 2012. The City also met with the Stafford Hamlet Board in May 2012. Subsequently, the City reduced the proposed scope of the UGB application to include only the 9.8 acre Rassekh property that is already within the City and subject to City land use regulations. (Ex. A1 at 36.)

(104)Traffic impact on the surrounding area is projected to be minimal. The number of courts and the corresponding number of users is low. Users will access the facility throughout the day in small numbers according to the availability of courts. Users will not enter and leave in large numbers at key times such as peak commuting hours or school start and end times. (Testimony of Gilmer.)

(105)Stafford Road and Rosemont Road are major arterial roadways that provide access to the Rassekh site. (Testimony of Dorman.)

STANDARD OF REVIEW

To withstand appeal, a decision must be supported by substantial evidence in the whole record. ORS 197.835(9)(a)(C). Substantial evidence is evidence on which a reasonable person would rely in reaching a decision. *Portland v. Bureau of Labor & Industries*, 298 Or 104, 119. (1984.)

APPLICABLE REVIEW CRITERIA

Metro Code sections 3.07.1245 (B, C, D, E, & F) and 3.07.1440 (A & B). Metro Code sections 3.07.1425 (C) (1-9) are considered locational factors that are weighed and balanced to determine the most suitable location for the UGB expansion. The remaining code sections contain criteria that must be satisfied.

OPINION

Metro Code section 3.07.1440(A) provides that:

In the Matter of City of Lake Oswego, Proposed Major Amendment to the Urban Growth Boundary

OAH Case No. 1202947

Page 26 of 40

The purpose of the major amendment process is to provide a mechanism to address needs for land that cannot wait until the next analysis of buildable land supply under ORS 197.299. Land may be added to the UGB under sections 3.07.1430 and 3.07.1440 only for public facilities and services, public schools, natural areas and other non-housing needs and as part of a land trade under subsection D. An applicant under section 3.07.1430 must demonstrate compliance with this purpose and these limitations.

The City's petition meets the two required criteria contained within section 30.07.1440(A). The City proposed the amendment to add land to the UGB for a recreational need, which is a non-housing need, as required under the Code. As discussed below, the City has also shown that the proposal addresses needs for land that cannot wait until the next analysis of buildable land supply under ORS 197.299 which will occur in December 2014.

As found by Metro staff in its report, the City has completed an extensive amount of work including a marketing and feasibility study for the proposed indoor tennis center, evaluated alternative sites, and refined site plans, construction cost estimates and financing options. Further architectural design or land use permitting steps for the project would be premature and not prudent until there is certainty that the project can move forward. Determination that the property can be brought into the UGB is the next step. If approved, significant additional time will be needed to complete the local land use planning process, which includes the opportunity for public input. Construction financing is planned to be accomplished through revenue bonds, for which current interest rates are affordable and the current contracting market is favorable for lower bids. The evidence supports the City's position that delaying the project until the next regional analysis of land supply (2012) and possible growth management decision (2014-2016), especially when there is no certainty that needs for parks lands will be addressed, is not appropriate or an efficient way for the City to address the needs of its citizens. The major amendment mechanism provided for in the Code is the appropriate means to address this need as utilized by the City.

Metro Code section 3.07.1440(B) provides that:

The applicant shall demonstrate that the proposed amendment to the UGB will provide for an orderly and efficient transition from rural to urban land use and complies with the criteria and factors in subsections B, C, D, E, F and G of section 3.07.1425.

Under the above provision, it is therefore necessary to address all of the factors set forth in Metro Code section 3.07.1425(B) through (G). Each of those factors are addressed separately below.

Section 3.07.1425(B)(1) Demonstrated need to accommodate future urban population, consistent with a 20-year population range forecast coordinate with affected local governments[.]

The City met its burden to show that the proposed amendment meets the long-range criteria set out in this provision of the Code. The 2009 Urban Growth Report estimated a necessary area of vacant land within the UGB which could be used, according to local ability, to provide future parks through system development. It was an estimate of need for purposes which results in a reduction of the assumption of the vacant land supply. There is no certainty that the next cyclical analysis will include considerations for parks needs in existing urban areas that may see substantial growth. The Major Amendment process provides an opportunity for a local jurisdiction, such as the City, to bring land into the UGB for specific park needs that are not anticipated in the cyclical analyses. The City's proposal is based on funded studies for the proposed use, and it was planned in coordination with the City's Comprehensive Plan Update (August 2010) and the Parks Plan 2025 (currently under public review), both of which incorporated citizen participation and preferences.

Section 3.07.1425(B)(2) Demonstrated need for land suitable to accommodate housing, employment opportunities, livability or uses such as public facilities and services, schools, parks, open space, or any combination of the foregoing in this paragraph[.]

The City met its burden to show a demonstrated land need to accommodate park services. TPC's study and analysis compared the City's market area and existing facilities to national market area user needs and facility ratios. The existing available facilities within the City's market area result in a player to court ratio that is more than twice that of the national average. Market analysis showed the City's market area to have a strong demand for additional indoor tennis courts. The current facility cannot be expanded. The City has shown a demonstrated need for additional land suitable for park services.

Section 3.07.1425(b)(3) A demonstration that any need shown under paragraphs (1) and (2) of this subsection cannot be accommodated on land already inside the UGB[.]

The City began its analysis with the Golf and Tennis Feasibility Study consideration of six sites, five of which are located inside the existing UGB. The sixth site is the subject property, the Rassekh property, which is located within the city limits but outside the UGB. Following analysis and consideration of the Study, the PRAB recommended to the City Council three of the potential sites as the most optimal, the West End Building, the National Armory property, and the Rassekh property. The City then commissioned the architectural review and proposal, the Site Study, for the project relative to all three of the top sites. PRAB and the City council then reviewed the Site

Study.

The City Council next identified the Rassekh property as the preferred site due, in part to the lower development costs and site opportunities relative to the alternative sites. Because the proposed funding mechanism is to remain an enterprise fund with no general tax support, the Rassekh Site lower development cost relative to the alternative sites. The City has shown that the needs demonstrated under paragraphs (1) and (2) of subsection (B) cannot be accommodated on land already inside the UGB.

Section 3.07.1425(C)(1) If the Council determines that there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering efficient accommodation of identified land needs;

Because the identified need is a city-owned facility that will provide services to the Lake Oswego community, the city appropriately focused its analysis on areas inside the urban reserve that were contiguous to the city limits. The City also focused its analysis on city-owned sites, and did not evaluate any privately owned properties. Given the additional cost associated with obtaining additional private land, and the City's desire to utilize "enterprise" funding sources, the City's approach was reasonable. The City reasonably concluded that development of the tennis facility would not be economically viable if it had to purchase additional land.

The City's analysis demonstrated that the Rassekh property best meets the identified need considering efficient accommodation of identified land needs. The cost to develop the Rassekh property is significantly less than would be the case with alternative sites. In addition, due to development restrictions related to open space bond funds for two of the alternative sites in addition to deed encumbrances on one of those two alternative sites, and topographic constraints on the alternative sites, make development of alternative sites impractical.

Section 3.07.1425(C)(2) If the Council determines that there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering orderly and economic provision of public facilities and services;

As explained above, the City focused its analysis on city-owned land adjacent the city limits. Because the identified need is a city-owned facility to serve the needs of the Lake Oswego community, that approach is reasonable. Also, because acquiring private land would make the project economically unfeasible, the City reasonably focused its analysis on land already owned by the City. The City's analysis demonstrated that the Rassekh property best meets the identified need considering orderly and economic provision of public facilities and services based on cost of development and the efficiency of providing public services such as sanitary sewer and water.

Section 3.07.1425(C)(3) If the Council determines that there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering comparative environmental, energy, economic and social consequences;

The City provided a detailed analysis comparing the environmental, energy, economic and social consequences to developing a tennis center on the identified properties. In all respects, the Rassekh property best meets the identified need after consideration of those consequences. One alternative site would not be permissible under the Metro Code because it is not contiguous to the current UGB. Three of the other identified alternative sites are on steep terrain, which would require greater amounts of cut and fill, thus resulting in added environmental impacts.

Two of the three alternative sites are not currently well-served by transportation infrastructure. One of the sites is relatively well-served by existing transportation infrastructure, but is not currently served by public transit. None of those three alternative sites can be easily served with existing water and sewer services. In contrast, the proposed site is already well served by transportation infrastructure and can readily be served by water and sewer infrastructure from Lake Oswego.

The proposed site also is preferable from an economic standpoint. Because it is relatively flat, and has easier access to sewer and water infrastructure, the cost to develop the site would be relatively inexpensive in comparison with the other sites. Due to various restrictions imposed when the city acquired the lands, two of the alternative sites could not be used for development of an indoor tennis facility. The remaining site would be prohibitively expensive to develop for that purpose.

The proposed site is bounded by developed roadways and urban development on two sides and was purchased by the City specifically for use as parks and open space. None of the alternative sites provide superior social consequences in comparison with the proposed site.

The City met its burden to establish that the proposed site best meets the identified need in comparison with alternative sites with regard to environmental, energy, economic and social consequences.

Section 3.07.1425(C)(4) If the Council determines that there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering compatibility of proposed urban uses with nearby agricultural and forest activities occurring on land outside the UGB designated for agriculture or forestry pursuant to a statewide planning goal;

Two of the three identified alternative sites are zoned Rural Residential Farm and Forest - 5. Use of those sites for the tennis center would have no impact on nearby agricultural or

forestry activities. However, neither of those sites are viable due to conditions attached to the property at the time the City acquired them. Use of the third alternative site could have some minor impact on nearby agricultural activities. Property adjacent to that site is zoned EFU but is used primarily for urban agriculture programs.

The Rassekh property is adjacent to land zoned EFU, but again, that land is used primarily for urban agriculture programs. In addition, the Stafford Road traffic circle provides somewhat of a buffer to the EFU zoned lands to the east. Based on the five sites that were analyzed, the Rassekh property best meets the identified need considering compatibility with proposed urban uses with nearby agricultural and forest activities occurring on land outside the UGB designated for agriculture or forestry pursuant to a statewide planning goal.

Section 3.07.1425(C)(5) If the Council determines that there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering equitable and efficient distribution of housing and employment opportunities throughout the region;

The City is not seeking to expand the UGB for housing or employment. Consideration of equitable and efficient distribution of housing and employment opportunities is not applicable.

Section 3.07.1425(C)(6) If the Council determines that there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering contribution to the purposes of Centers and Corridors;

None of the potential sites identified by the City are close enough to the 2040 designated Centers or Corridors in Lake Oswego to have a direct impact. Consideration of this factor does not favor any particular site over the others.

Section 3.07.1425(C)(7) If the Council determines that there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering protection of farmland that is most important for the continuation of commercial agriculture in the region.

The proposed site has been designated by Metro as part of the urban reserve. That designation means that the property is not the most important for the continuation of commercial agriculture in the region.

Section 3.07.1425 (C)(8) If the Council determines there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering avoidance of conflict with regionally significant fish and wildlife habitat;

Due to use restrictions on two of the three alternative sites, the property may not be used for an indoor tennis center. Impacts to the identified habitat on the third alternative site could be avoided if the site were to be developed.

There is an area of regionally significant fish and wildlife habitat on the Rassekh site. This area represents a small portion of the entire area and could be avoided if development of the site were to occur. Significantly, the City, through the Indoor Tennis Center –Site Study removed the areas of sensitive lands from the portion of the land considered to be buildable. In addition, the City has a development review process in place that can be used to ensure that those sensitive areas are not impacted by the anticipated development. Given that review process, and the and the lack of viable alternatives to the development, the proposed site best meets the identified need while avoiding conflict with regionally significant fish and wildlife habitat.

Section 3.07.1425 (C)(9) If the Council determines there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering a clear transition between urban and rural lands, using natural and built features to mark the transition.

The proposed site forms a “notch” in the UGB. The proposal would, in effect, eliminate that notch without intruding into rural lands; which would be the effect of using the identified alternative sites. In addition, by making the UGB conterminous with the two adjacent roadways, and eliminating the “notch,” use of the proposed site would mark a clear transition between urban and rural lands, using both natural and built features to mark that transition. Of all identified sites, the Rassekh property offers the best available site for providing a clear transition between urban and rural lands.

Section 3.07.1440 (B)(1) The proposed uses of the subject land would be compatible, or through measures can be made compatible, with uses of adjacent land.

The City has demonstrated that the use of the subject property can be made compatible with the use of adjacent land. The proposed facility will be subject to the city's conditional use process that requires a public hearing and provides a forum for a site-specific focus on compatibility issues. Because the proposed site is relatively large, the building may be recessed from the property line. The development can take advantage of topography and existing vegetation to make the proposed use compatible with adjacent land uses. There is also the potential to use vernacular architecture that is compatible with the agricultural structures at nearby Luscher Farm which would help minimize any impacts. In short, the size of the property, and the City's conditional use process, provides a reasonable assurance that the use of the property for a tennis center can be made compatible with the uses of adjacent lands.

Section 3.07.1440 (B)(2)

In the Matter of City of Lake Oswego, Proposed Major Amendment to the Urban Growth Boundary

OAH Case No. 1202947

Page 32 of 40

Metro Code Section 3.07.1440 (B)(2) imposes certain requirements if the amendment to the UGB would add land for public school facilities. That provision does not apply to this case.

Section 3.01.1440 (B)(3)

Metro Code section 3.01.1440 (B)(3) imposes certain requirements if the amendment would add land for industrial use. That provision does not apply to this case.

Sections 3.07.1440 (D) and (E)

Metro Code Section 3.07.1440 (D) requires the Council to make specific findings if the proposed extension of the UGB would include land not designated as urban or rural reserve. Because the petition in this case concerns land designated as part of the urban reserve, such findings are unnecessary.

Metro Code Section 3.07.1440 (E) prohibits the Council from adding land designated as rural reserve to the UGB. The property at issue has not been designated as rural reserve, so this provision is not applicable.

Section 3.07.1440 (F)

Metro Code Section 3.07.1440 (F) prohibits amending the UGB in a way that would create an island of urban land outside the UGB or an island of rural land inside the UGB. The proposed cite is adjacent to the UGB. Expansion of the UGB to include this property will not create an island.

Citizen testimony in favor of the petition

Citizen testimony in favor of the petition agreed with the need for the facility as stated by the City and with the location. Citizens provided anecdotal evidence, in one case a 30-year history, of the inability to get indoor tennis court time within the Lake Oswego area. Students testified to the loss of local school tennis teams due to the lack of indoor court availability. Affordability was another factor cited in support of the City's proposal. Citizens in support of the petition agreed that the site provided an optimal location nearby local schools and as a natural transition to more rural lands beyond the Stafford Road/ Rosemont Road areas. Local residents testified that to reserve time at the current LOITC, one must enter a lottery system and many do not get selected. Residents sometimes drive to Vancouver, Washington, up to 30 miles away, to find alternative indoor court availability

Citizen testimony in opposition to the petition

In the Matter of City of Lake Oswego, Proposed Major Amendment to the Urban Growth Boundary

OAH Case No. 1202947

Page 33 of 40

Citizen testimony in opposition to the petition for a major amendment to the UGB challenged whether the City's proposal met the burden to show the need for land that cannot wait until the next analysis of buildable land supply. Metro Code section 3.07.1440(A). As discussed above, the City met its burden of proof relative to that provision of the Code.

Atherton Heights HOA opposes the City's proposal to amend the UGB. (Written testimony, letter of September 19, 2012, by Elaine Albrich, attorney at law, of Stoel Rives, LLP.) (Ex. G.) The HOA questions the urgency of the application based in part on favorable market conditions and construction markets. The opinion addresses the concern in that portion finding that the City met the criteria for need for land that cannot wait until the next analysis of buildable land supply. Atherton Heights HOA also asserts that the proposed tennis center does not address a "critical City service." There was no showing that "critical City service" is a required criterion under the amendment requirements. The City documented the need and interest in the indoor tennis facility and that amendment is proposed for adding land to the UGB for a park use, one of the acceptable proposed uses. Further, the HOA notes that neither the master planning for the Luscher Farm area (which includes the Rassekh property) nor the City's comprehensive plan update is complete. There was no showing that waiting for these processes to be completed was required. Additionally, the City's proposal demonstrated that the petition is in accord with the currently available projections in both plans.

The Atherton Heights HOA also asserted that the City's analysis of alternative sites and choice of the Rassekh property were not supported by the evidence. As discussed above, I found that the City had met its burden of proof on consideration of each of the necessary criteria.

Citizen testimony in opposition in one instance related to overall concerns of the relationship between Lake Oswego and surrounding communities. The hearing held for this petition for a major amendment to the UGB has no method for accounting for such concerns and no means to affect any such issues outside those requirements within the Code. In the current matter, the petition met the requirements for communication with and approval of specified governmental bodies.

Citizen testimony in opposition also focused on perceived increased traffic in the area, specifically on Stafford Road at the intersection of Rosemont Road. One citizen cited recent traffic studies from Clackamas County indicating a 12 percent increase in traffic on Stafford Road from 2008 to 2011. The source of that data was not provided. In addition there was no data on whether traffic accessing the proposed facility would statistically add to the current traffic volume on Stafford or Rosemont Roads.

Additionally, there was testimony that any increase in traffic attributable to the

proposed indoor tennis center on the Rassekh property would be minimal and would be spread throughout the day rather than concentrated at specific times as might occur with other recreational uses. The City's proposed plan adequately accounted for transportation, including access issues, when evaluating and selecting the proposed site.

Additional citizen testimony in opposition voiced concerns over a lack of an overall traffic and transportation plan for the area known as the Stafford Basin. Although understandable, the concern was not related to a specific requirement under the Code provisions for major amendments to the UGB. More specifically, the proposed development was not projected to have a major impact on the existing traffic patterns. Therefore, the proposed amendment was not required to address this issue and had no means to effect such an overarching potential issue.

Testimony on behalf of the SHC contended that the demand for the facility as presented in the proposal was incorrect and had been significantly diminished by the addition of the nearby private facility developed in West Linn. Staff testimony as well as the proposal data showed that the SHC courts had been accounted for, even overestimated, when calculating demand for the new indoor tennis facility. Considering all of the greater Lake Oswego area court availability, the City's data showed a significantly high unmet need for indoor tennis courts. In addition, the SHC facility is a private facility with higher costs and thus less accessibility than the proposed publicly owned proposed facility.

Citizen testimony was given representing the opinion of members of City Council who disagreed with the City Council's vote in approval of going forward on the petition for the major UGB amendment. As argued by Mayor Huffman, the City Council did vote on the proposal and the majority of the Council voted to proceed with the petition. There was no authority for revisiting dissenting views within the City's governing body within this hearing process.

Conclusion

As detailed in the above Proposed Order, and in agreement with the Metro Staff Report of August 30, 2012, I find that the City's Petition for a Major Amendment to expand the UGB to incorporate 9.8 acres (the subject property) to be used for an indoor tennis and neighborhood park facility has met the required criteria under Metro Code sections 3.07.1245 (B, C, D, E, & F) and 3.07.1440 (A & B) in addition to consideration of locational factors under Metro Code sections 3.07.1425 (C) (1-9). Based on the record as a whole, I find substantial evidence supports a recommendation to approve the petition.

PROPOSED ORDER

The application by the City of Lake Oswego, dated June 4, 2012, for a Major Amendment to the Metro Urban Growth Boundary (UGB) to the Metro Council, to expand the UGB to incorporate 9.8 acres (the subject property) to be used for an indoor tennis and neighborhood park facility, is recommended for approval.

A. Bernadette House

Senior Administrative Law Judge
Office of Administrative Hearings

APPENDIX I
List of Exhibits and Written Testimony

- A1 Rassekh Park Property Urban Growth Boundary Amendment, Major Amendment, submitted to Metro Council-Summary, Narrative Proposal, and List of Figures (site maps), Lake Oswego Parks and Recreation Staff (June 15, 2012)
- A City's signed application form, Major Amendment to the Metro UGB (June 4, 2012)
- B Lake Oswego Charter, chapter X., Park Development Limitation
- C Service Provider Comments
- D Notarized Affidavit and Mailing List
- E. Supplemental Findings for the Rassekh Park Property UGB Amendment, Lake Oswego Parks and Recreation Staff (July 20, 2012)
- F. Email statement, Mary Ann Kunkel (support), September 17, 2012
- G. Letter, Elaine Albrich, with Stoel Rives, on behalf of Atherton Heights Home Owners Association (Atherton HOA), (not in opposition but with concerns), September 19, 2012
- H. Letter, Brian Dunkley, resident and secretary, Atherton HOA, (opposed) September 19, 2012
- I. Written Testimony, Jay Minor, resident of West Linn, (support), September 20, 2012
- J. Written Testimony, Rick Cook, resident (opposed), September 20, 2012
- K. Letter, James Zupancic, Esq., Zupancic Rathbone Law Group, LLC., for Stafford Hills Club, LLC. (SHC), located in West Linn, (opposed), September 20, 2012
- L. Attachments to SHC September 20, 2012 letter – SHC Key Facts
- M. Email statement, Kasey Holwerda, resident (opposed), September 20, 2012
- N. Email (via Tim O'Brien, Metro) with additional comments from Mary Olson, Lake Oswego City Councilor (September 27, 2012)
- O. Letter and supporting documents in response to questions raised at September 20, 2012 public hearing, Kim L. Gilmer, parks and recreation director,

In the Matter of City of Lake Oswego, Proposed Major Amendment to the Urban Growth Boundary

OAH Case No. 1202947

Page 37 of 40

City of Lake Oswego, September 27, 2012, including the following:

Appendix A – Lake Oswego Tennis Facility Usage Data, 2006 through summer 2012.

Appendix B – Tennis Class & Program Participation

Appendix C – Summer 2012 class enrollment

Appendix D – Summer Classes 2006-2012

P. Indoor Tennis Facility Operations Analysis for the City of Lake Oswego, by The Sports Management Group (2012) and Appendix

Q. Letter, Lauren Hughes, Board Member, Citizens for Stewardship of Lake Oswego Lands, (September 27, 2012) (marked but not considered⁹)

⁹ Ms. Hughes did not attend or testify at the hearing at September 20, 2012 hearing and could not have requested the record left open for additional testimony under Metro Code 3.07.1430(N).

APPENDIX II

Public Hearing Re: City of Lake Oswego Petition for Major Amendment to the Urban Growth Boundary

September 20, 2012: 6:00 p.m.

City of Lake Oswego, Council Chambers, 380 A Avenue, Lake Oswego Oregon

Individuals giving public comment with addresses

1. Jay Minor, 18300 S. Whitten Lane, West Linn, OR 97068
2. Brian Dunkley, 18296 Meadowlark Lane, Lake Oswego, OR 97034
3. Andrew Gibson, Stoel Rives LLP, for Atherton Heights HOA, 1956 Cheryl Court, Lake Oswego, OR 97034
4. Anita Derry, 2195 SW Pattulo Way, West Linn, OR 97068
5. Jeannann McCoy, President, Atherton Heights HOA, 1973 Cheryl Court, Lake Oswego, OR 97934
6. Paul Kachel, 3085 Westview Circle, Lake Oswego, OR 97034
7. Rick Cook, 18451 SW Stafford Road, Lake Oswego, OR 97034
8. Doug Jost, 3140 Westview Circle, Lake Oswego, OR 97034
9. Charlie Kachel, 3085 Westview Circle, Lake Oswego, OR 97034
10. Cyndi Murray, 3140 Westview Circle, Lake Oswego, OR 97034
11. Tia Ross, 1557 SW Wilds Road, Lake Oswego, 97036
12. Carlyne Jones, 2818 Poplar Way, Lake Oswego, 97034
13. Liz Lamade, 2486 Palisades Crest Drive, Lake Oswego, 97034 – in favor
14. Josie Dix, 15750 Springbrook Court, Lake Oswego, 97034
15. Lili Bekuhrs, 15750 Springbrook Court, Lake Oswego, 97034
16. Jim Zupancic, 4949 Meadows Road, #600, Lake Oswego, 97035
17. Kathy Schaub, 2105 Clubhouse Drive, West Linn, OR 97068
18. Mary Olson, 18453 Tamaway Drive, Lake Oswego, Or 97034
19. Gary McKenzie, 7585 SW Middle Greens Road, Wilsonville, OR 97070
20. Gunnar Brinck, 2 Sherwood Court, Lake Oswego, Or 97035
21. Charles Ormsby, 170 SW Birdshild Road, Portland, 97219
22. Evie Fuson, 1255 Chandler Road, Lake Oswego, 97034

In the Matter of City of Lake Oswego, Proposed Major Amendment to the Urban Growth Boundary

OAH Case No. 1202947

Page 39 of 40

CERTIFICATE OF MAILING

On November 1, 2012 I mailed the foregoing Proposed Order issued on this date in OAH Case No. 1202947.

By: First Class Mail and Via Email

Martha Bennett
Chief Operating Officer
Metro
600 NE Grand Avenue
Portland, OR 97232

By: Email Only

Robin.mcarthur@oregonmetro.gov

Tim.O'brien@oregonmetro.gov

Lucy Garcia
Administrative Specialist
Hearing Coordinator

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 12-1296, FOR THE PURPOSE OF AMENDING THE URBAN GROWTH BOUNDARY IN THE VICINITY OF THE CITY OF LAKE OSWEGO UPON APPLICATION BY THE CITY OF LAKE OSWEGO

Date: November 20, 2012

Prepared by: Tim O'Brien
Principal Regional Planner

PROPOSED ACTION

Adoption of Ordinance 12-1296, approving *UGB Case 12-01: City of Lake Oswego*, a major amendment to the urban growth boundary (UGB). The proposed amendment area is shown on Attachment 1.

SUMMARY OF PROCESS

Metro Code provides that applications for UGB amendments are first heard by a hearings officer. After holding a public hearing, the hearings officer prepares a proposed order, with findings of fact and conclusions of law, and forwards the proposed order as a recommendation to the Metro Council, along with the evidentiary record of the hearing. The Metro Council then considers the hearings officer's recommendation and holds an "on the record" public hearing where individuals who participated before the hearings officer are allowed to submit oral and written argument. Such argument must be based on the evidence provided to the hearings officer, and no new evidence may be submitted to the Metro Council.

Final Metro Council action on the proposed UGB amendment is as provided in Section 2.05.045 of the Metro Code. If the Council's decision is to approve the application to amend the UGB, staff has provided a proposed ordinance for Council adoption. The Council may either adopt the hearings officer's findings recommending approval, or instruct Metro staff to prepare revised or supplemental findings in support of approval. The Council may also adopt conditions of approval as part of its decision.

If the Council's decision is to deny the application, the Council must adopt a final order rejecting the hearings officer's recommendation, supported by findings of fact and conclusions of law explaining why the Council believes the criteria have not been met. If the Council believes additional evidence is necessary in order to make a final decision, the Council may remand the decision back to the hearings officer for further proceedings.

BACKGROUND AND ANALYSIS

Proposal Description:

The City of Lake Oswego filed a petition for a 9.8-acre major amendment to the UGB for an indoor tennis and neighborhood park facility. The site consists of one tax lot within the city limits of Lake Oswego at the intersection of NW Stafford Road, NW Rosemont Road and Atherton Drive. The subject property is identified as the Rassekh property, is owned by the City of Lake Oswego and zoned PNA (Park and Natural Area).

Public Hearing before the Hearings Officer

The hearings officer, Senior Administrative Law Judge A. Bernadette House, conducted a public hearing at the City of Lake Oswego on September 20, 2012. Metro staff recommended approval of the application. Twenty-two people testified at the hearing, 12 in favor of the application and 10 against. In addition, four people submitted written testimony, one in favor and three against the application. The hearings officer granted a request to keep the record open for seven days; the record closed at 5:00 p.m. on September 27, 2012.

Hearings Officer Recommendation and Proposed Findings

On November 1, 2012 the hearings officer submitted a proposed order recommending approval of Case 12-01, based upon her findings that all applicable criteria have been met. The Metro Council will hold an “on the record” hearing on the recommendation on December 6, 2012. All parties to the case were notified in writing of the Metro Council hearing date and the notice was posted on Metro’s website. Parties were asked to submit their written argument to Metro seven days in advance of the hearing, in order to provide sufficient time for review and analysis. The hearings officer’s recommendation has been provided to the Council and made available to the parties.

SUMMARY

According to Metro Code 2.05.045(b), the Council shall either:

- Adopt Ordinance 12-1296 to approve *Case 12-01: City of Lake Oswego* based on the findings of fact and conclusions of law set forth in the hearings officer’s proposed order.
- Vote in favor of adopting Ordinance 12-1296 to approve *Case 12-02: City of Lake Oswego* based on revised findings of fact and conclusions of law to be prepared by Metro staff.
- Remand the proceeding to the Hearings Officer for further consideration.
- Vote to adopt a Resolution entering an order to deny *Case 12-01: City of Lake Oswego* based on revised findings of fact and conclusions of law to be prepared by Metro staff.

Also, the Metro Code expressly allows the Council to establish conditions of approval it deems necessary to ensure the UGB expansion complies with state planning laws and the Regional Framework Plan. Metro Code 3.07.1455.C.

INFORMATION

Known Opposition: Numerous people testified verbally and in writing in opposition to the proposed UGB amendment at the public hearing before the hearings officer.

Legal Antecedents: The Metro Regional Framework Plan and Urban Growth Management Functional Plan Title 14: Urban Growth Boundary authorizes amending the Urban Growth Boundary through a Major Amendment process.

Anticipated Effects: The adoption of Ordinance 12-1296 will add 9.8 acres of land to the urban growth boundary in the vicinity of Lake Oswego for an indoor tennis and neighborhood park facility.

Budget Impacts: There is no budget impact from adopting this ordinance.

Agenda Item No. 7.1

Ordinance No. 12-1292A, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2035 to Traffic Analysis Zones in the Region Consistent with the Forecast Adopted by Ordinance No. 11-1264B in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036.

Ordinances – Second Read

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE)	
DISTRIBUTION OF THE POPULATION	)	Ordinance No. 12-1292A
AND EMPLOYMENT GROWTH TO YEAR)	
2035 TO TRAFFIC ANALYSIS ZONES IN	)	Introduced by Councilor Kathryn
THE REGION CONSISTENT WITH THE	)	Harrington
FORECAST ADOPTED BY ORDINANCE)	
NO. 11-1264B IN FULFILLMENT OF)	
METRO'S POPULATION COORDINATION)	
RESPONSIBILITY UNDER ORS 195.036)	

WHEREAS, ORS 195.025 designates Metro as the local government responsible for coordination of planning activities within the Metro district; and

WHEREAS, ORS 195.036 requires the designated local government responsible for coordination of planning activities in a region to establish and maintain a population forecast for the area within its boundary and to coordinate the forecast with the other local governments within the boundary; and

WHEREAS, the Metro Council adopted a population and employment forecast for the region by Ordinance No. 11-1264B ("For the Purpose of Expanding the Urban Growth Boundary to Provide Capacity for Housing and Employment to the year 2030 and Amending the Metro Code to Conform") on October 20, 2011; and

WHEREAS, the distribution to specific zones within the region of forecasted population and employment adopted by this ordinance reflects prior policy decisions made by the Metro Council to: (1) use land inside the UGB more efficiently in Ordinance No. 10-1244B, and (2) add land to the UGB in Ordinance No. 11-1264B; and

WHEREAS, Metro began the process of distribution of the forecasted population and employment in October 2010, by coordinating the distribution with the 25 cities and three counties portions of which lie within the Metro district; in the course of 24 months, Metro held 15 coordination meetings with local governments, by county; more than 25 meetings with individual cities and counties; and four meetings with the city of Vancouver and Clark County to share the results of preliminary distributions and to seek comments and suggestions to improve the accuracy of the distributions; and

WHEREAS, Metro staff made presentations to its advisory committees (MPAC, MTAC, TPAC and JPACT) regarding the distribution and coordination with local governments; and

WHEREAS, Metro incorporated many of the comments and suggestions to refine the distribution and published a final distribution on November 15, 2012; and

WHEREAS, the regional forecast described on the attached Exhibit A is expressed in terms of households, which is the basis for Metro's capacity analysis, and those household figures are converted to population in Attachments 2 and 3 to the Staff Report dated November 15, 2012; and

WHEREAS, The Metro Council will work with MPAC and JPACT to develop, fund, and implement a research agenda in conjunction with the next Urban Growth Report, which will identify key policy and technical issues and a process, timeline, budget and resources to address key research topics that may include future housing preference, redevelopment assumptions, housing and transportation costs, which work would be prioritized with other needs and resource availability; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The distribution made to traffic analysis zones, described in Exhibits A and B to this Ordinance and in the Staff Report dated November 15, 2012, of the regional population and employment forecast adopted by the Council in Ordinance No. 11-1264B, is accepted and adopted as fulfillment of Metro's responsibilities regarding coordination of population forecasts under ORS 195.025 and 195.036 and is endorsed for use by the 25 cities and three counties as their own population and employment forecasts for their planning activities.
2. The Chief Operating Officer shall make the distribution of population and employment available to each city and county in the district.
3. The Metro Council adopts the Findings of Fact and Conclusions of Law set forth in Exhibit C to this Ordinance regarding compliance with relevant Statewide Planning Goals.

ADOPTED by the Metro Council this ____ day of November, 2012.

Tom Hughes, Council President

Approved as to form:

Alison Kean Campbell, Metro Attorney

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE)	
DISTRIBUTION OF THE POPULATION	)	Ordinance No. 12-1292 ^A
AND EMPLOYMENT GROWTH TO YEAR)	
2035 TO TRAFFIC ANALYSIS ZONES IN	)	Introduced by Councilor Kathryn
THE REGION CONSISTENT WITH THE	)	Harrington
FORECAST ADOPTED BY ORDINANCE)	
NO. 11-1264B IN FULFILLMENT OF)	
METRO'S POPULATION COORDINATION)	
RESPONSIBILITY UNDER ORS 195.036)	

WHEREAS, ORS 195.025 designates Metro as the local government responsible for coordination of planning activities within the Metro district; and

WHEREAS, ORS 195.036 requires the designated local government responsible for coordination of planning activities in a region to establish and maintain a population forecast for the area within its boundary and to coordinate the forecast with the other local governments within the boundary; and

WHEREAS, the Metro Council adopted a population and employment forecast for the region by Ordinance No. 11-1264B ("For the Purpose of Expanding the Urban Growth Boundary to Provide Capacity for Housing and Employment to the year 2030 and Amending the Metro Code to Conform") on October 20, 2011; and

WHEREAS, the distribution to specific zones within the region of forecasted population and employment adopted by this ordinance reflects prior policy decisions made by the Metro Council to: (1) use land inside the UGB more efficiently in Ordinance No. 10-1244B, and (2) add land to the UGB in Ordinance No. 11-1264B; and

WHEREAS, Metro began the process of distribution of the forecasted population and employment in October 2010, by coordinating the distribution with the 25 cities and three counties portions of which lie within the Metro district; in the course of 24 months, Metro held 15 coordination meetings with local governments, by county; more than 25 meetings with individual cities and counties; and four meetings with the city of Vancouver and Clark County to share the results of preliminary distributions and to seek comments and suggestions to improve the accuracy of the distributions; and

WHEREAS, Metro staff made presentations to its advisory committees (MPAC, MTAC, TPAC and JPACT) regarding the distribution and coordination with local governments; and

WHEREAS, Metro incorporated many of the comments and suggestions to refine the distribution and published a final distribution on November 15, 2012; and

WHEREAS, the regional forecast described on the attached Exhibit A is expressed in terms of households, which is the basis for Metro's capacity analysis, and those household figures are converted to population in Attachments 2 and 3 to the Staff Report dated November 15, 2012; and

WHEREAS, The Metro Council will work with MPAC and JPACT to develop, fund, and implement a research agenda in conjunction with the next Urban Growth Report, which will identify key policy and technical issues and a process, timeline, budget and resources to address key research topics that may include future housing preference, redevelopment assumptions, housing and transportation costs, which work would be prioritized with other needs and resource availability; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The distribution made to traffic analysis zones, described in Exhibits A and B to this Ordinance and in the Staff Report dated ~~October 2~~, November 15, 2012, of the regional population and employment forecast adopted by the Council in Ordinance No. 11-1264B, is accepted and adopted as fulfillment of Metro's responsibilities regarding coordination of population forecasts under ORS 195.025 and 195.036 and is endorsed for use by the 25 cities and three counties as their own population and employment forecasts for their planning activities.
2. The Chief Operating Officer shall make the distribution of population and employment available to each city and county in the district.
3. The Metro Council adopts the Findings of Fact and Conclusions of Law set forth in Exhibit C to this Ordinance regarding compliance with relevant Statewide Planning Goals.

ADOPTED by the Metro Council this ____ day of November, 2012.

Tom Hughes, Council President

Approved as to form:

Alison Kean Campbell, Metro Attorney

EXHIBIT A (Ordinance No. 1292A)

2035 Reviewed Household Forecast Distribution by Jurisdiction MetroScope "Gamma" TAZ Forecast

Revised Draft 11/15/2012

(source: Scen #1221)

Note: Jurisdiction geographies are approximate, and based on TAZs.

Urban Reserves are considered outside the UGB.

Inside UGB:	2010 Reviewed HH			2035 Reviewed HH			2010-2035 Change		
	SF	MF	Total	SF	MF	Total	SF	MF	Total
Beaverton	18,128	21,953	40,081	20,038	30,479	50,517	1,910	8,526	10,436
Cornelius	2,467	1,051	3,518	3,428	2,085	5,513	961	1,034	1,995
Damascus	3,322	205	3,527	11,700	217	11,916	8,378	12	8,389
Durham	350	8	358	410	26	436	60	18	78
Fairview	1,677	1,954	3,631	1,927	2,076	4,003	250	122	372
Forest Grove	4,775	2,717	7,492	6,999	3,380	10,379	2,224	663	2,887
Gladstone	2,831	1,356	4,187	3,097	1,779	4,876	266	423	689
Gresham	19,781	18,243	38,024	25,394	25,656	51,051	5,613	7,413	13,027
Happy Valley	4,162	273	4,435	9,898	512	10,410	5,736	239	5,975
Hillsboro	18,575	14,251	32,826	21,762	23,211	44,973	3,187	8,960	12,147
Johnson City	268	0	268	268	0	268	0	0	0
King City	572	383	955	590	379	969	18	-4	14
Lake Oswego	10,887	5,180	16,067	12,307	6,984	19,291	1,420	1,804	3,224
Maywood Park	282	18	300	288	18	306	6	0	6
Milwaukie	5,934	2,307	8,241	7,166	2,574	9,740	1,232	267	1,499
Oregon City	8,463	3,511	11,974	12,186	4,861	17,047	3,723	1,350	5,073
Portland	143,519	104,897	248,416	165,348	204,050	369,398	21,829	99,153	120,982
Rivergrove	123	0	123	124	0	124	1	0	1
Sherwood	4,971	1,505	6,476	5,553	1,716	7,269	582	211	793
Tigard	12,035	6,632	18,667	15,120	10,877	25,997	3,085	4,245	7,330
Troutdale	3,981	1,806	5,787	4,506	2,126	6,632	525	320	845
Tualatin	5,391	4,847	10,238	5,980	5,190	11,170	589	343	932
West Linn	7,670	2,582	10,252	9,237	2,751	11,988	1,567	169	1,736
Wilsonville	3,471	4,509	7,980	5,625	5,883	11,508	2,154	1,374	3,528
Wood Village	458	1,081	1,539	488	1,121	1,609	30	40	70
Uninc. Clackamas Co.	21,106	13,559	34,665	28,424	16,650	45,074	7,318	3,091	10,409
Uninc. Multnomah Co.	1,715	314	2,029	3,260	847	4,107	1,545	533	2,078
Uninc. Washington Co.	50,176	21,204	71,380	71,698	28,778	100,476	21,522	7,574	29,096
Inside UGB Total	357,090	236,346	593,436	452,823	384,225	837,048	95,733	147,879	243,612
Outside UGB:									
Clackamas County	40,749	4,202	44,951	60,792	5,600	66,392	20,043	1,398	21,441
Multnomah County	3,776	97	3,873	4,243	122	4,365	467	25	492
Washington County	11,259	101	11,360	27,369	5,401	32,770	16,110	5,300	21,410
Clark County	114,638	43,472	158,110	164,207	64,185	228,392	49,569	20,713	70,282
Outside UGB Total	170,422	47,872	218,294	256,610	75,309	331,919	86,188	27,437	113,625
Tri-County Total	412,874	240,746	653,620	545,226	395,348	940,575	132,352	154,602	286,955
Four-County Total	527,512	284,218	811,730	709,433	459,534	1,168,967	181,921	175,316	357,237

EXHIBIT B (Ordinance No. 12-1292A)
2035 Reviewed Employment Forecast Distribution by Jurisdiction
MetroScope Gamma TAZ Forecast

Final Draft 9/19/2012

Notes: Jurisdiction geographies are approximate, and based on TAZs. Urban Reserves are considered to be outside the UGB.

Inside UGB:	2010 Employment Geocode				2035 Jurisdiction Review				2010 - 2035 Change			
	Retail	Service	Other	Total	Retail	Service	Other	Total	Retail	Service	Other	Total
Beaverton	11,041	19,261	21,539	51,841	14,254	33,282	27,822	75,358	3,213	14,021	6,283	23,517
Cornelius	693	711	1,680	3,084	1,611	1,880	4,440	7,931	918	1,169	2,760	4,847
Damascus	260	357	908	1,525	902	1,613	1,894	4,409	642	1,256	986	2,884
Durham	1	213	318	532	1	307	458	766	0	94	140	234
Fairview	236	497	1,878	2,611	558	3,293	3,724	7,575	322	2,796	1,846	4,964
Forest Grove	882	2,018	2,617	5,517	1,747	3,455	5,343	10,545	865	1,437	2,726	5,028
Gladstone	702	546	883	2,131	903	1,040	1,092	3,035	201	494	209	904
Gresham	7,353	8,871	16,408	32,632	12,334	20,154	26,079	58,567	4,981	11,283	9,671	25,935
Happy Valley	241	256	621	1,118	789	1,842	1,616	4,247	548	1,586	995	3,129
Hillsboro	9,584	14,449	34,227	58,260	12,152	25,518	55,733	93,403	2,568	11,069	21,506	35,143
King City	137	269	64	470	173	511	137	821	36	242	73	351
Lake Oswego	2,553	7,024	8,670	18,247	2,323	11,584	8,879	22,786	-230	4,560	209	4,539
Milwaukie	1,403	3,527	6,658	11,588	1,944	5,751	7,712	15,407	541	2,224	1,054	3,819
Oregon City	3,081	3,727	7,580	14,388	5,418	6,990	10,077	22,485	2,337	3,263	2,497	8,097
Portland	65,150	139,116	170,076	374,342	76,134	218,147	214,199	508,482	10,984	79,031	44,123	134,140
Sherwood	1,103	1,206	1,907	4,216	1,643	2,604	5,005	9,252	540	1,398	3,098	5,036
Tigard	9,072	11,901	16,196	37,169	10,764	23,818	19,650	54,232	1,692	11,917	3,454	17,063
Troutdale	1,272	493	2,361	4,126	2,039	2,357	5,615	10,011	767	1,864	3,254	5,885
Tualatin	4,372	6,140	12,460	22,972	5,066	8,868	21,305	35,239	694	2,728	8,845	12,267
West Linn	966	1,593	1,693	4,252	1,517	2,683	2,331	6,531	551	1,090	638	2,279
Wilsonville	2,480	4,839	9,754	17,073	3,536	9,733	14,150	27,419	1,056	4,894	4,396	10,346
Wood Village	1,261	242	531	2,034	1,783	1,158	1,489	4,430	522	916	958	2,396
Uninc. Clackamas Co.	11,506	13,302	20,344	45,152	15,519	26,628	25,775	67,922	4,013	13,326	5,431	22,770
Uninc. Multnomah Co.	109	377	396	882	749	1,658	2,367	4,774	640	1,281	1,971	3,892
Uninc. Washington Co.	5,929	13,844	17,097	36,870	8,659	23,012	31,142	62,813	2,730	9,168	14,045	25,943
Inside UGB Total	141,387	254,779	356,866	753,032	182,518	437,886	498,034	1,118,440	41,131	183,107	141,168	365,408
Outside UGB:												
Clackamas County	4,803	5,218	15,348	25,369	8,182	11,295	22,359	41,836	3,379	6,077	7,011	16,467
Multnomah County	361	479	1,513	2,353	384	876	1,945	3,205	23	397	432	852
Washington County	854	1,640	5,881	8,375	2,363	6,659	18,084	27,106	1,509	5,019	12,203	18,731
Clark County	25,375	42,061	59,831	127,267	40,864	80,963	100,193	222,020	15,489	38,902	40,362	94,753
Outside UGB Total	31,393	49,398	82,573	163,364	51,793	99,793	142,581	294,167	20,400	50,395	60,008	130,803
Four-County Total	172,780	304,177	439,439	916,396	234,311	537,679	640,615	1,412,607	61,531	233,502	201,176	496,211

Exhibit C to Ordinance No. 12-1292A
Findings of Fact and Conclusions of Law
Regarding Compliance With Statewide Planning Goals

Ordinance No. 12-1292A adopts the distribution of forecasted population and employment growth to year 2035 to specific zones within the Metro district, consistent with Metro's obligations under ORS 195.036 to coordinate the region-wide forecast with other local governments within the Metro district boundary.

A detailed explanation of the background regarding Metro's extensive coordination with local governments and the process associated with the generation of the population forecast figures is provided in the staff report to the Metro Council dated November 15, 2012, which is hereby adopted and incorporated by reference into these findings.

These findings address compliance with the following potentially applicable Statewide Planning Goals:

Goal 1 (Citizen Involvement): Metro followed the provisions in its charter for adoption of ordinances and coordinated extensively with affected local governments. The Council concludes that adoption of Ordinance No. 12-1292A complies with Goal 1.

Goal 2 (Adequate Factual Base): The Metro Council concludes that the Staff Report and the information upon which the forecast is based provide an adequate factual base for these findings. Metro coordinated the adoption of these forecasts with all cities and counties in the region. The Council concludes that adoption of Ordinance No. 12-1292A complies with Goal 2.

Goal 10 (Housing): The Metro Council adopted a population and employment forecast for the entire Metro region on October 20, 2011 as part of its decision in Ordinance No. 11-1264B to expand the urban growth boundary in order to accommodate the need for housing through the year 2030. The current ordinance merely distributes the forecast figures adopted in 2011 to individual traffic analysis zones and corresponding local governments in order to fulfill Metro's forecast coordination obligations under ORS 195.036. The Metro Council concludes that this distribution decision implements Goal 10 and related statutory requirements, and is consistent with Goal 10.

Goal 14 (Urbanization): Goal 14 directs local governments to accommodate urban population and employment inside urban growth boundaries, ensure the efficient use of land, and provide for livable communities. The adoption of Ordinance No. 12-1292A is consistent with Goal 14 because it enables local governments within the Metro region to undertake their planning responsibilities based on a coordinated region-wide population and employment forecast that provides information that is necessary to plan for future urban growth and to meet the objectives of Goal 14. The Metro Council concludes that the distribution of regional population and employment forecast figures to local governments complies with the requirements of state law and the objectives of Goal 14.

STAFF REPORT (Revised)

IN CONSIDERATION OF ORDINANCE NO. 12-1292^A, FOR THE PURPOSE OF ADOPTING THE DISTRIBUTION OF THE POPULATION AND EMPLOYMENT GROWTH TO YEAR 2035 TO TRAFFIC ANALYSIS ZONES IN THE REGION CONSISTENT WITH THE FORECAST ADOPTED BY ORDINANCE NO. 11-1264B IN FULFILLMENT OF METRO'S POPULATION COORDINATION RESPONSIBILITY UNDER ORS 195.036

Date: November 15, 2012

Prepared by: Gerry Uba, x1737

BACKGROUND

Oregon land use law (ORS 195.036; 195.025) requires Metro to coordinate its regional population forecasts with local governments inside the urban growth boundary for use in updating their comprehensive plans, land use regulations and other related policies. In 2009, Metro created a population and employment growth forecast for the seven-county region¹ for the next 50 years. One of the ways Metro coordinates the population and employment forecast is to conduct a localized distribution of the 2009 forecast after an urban growth boundary decision cycle is completed.

Metro has been preparing localized-level analyses every five years for over 20 years. The current distribution is the most advanced analysis yet. The experience gained from previous distributions has helped Metro and local governments to improve the methodology and the information that is produced. To accommodate various local and regional planning needs, the localized growth forecast distribution was produced for the years 2025, 2035 and 2040. Local government staff expressed interest in the 2035 distributions as more relevant for their 20-year growth planning.

The distribution information is essential for local and regional planning, such as updating local comprehensive plans (through periodic review), local transportation system plans, and the Regional Transportation Plan. The information is also used for corridor planning and special districts planning. Many cities in the region currently undergoing periodic review are coordinating their forecast with Metro as they are updating their comprehensive plans. Although there is no legal requirement for school districts and special districts to coordinate their forecast with Metro, the distribution information will be useful to school districts for enrolment forecasting and facility planning, and to special districts in the region, such as water, sewer and fire districts, in updating their facility plans and emergency preparedness plans. The information is also helpful to TriMet in forecasting future ridership and mapping travel patterns, enabling the agency to better plan for frequency of MAX and bus service and future routes.

Methodology of the growth forecast distribution

The growth forecast distribution is based on policy and investment decisions and assumptions that local elected leaders and the Metro Council have already adopted, including the seven-county forecast,

¹ Clark, Clackamas, Columbia, Multnomah, Skamania, Washington, and Yamhill counties

existing zoning, adopted plans, the most recently adopted Regional Transportation Plan, and urban and rural reserves. The regional coordination of the forecast distribution is a two stage process.

The first stage of the coordination process involves Metro and local government staff working together to refine the buildable land inventory (BLI) methodology to ensure the accuracy of zoning and growth capacity assumptions. Attachment 1 contains names of local jurisdiction staff involved in the population and employment coordination. The methodology takes into account land that cannot be built on due to environmental constraints and right of way, as well as capacity from vacant buildable lands, new urban areas², prospective urban growth boundary expansions into designated urban reserves, redevelopment and infill. As a result of this exercise, the region now has an updated 30-year capacity estimate that reflects the input and review from local government staff. This coordinated buildable land inventory reflects the increasing importance of redevelopment as a key part of the land supply in this region.

The geography used for this analysis is the Traffic Analysis Zone (TAZ). To provide more detail than the previous growth distribution, the number of TAZs used was increased from 2,013 to 2,162. The TAZ is the geographic unit that serves as the building block of Metro's primary forecasting tools (the travel demand model and MetroScope). By dividing the region into 2,162 TAZs, the accuracy of the travel demand model as well as all other aspects of transportation planning are improved. The TAZ-level data also assist land use planners in updating comprehensive plans and zoning, and conducting other types of land use analysis, including neighborhood level analysis.

In the second stage of the distribution coordination process, land use and transportation models are used to match demand (the seven-county forecast) with supply (the BLI). After extensive review of Metro's initial distributions with local governments' staff, the final product is the 2025, 2035 and 2040 distributions of forecast households and jobs to TAZs, cities and unincorporated areas in the region.

Further analyses of the distribution data reveal future trends that regional and local planners should bring to the attention of their decision makers.

Regional Planning Directors Involvement

The coordination of population and employment forecast was kicked off with a meeting of the Regional Planning Directors in October 2010, endorsing roles and responsibilities of local governments and Metro. The directors met again in July 2011 to review, discuss and reach agreement on the outcome of the first stage of the process – the BLI methodology, urban reserve urbanization assumptions, redevelopment assumptions, and the capacity of residential and employment land. [At the July meeting, Washington County and the City of Beaverton emphasized the need for a better understanding of residential housing demand and preferences and redevelopment. In response, Metro staff has identified future research on: a\) residential choice study enhanced with market segmentation; b\) redevelopment supply assumption refinement, depending on funding availability. This research could inform the next Urban Growth Report and forecast distribution.](#)

The last meeting of directors was in September 2012 to review and comment specifically on the 2035 distribution of households and employment. [The 2035 household and employment distribution by local jurisdiction are shown in Exhibits A and B of the ordinance.](#) Attachments 2 and 3 contain the 2035

² Areas added to the urban growth boundary that does not yet have urban zoning.

forecast distribution by local jurisdiction. [Other related information that has been produced are the 2010 population by local jurisdiction in Attachment 2, the 2035 population forecast by local jurisdiction in Attachment 3, and the forecast distribution profiles by city and county in Attachment 4.](#)

Metro advisory committee involvement

The outcome of the first stage of the process (BLI methodology, urban reserve urbanization assumptions, redevelopment assumptions, and capacity of residential and employment land) was presented to the Metro Technical Advisory Committee (MTAC), and Transportation Policy Alternatives Committee (TPAC) in January 2012, and to the Metro Policy Advisory Committee (MPAC) in February 2012 for discussion and comment. The 2035 distribution of households and employment was presented to TPAC in September 2012, and to MTAC, MPAC and the Joint Policy Advisory Committee on Transportation in October 2012.

Additional outreach and information

Staff updated the Oregon Land Conservation and Development Commission in June 2011 on how Metro is coordinating its regional forecast with the forecasts of local governments in the region, including other ways Metro coordinates with local governments -- urban growth report, capacity ordinance, and growth management decisions.

[An Executive summary describing the extent of the distribution between Metro and local governments is included as Attachment 5. The description of the project methodology, tools, assumptions for estimating land supply and matching the demand \(households and employment forecast\) with the land supply is in Attachment 6. The coordination meeting agendas and comments of local governments on the mid-term \(2025\) and long-term \(2035/2040\) forecast distribution are in Attachment 7.](#)

ANALYSIS/INFORMATION

1. Known Opposition

Washington County and the City of Beaverton provided written comments emphasizing the need for a better understanding of residential housing demand and preferences and redevelopment. In response, Metro staff has identified additional research possibilities. Depending on funding availability, this research could inform the next Urban Growth Report and forecast distribution.

2. Legal Antecedents

The distribution of the growth forecast satisfies Metro's coordination obligations under ORS 195.025 and 195.036. As requested by DLCD, staff is proposing that the Metro Council adopt the forecast distribution by an ordinance that will be acknowledged by DLCD as part of Metro's planning documents in order to support future planning decisions by local governments that rely upon the population forecasts. State law requires cities and counties to adopt coordinated forecasts as part of their comprehensive plans.

3. Anticipated Effects

Adoption of the distribution of population and employment forecast at a localized-level will encourage local governments to use distribution information to conform their land use and transportation plans to recent regional policies adopted by the Metro Council. The TAZ-level

distributions would also inform the next Regional Transportation Plan. Delay of the adoption would delay some local government activities that would be accomplished with the forecast distribution information.

4. Budget Impacts

The FY 2010/2011 and FY 2011/2012 budgets included resources for staff in the Research Center and the Planning and Development Department to work on this project. In the current FY 2012/2013 budget there are sufficient funds to package and post the forecast distribution in electronic platforms that will make the data accessible to local governments and school and special districts in the region.

RECOMMENDED ACTION

Staff recommends that the Metro Council accept and adopt the distribution of the 2009 population and employment forecast as fulfillment of Metro's responsibilities on population coordination with local governments in the region

ATTACHMENTS

1. Forecast Distribution Process Local Government and Agency Staff
2. ~~2010~~2035 Reviewed Household Forecast Distribution Population by Jurisdiction
3. ~~2035 Reviewed Employment~~ Population Forecast Distribution by Jurisdiction
4. Metro Gamma Forecast Distribution Profiles by City and County – 2025/2035/2040
5. Regional 2035 Forecast Distribution: Executive Summary
6. Technical Documentation; ~~of the Project (i.e., The Technical Report)~~ Regional Forecast Distribution Methodology and Assumptions; Population and Employment
7. ~~Local Governments' Comments on the 2025 and 2035 Forecast Distributions and Metro Response.~~ Metro Regional Forecast Distribution Coordination Meetings and Discussions

ATTACHMENT 1 (Staff Report to Ordinance No. 1292A)
2035 FORECAST DISTRIBUTION PROCESS: LOCAL GOVERNMENT AND AGENCY STAFF

Cities	Staff
City of Beaverton	Laura Kelly, Robert McCracken, Jeff Salvon, Steven Sparks, Doug Taylor
City of Cornelius	Dick Reynolds
City of Damascus	Steve Gaschler, John Morgan, Erika Palmer, Bob Short
City of Durham	
City of Fairview	Lindsey Nesbitt
City of Forest Grove	Jon Holan, Dan Riordan
City of Gladstone	Larry Conrad
City of Gresham	Erin Aigner, Jonathan Harker, Brian Martin, Ann Pytynia
City of Happy Valley	Jason Tuck, Michael Walter
City of Hillsboro	Colin Cooper, Doug Miller, Don Odermott, Pat Ribellia, Alwin Turiel
City of Johnson City	
City of King City	Keith Liden
City of Lake Oswego	Denny Egner, Erica Rooney, Sarah Selden
City of Maywood Park	
City of Milwaukie	Li Alligood, Kenny Asher, Katie Mangle
City of Oregon City	Tony Konkol, Christina Roberts-Gardner, Laura Terway
City of Portland	Tom Armstrong
City of Rivergrove	
City of Sherwood	Julia Hajduk, Michelle Miller
City of Tigard	Darren Wyss
City of Troutdale	Rich Faith, Elizabeth McCallum
City of Tualatin	Colin Cortes, Cindy Hahn, Aquilla Hurd-Ravich, Alice Rouyer
City of West Linn	Sara Javronok, Chris Kerr, John Sonnen
City of Wilsonville	Chris Neamtzu, Stephan Lashbrook, Daniel Pauly, Dan Stark
City of Wood Village	Bill Peterson
Counties	Staff
Clackamas County	Sarah Abbott, Larry Conrad, Martha Fritzie, Shari Gilevich, Clay Glasgow, Cindy Hagen, Scott Hoelscher, Diedre Landon, Mike McAllister, Simone Rede, Michael D. Walden
Multnomah County	Chuck Beasley
Washington County	Andy Back, Steve D. Kelley
Agencies	Staff
Oregon Employment Dept.	Lynn Wallis
Dept. of Land Conservation & Development	Anne Debbaut, Jennifer Donnelly, Darren Nichols, Lynn Wallis
Oregon Dept. of Transportation	Mai Chi, Kirsten Pennington, Lidwien Rahman, Lainie Smith
Port of Portland	John Boren, Tom Bouillion
Metro	Roger Alfred, Sonny Conder, Jim Cser, Chris Deffebach, Mike Hogle, Robin McArthur, Cindy Pederson, Ted Reid, Maribeth Todd, Gerry Uba, John Williams, Dennis Yee
Neighboring Cities¹	
Canby	Bryan Brown, Matilda Deas
Sandy	Tracy Brown

¹ Consultation / information exchange with SW Washington Regional Transportation Council, City of Vancouver and Clark County, Washington.

**ATTACHMENT 2 (Staff Report to Ordinance No. 1292A)
2010 Census of Population by City and County**

(source: U.S. Census, 2010 Demographic Profiles)

Note: Jurisdiction geographies are based on the city limits from Census definitions

Inside UGB:	CENSUS	CENSUS	(Estimate)	CENSUS	CENSUS
	2010	2010	Persons	2010	2010
	Population	Households	Per Household	Dwelling Units	Vacancy %
Beaverton	89,803	37,213	2.41	39,500	5.8%
Cornelius	11,869	3,339	3.55	3,499	4.6%
Damascus	10,539	3,621	2.91	3,769	3.9%
Durham	1,351	545	2.48	561	2.9%
Fairview	8,920	3,544	2.52	3,786	6.4%
Forest Grove	21,083	7,385	2.85	7,845	5.9%
Gladstone	11,497	4,540	2.53	4,779	5.0%
Gresham	105,594	38,704	2.73	41,015	5.6%
Happy Valley	13,903	4,408	3.15	4,708	6.4%
Hillsboro	91,611	33,289	2.75	35,487	6.2%
Johnson City	566	268	2.11	278	3.6%
King City	3,111	1,735	1.79	1,920	9.6%
Lake Oswego	36,619	15,893	2.30	16,995	6.5%
Maywood Park	752	300	2.51	312	3.8%
Milwaukie	20,291	8,667	2.34	9,138	5.2%
Oregon City	31,859	11,973	2.66	12,900	7.2%
Portland	583,776	248,546	2.35	265,439	6.4%
Rivergrove	289	123	2.35	133	7.5%
Sherwood	18,194	6,316	2.88	6,569	3.9%
Tigard	48,035	19,157	2.51	20,068	4.5%
Troutdale	15,962	5,671	2.81	5,907	4.0%
Tualatin	26,054	10,000	2.61	10,528	5.0%
West Linn	25,109	9,523	2.64	10,035	5.1%
Wilsonville	19,509	7,859	2.48	8,487	7.4%
Wood Village	3,878	1,226	3.16	1,289	4.9%
Uninc. Clackamas Co.*	89,611	34,360	2.61	37,324	7.9%
Uninc. Multnomah Co.*	5,656	2,251	2.51	2,435	7.6%
Uninc. Washington Co.*	188,586	70,703	2.67	74,600	5.2%
Inside UGB Total	1,484,026	591,159	2.51	629,307	6.1%
Outside UGB:					
Clackamas County	116,200	44,555	2.61	48,399	7.9%
Multnomah County	10,796	4,298	2.51	4,649	7.6%
Washington County	30,013	11,252	2.67	11,873	5.2%
Clark County	425,363	158,099	2.69	167,413	5.6%
Outside UGB Total	582,373	218,204	2.67	232,333	6.1%
Tri-County Total	1,641,036	651,264	2.52	694,227	6.2%
Four-County Total	2,066,399	809,363	2.55	861,640	6.1%

(* Note: derived as proportional estimate from the total county unincorporated)

**ATTACHMENT 3 (Staff Report to Ordinance No. 1292A)
2035 MetroScope "Gamma" Population Forecast**

Revised Draft 11/15/2012

(source: Scen #1221)

Note: Jurisdiction geographies are approximate, and based on TAZs.

Jurisdiction	(TAZ-based)	(TAZ-based)	2035 Persons Per Household	Population Growth 2010 to 2035		
	2035 Population	2035 Households		APR %	% change	change
Beaverton	113,174	50,517	2.24	0.9%	26%	23,371
Cornelius	18,193	5,513	3.30	1.7%	53%	6,324
Damascus	35,654	11,916	2.99	5.0%	238%	25,115
Durham	1,003	436	2.30	-1.2%	-26%	-348
Fairview	9,196	4,003	2.30	0.1%	3%	276
Forest Grove	27,507	10,379	2.65	1.1%	30%	6,424
Gladstone	12,694	4,876	2.60	0.4%	10%	1,197
Gresham	127,124	51,051	2.49	0.7%	20%	21,530
Happy Valley	33,753	10,410	3.24	3.6%	143%	19,850
Hillsboro	114,898	44,973	2.55	0.9%	25%	23,287
Johnson City	566	268	2.11	0.0%	0%	0
King City	1,613	969	1.66	-2.6%	-48%	-1,498
Lake Oswego	45,693	19,291	2.37	0.9%	25%	9,074
Maywood Park	767	306	2.51	0.1%	2%	15
Milwaukie	23,441	9,740	2.41	0.6%	16%	3,150
Oregon City	46,630	17,047	2.74	1.5%	46%	14,771
Portland	791,908	369,398	2.14	1.2%	36%	208,132
Rivergrove	291	124	2.35	0.0%	1%	2
Sherwood	19,439	7,269	2.67	0.3%	7%	1,245
Tigard	60,515	25,997	2.33	0.9%	26%	12,480
Troutdale	17,038	6,632	2.57	0.3%	7%	1,076
Tualatin	27,017	11,170	2.42	0.1%	4%	963
West Linn	32,493	11,988	2.71	1.0%	29%	7,384
Wilsonville	29,367	11,508	2.55	1.6%	51%	9,858
Wood Village	4,645	1,609	2.89	0.7%	20%	767
Uninc. Clackamas Co.*	120,846	45,074	2.68	1.2%	35%	31,235
Uninc. Multnomah Co.*	9,417	4,107	2.29	2.1%	66%	3,761
Uninc. Washington Co.*	248,799	100,476	2.48	1.1%	32%	60,213
Inside UGB Total	1,973,681	837,048	2.36	1.1%	33%	489,655
Outside UGB:						
Clackamas County **	177,998	66,392	2.68	1.7%	53%	61,798
Multnomah County	10,008	4,365	2.29	-0.3%	-7%	-788
Washington County **	81,145	32,770	2.48	4.1%	170%	51,131
Clark County	612,027	228,392	2.68	1.5%	44%	186,664
Outside UGB Total	881,179	331,919	2.65	1.7%	51%	298,806
Tri-County Total	2,242,833	940,575	2.38	1.3%	37%	601,797
Four-County Total	2,854,860	1,168,967	2.44	1.3%	38%	788,461

Population estimates derived from the "2035 Reviewed TAZ Forecast Distribution" (MetroScope GAMMA HH Forecast)

(* Note: derived as proportional estimate from the total county unincorporated)

(** Note: urban reserves are tabulated outside the UGB)

Attachment 4 (Staff Report to Ordinance No. 12-1292A)

**METRO 'GAMMA' FORECAST DISTRIBUTION
PROFILES BY CITY AND COUNTY
2025 / 2035 / 2040**

JURISDICTION REVIEWED HOUSEHOLDS AND EMPLOYMENT

Published 11/15/2012 Metro Economic and Land Use Forecasting



METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

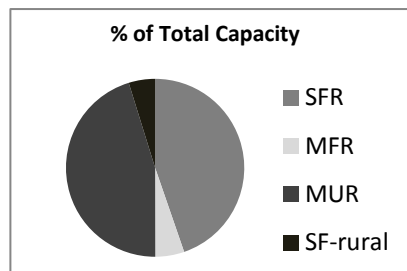
County Summary for **Clackamas**

Household Forecast				
Year	SF	MF	Total	%APR
2010	109,231	37,093	146,324	
2025	146,808	41,341	188,149	1.7%
2035	161,217	47,220	208,437	1.0%
2040	167,598	51,814	219,412	1.0%

Households Change from 2010			
Year	SF	MF	Total
2025	37,577	4,248	41,825
2035	51,986	10,127	62,113
2040	58,367	14,721	73,088

2010-2045 Capacity Used			
Year	SF	MF	Total
2025	49%	5%	27%
2035	68%	13%	40%
2040	76%	19%	47%

2010-2045 Household Capacity by Type							
	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	69,435	8,172	70,254	7,446	76,881	78,426	155,307
% of Total	45%	5%	45%	5%	50%	50%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast				
Year	Retail	Service	Other	Total
2010	27,114	40,035	70,797	137,946
2025	34,770	62,517	85,943	183,230
2035	39,943	77,957	92,544	210,444
2040	43,177	85,402	98,874	227,453

2010-2045 Employment Cap.		
	IND	COM
Acres	3,819	2,255
% of Total	63%	37%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

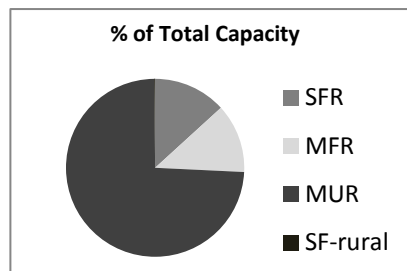
County Summary for **Multnomah**

Household Forecast				
Year	SF	MF	Total	%APR
2010	175,690	128,959	304,649	
2025	203,261	191,394	394,655	1.7%
2035	205,977	236,569	442,546	1.2%
2040	210,367	257,474	467,841	1.1%

Households Change from 2010			
Year	SF	MF	Total
2025	27,571	62,435	90,006
2035	30,287	107,610	137,897
2040	34,677	128,515	163,192

2010-2045 Capacity Used			
Year	SF	MF	Total
2025	87%	30%	38%
2035	96%	53%	58%
2040	100%	63%	69%

2010-2045 Household Capacity by Type							
	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	31,279	29,606	175,105	390	31,669	204,711	236,380
% of Total	13%	13%	74%	0%	13%	87%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast				
Year	Retail	Service	Other	Total
2010	75,771	150,159	193,234	419,164
2025	87,169	210,137	236,512	533,818
2035	94,007	247,772	255,550	597,331
2040	97,733	262,650	266,346	626,733

2010-2045 Employment Cap.		
	IND	COM
Acres	3,662	1,605
% of Total	70%	30%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

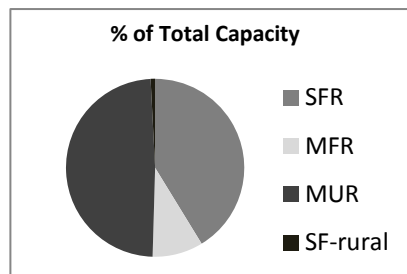
County Summary for Washington

Household Forecast				
Year	SF	MF	Total	%APR
2010	127,953	74,694	202,647	
2025	163,533	90,317	253,850	1.5%
2035	178,033	111,560	289,592	1.3%
2040	181,557	123,434	304,991	1.0%

Households Change from 2010			
Year	SF	MF	Total
2025	35,580	15,623	51,203
2035	50,080	36,866	86,945
2040	53,604	48,740	102,344

2010-2045 Capacity Used			
Year	SF	MF	Total
2025	51%	16%	31%
2035	72%	38%	53%
2040	77%	51%	62%

2010-2045 Household Capacity by Type							
	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	68,258	15,236	80,647	1,344	69,601	95,883	165,485
% of Total	41%	9%	49%	1%	42%	58%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast				
Year	Retail	Service	Other	Total
2010	44,520	71,922	115,577	232,019
2025	54,561	105,717	165,064	325,342
2035	59,497	130,987	192,328	382,812
2040	62,747	143,327	210,762	416,836

2010-2045 Employment Cap.		
	IND	COM
Acres	6,748	2,159
% of Total	76%	24%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Banks**

County **Washington**

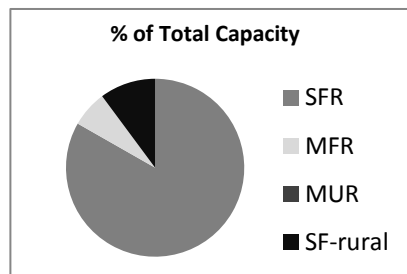
Note: City geographies are approximated by TAZ boundaries.

Household Forecast				
Year	SF	MF	Total	%APR
2010	1,320	0	1,320	
2025	2,251	11	2,262	3.7%
2035	2,955	6	2,961	2.7%
2040	2,964	6	2,970	0.1%

Households Change from 2010			
Year	SF	MF	Total
2025	931	11	942
2035	1,635	6	1,641
2040	1,644	6	1,650

2010-2045 Capacity Used			
Year	SF	MF	Total
2025	66%	11%	62%
2035	100%	6%	100%
2040	100%	6%	100%

2010-2045 Household Capacity by Type							
	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	1,261	100	0	154	1,415	100	1,515
% of Total	83%	7%	0%	10%	93%	7%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast				
Year	Retail	Service	Other	Total
2010	159	92	484	735
2025	199	128	691	1,018
2035	225	150	808	1,183
2040	252	165	918	1,335

2010-2045 Employment Cap.		
	IND	COM
Acres	0	0
% of Total	0%	0%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Beaverton**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	18,128	21,953	40,081	
2025	19,733	26,667	46,400	1.0%
2035	20,038	30,479	50,517	0.9%
2040	20,158	31,428	51,587	0.4%

Households Change from 2010

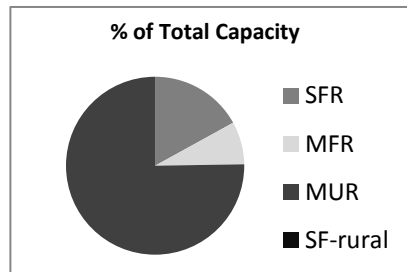
Year	SF	MF	Total
2025	1,605	4,714	6,319
2035	1,910	8,526	10,436
2040	2,030	9,475	11,506

2010-2045 Capacity Used

Year	SF	MF	Total
2025	74%	45%	50%
2035	88%	81%	82%
2040	94%	89%	90%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	2,166	990	9,598	0	2,166	10,589	12,755
% of Total	17%	8%	75%	0%	17%	83%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	11,041	19,261	21,539	51,841
2025	13,463	27,150	27,108	67,721
2035	14,254	33,282	27,822	75,358
2040	14,640	36,377	28,634	79,651

2010-2045 Employment Cap.

	IND	COM
Acres	103	450
% of Total	19%	81%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Canby**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	5,115	1,513	6,628	
2025	9,069	1,593	10,662	3.2%
2035	9,796	1,783	11,579	0.8%
2040	9,816	1,895	11,712	0.2%

Households Change from 2010

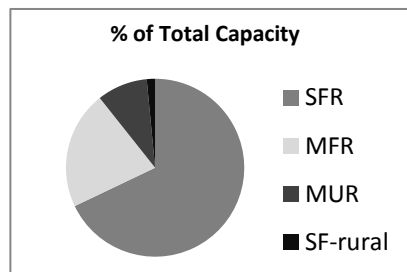
Year	SF	MF	Total
2025	3,954	80	4,034
2035	4,681	270	4,951
2040	4,701	382	5,084

2010-2045 Capacity Used

Year	SF	MF	Total
2025	87%	4%	62%
2035	100%	14%	76%
2040	100%	19%	78%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	4,442	1,400	600	99	4,541	2,000	6,541
% of Total	68%	21%	9%	2%	69%	31%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	1,127	1,012	3,453	5,592
2025	1,227	1,356	3,560	6,143
2035	1,929	2,110	5,043	9,082
2040	2,218	2,461	5,519	10,198

2010-2045 Employment Cap.

	IND	COM
Acres	200	104
% of Total	66%	34%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Cornelius**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	2,467	1,051	3,518	
2025	3,918	1,451	5,369	2.9%
2035	3,428	2,085	5,513	0.3%
2040	3,489	2,316	5,805	1.0%

Households Change from 2010

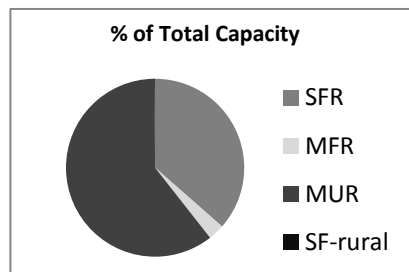
Year	SF	MF	Total
2025	1,451	400	1,851
2035	961	1,034	1,995
2040	1,022	1,265	2,287

2010-2045 Capacity Used

Year	SF	MF	Total
2025	100%	16%	47%
2035	67%	41%	51%
2040	71%	51%	58%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	1,437	116	2,381	6	1,443	2,497	3,940
% of Total	36%	3%	60%	0%	37%	63%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	693	711	1,680	3,084
2025	1,287	1,397	3,377	6,061
2035	1,611	1,880	4,440	7,931
2040	1,767	2,086	4,958	8,811

2010-2045 Employment Cap.

	IND	COM
Acres	117	95
% of Total	55%	45%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Damascus**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	3,322	205	3,527	
2025	9,087	164	9,251	6.6%
2035	11,700	217	11,916	2.6%
2040	12,969	280	13,249	2.1%

Households Change from 2010

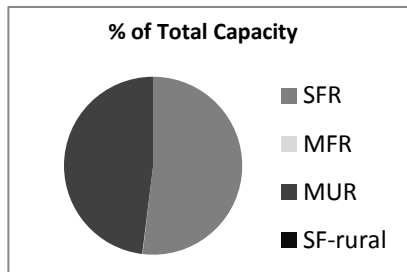
Year	SF	MF	Total
2025	5,765	-41	5,724
2035	8,378	12	8,389
2040	9,647	75	9,722

2010-2045 Capacity Used

Year	SF	MF	Total
2025	52%	0%	27%
2035	75%	0%	39%
2040	86%	1%	45%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	11,185	12	10,351	1	11,187	10,363	21,550
% of Total	52%	0%	48%	0%	52%	48%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	260	357	908	1,525
2025	510	822	1,418	2,750
2035	902	1,613	1,894	4,409
2040	1,378	2,252	3,107	6,737

2010-2045 Employment Cap.

	IND	COM
Acres	597	366
% of Total	62%	38%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Durham**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	350	8	358	
2025	389	15	404	0.8%
2035	410	26	436	0.8%
2040	412	28	440	0.2%

Households Change from 2010

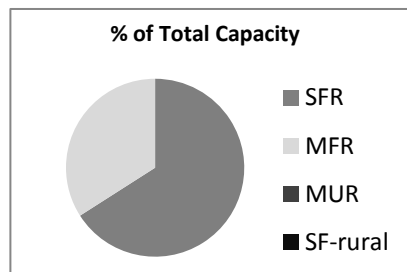
Year	SF	MF	Total
2025	39	7	46
2035	60	18	78
2040	62	20	82

2010-2045 Capacity Used

Year	SF	MF	Total
2025	97%	34%	75%
2035	100%	84%	100%
2040	100%	95%	100%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	40	21	0	0	40	21	61
% of Total	66%	34%	0%	0%	66%	34%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	1	213	318	532
2025	1	269	413	683
2035	1	307	458	766
2040	1	327	484	812

2010-2045 Employment Cap.

	IND	COM
Acres	0	0
% of Total	0%	0%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Estacada**

County **Clackamas**

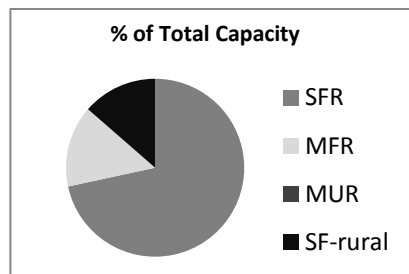
Note: City geographies are approximated by TAZ boundaries.

Household Forecast				
Year	SF	MF	Total	%APR
2010	1,343	315	1,658	
2025	1,832	330	2,162	1.8%
2035	2,258	324	2,582	1.8%
2040	2,350	350	2,700	0.9%

Households Change from 2010			
Year	SF	MF	Total
2025	489	15	504
2035	915	9	924
2040	1,007	35	1,042

2010-2045 Capacity Used			
Year	SF	MF	Total
2025	42%	8%	37%
2035	79%	4%	68%
2040	87%	18%	77%

2010-2045 Household Capacity by Type							
	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	968	200	0	184	1,152	200	1,352
% of Total	72%	15%	0%	14%	85%	15%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast				
Year	Retail	Service	Other	Total
2010	290	284	853	1,427
2025	541	664	1,365	2,570
2035	696	901	1,514	3,111
2040	772	1,008	1,574	3,354

2010-2045 Employment Cap.		
	IND	COM
Acres	25	89
% of Total	22%	78%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Fairview**

County **Multnomah**

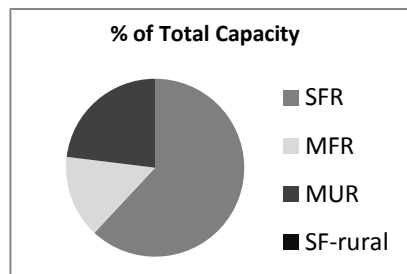
Note: City geographies are approximated by TAZ boundaries.

Household Forecast				
Year	SF	MF	Total	%APR
2010	1,677	1,954	3,631	
2025	1,968	1,998	3,966	0.6%
2035	1,927	2,076	4,003	0.1%
2040	1,932	2,099	4,031	0.1%

Households Change from 2010			
Year	SF	MF	Total
2025	291	44	335
2035	250	122	372
2040	255	145	400

2010-2045 Capacity Used			
Year	SF	MF	Total
2025	95%	23%	68%
2035	81%	65%	75%
2040	83%	77%	81%

2010-2045 Household Capacity by Type							
	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	307	74	114	0	307	189	496
% of Total	62%	15%	23%	0%	62%	38%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast				
Year	Retail	Service	Other	Total
2010	236	497	1,878	2,611
2025	437	2,317	3,074	5,828
2035	558	3,293	3,724	7,575
2040	613	3,655	4,045	8,313

2010-2045 Employment Cap.		
	IND	COM
Acres	222	81
% of Total	73%	27%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Forest Grove**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	4,775	2,717	7,492	
2025	6,949	2,864	9,813	1.8%
2035	6,999	3,380	10,379	0.6%
2040	7,221	3,849	11,070	1.3%

Households Change from 2010

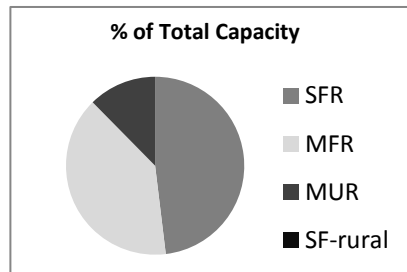
Year	SF	MF	Total
2025	2,174	147	2,321
2035	2,224	663	2,887
2040	2,446	1,132	3,578

2010-2045 Capacity Used

Year	SF	MF	Total
2025	93%	6%	48%
2035	95%	26%	60%
2040	100%	45%	74%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	2,332	1,918	601	0	2,332	2,518	4,850
% of Total	48%	40%	12%	0%	48%	52%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	882	2,018	2,617	5,517
2025	1,444	2,851	4,316	8,611
2035	1,747	3,455	5,343	10,545
2040	1,900	3,729	5,823	11,452

2010-2045 Employment Cap.

	IND	COM
Acres	228	54
% of Total	81%	19%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Gladstone**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	2,831	1,356	4,187	
2025	3,094	1,469	4,563	0.6%
2035	3,097	1,779	4,876	0.7%
2040	3,100	1,930	5,030	0.6%

Households Change from 2010

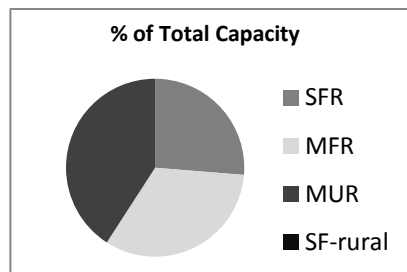
Year	SF	MF	Total
2025	263	113	376
2035	266	423	689
2040	269	574	843

2010-2045 Capacity Used

Year	SF	MF	Total
2025	95%	15%	36%
2035	96%	55%	65%
2040	97%	74%	80%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	277	346	430	0	277	776	1,052
% of Total	26%	33%	41%	0%	26%	74%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	702	546	883	2,131
2025	835	854	1,032	2,721
2035	903	1,040	1,092	3,035
2040	927	1,119	1,134	3,180

2010-2045 Employment Cap.

	IND	COM
Acres	3	20
% of Total	15%	85%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Gresham**

County **Multnomah**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	19,781	18,243	38,024	
2025	24,879	21,694	46,573	1.4%
2035	25,394	25,656	51,051	0.9%
2040	25,995	27,429	53,424	0.9%

Households Change from 2010

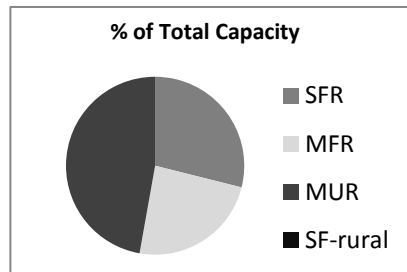
Year	SF	MF	Total
2025	5,098	3,451	8,549
2035	5,613	7,413	13,027
2040	6,214	9,186	15,400

2010-2045 Capacity Used

Year	SF	MF	Total
2025	85%	23%	41%
2035	94%	50%	63%
2040	100%	62%	74%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	6,001	4,960	9,797	0	6,001	14,757	20,758
% of Total	29%	24%	47%	0%	29%	71%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	7,353	8,871	16,408	32,632
2025	10,877	16,132	23,602	50,611
2035	12,334	20,154	26,079	58,567
2040	13,134	21,737	27,331	62,202

2010-2045 Employment Cap.

	IND	COM
Acres	885	335
% of Total	73%	27%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Happy Valley**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	4,162	273	4,435	
2025	9,498	400	9,898	5.5%
2035	9,898	512	10,410	0.5%
2040	9,894	583	10,477	0.1%

Households Change from 2010

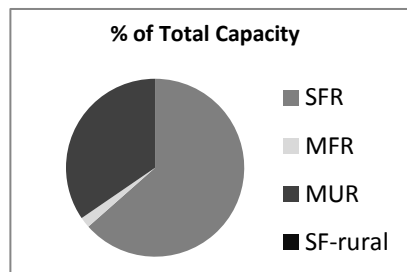
Year	SF	MF	Total
2025	5,336	127	5,463
2035	5,736	239	5,975
2040	5,732	310	6,042

2010-2045 Capacity Used

Year	SF	MF	Total
2025	100%	4%	68%
2035	100%	8%	74%
2040	100%	11%	75%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	5,120	156	2,787	0	5,120	2,944	8,064
% of Total	63%	2%	35%	0%	63%	37%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	241	256	621	1,118
2025	614	1,266	1,351	3,231
2035	789	1,842	1,616	4,247
2040	918	2,164	1,982	5,064

2010-2045 Employment Cap.

	IND	COM
Acres	228	132
% of Total	63%	37%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Hillsboro**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	18,575	14,251	32,826	
2025	21,240	19,427	40,667	1.4%
2035	21,762	23,211	44,973	1.0%
2040	21,849	25,301	47,150	0.9%

Households Change from 2010

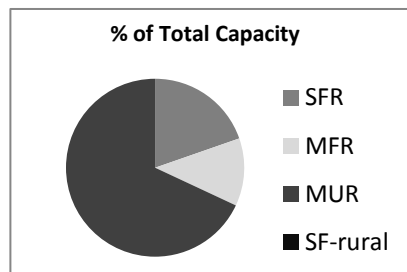
Year	SF	MF	Total
2025	2,665	5,176	7,841
2035	3,187	8,960	12,147
2040	3,274	11,050	14,324

2010-2045 Capacity Used

Year	SF	MF	Total
2025	83%	39%	48%
2035	99%	68%	74%
2040	100%	84%	87%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	3,223	2,014	11,151	0	3,223	13,165	16,387
% of Total	20%	12%	68%	0%	20%	80%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	9,584	14,449	34,227	58,260
2025	11,186	21,367	50,748	83,301
2035	12,152	25,518	55,733	93,403
2040	12,725	27,459	59,452	99,636

2010-2045 Employment Cap.

	IND	COM
Acres	1,194	365
% of Total	77%	23%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **King City**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	572	383	955	
2025	582	373	955	0.0%
2035	590	379	969	0.1%
2040	590	381	970	0.0%

Households Change from 2010

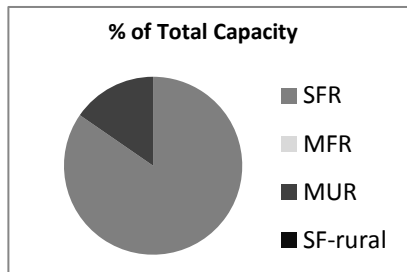
Year	SF	MF	Total
2025	10	-10	0
2035	18	-4	14
2040	18	-2	15

2010-2045 Capacity Used

Year	SF	MF	Total
2025	36%	-196%	0%
2035	62%	-69%	42%
2040	63%	-46%	46%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	28	0	5	0	28	5	33
% of Total	85%	0%	15%	0%	85%	15%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	137	269	64	470
2025	160	417	113	690
2035	173	511	137	821
2040	175	555	152	882

2010-2045 Employment Cap.

	IND	COM
Acres	0	7
% of Total	0%	100%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Lake Oswego**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	10,887	5,180	16,067	
2025	12,215	6,117	18,332	0.9%
2035	12,307	6,984	19,291	0.5%
2040	12,888	7,586	20,474	1.2%

Households Change from 2010

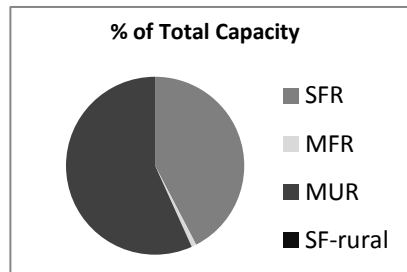
Year	SF	MF	Total
2025	1,328	937	2,265
2035	1,420	1,804	3,224
2040	2,001	2,406	4,407

2010-2045 Capacity Used

Year	SF	MF	Total
2025	74%	39%	54%
2035	80%	74%	77%
2040	100%	99%	100%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	1,785	37	2,391	0	1,785	2,428	4,213
% of Total	42%	1%	57%	0%	42%	58%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	2,553	7,024	8,670	18,247
2025	2,285	11,188	8,822	22,295
2035	2,323	11,584	8,879	22,786
2040	2,260	12,388	9,191	23,839

2010-2045 Employment Cap.

	IND	COM
Acres	19	198
% of Total	9%	91%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Milwaukie**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	5,934	2,307	8,241	
2025	6,934	2,426	9,360	0.9%
2035	7,166	2,574	9,740	0.4%
2040	7,178	2,624	9,802	0.1%

Households Change from 2010

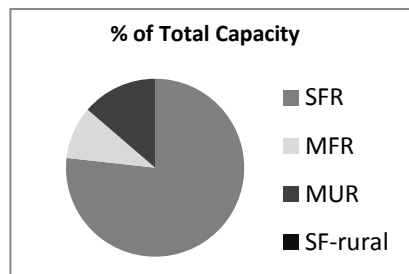
Year	SF	MF	Total
2025	1,000	119	1,119
2035	1,232	267	1,499
2040	1,244	317	1,561

2010-2045 Capacity Used

Year	SF	MF	Total
2025	76%	30%	65%
2035	93%	67%	87%
2040	94%	79%	91%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	1,320	164	235	0	1,320	399	1,719
% of Total	77%	10%	14%	0%	77%	23%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	1,403	3,527	6,658	11,588
2025	1,737	4,860	7,538	14,135
2035	1,944	5,751	7,712	15,407
2040	2,031	6,096	7,728	15,855

2010-2045 Employment Cap.

	IND	COM
Acres	44	26
% of Total	63%	37%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Molalla**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	3,539	204	3,743	
2025	4,145	238	4,383	1.1%
2035	5,020	239	5,259	1.8%
2040	5,236	242	5,477	0.8%

Households Change from 2010

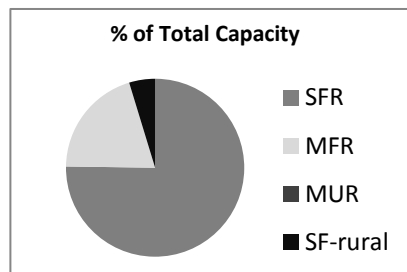
Year	SF	MF	Total
2025	606	34	640
2035	1,481	35	1,516
2040	1,697	38	1,734

2010-2045 Capacity Used

Year	SF	MF	Total
2025	30%	7%	26%
2035	74%	7%	61%
2040	85%	8%	70%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	1,875	500	0	118	1,992	500	2,492
% of Total	75%	20%	0%	5%	80%	20%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	639	416	1,628	2,683
2025	926	891	2,253	4,070
2035	1,118	1,216	2,515	4,849
2040	1,234	1,413	2,734	5,381

2010-2045 Employment Cap.

	IND	COM
Acres	25	90
% of Total	22%	78%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **North Plains**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	776	0	776	
2025	1,045	47	1,092	2.3%
2035	1,032	198	1,230	1.2%
2040	1,202	470	1,672	6.3%

Households Change from 2010

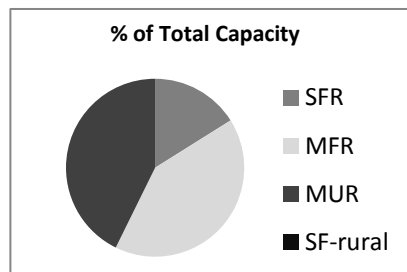
Year	SF	MF	Total
2025	269	47	316
2035	256	198	454
2040	426	470	896

2010-2045 Capacity Used

Year	SF	MF	Total
2025	48%	2%	9%
2035	45%	7%	13%
2040	76%	16%	26%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	563	1,442	1,495	0	563	2,937	3,500
% of Total	16%	41%	43%	0%	16%	84%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	84	125	643	852
2025	184	461	1,510	2,155
2035	244	662	1,919	2,825
2040	305	806	2,458	3,569

2010-2045 Employment Cap.

	IND	COM
Acres	224	66
% of Total	77%	23%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Oregon City**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	8,463	3,511	11,974	
2025	11,378	4,136	15,514	1.7%
2035	12,186	4,861	17,047	0.9%
2040	12,192	5,340	17,533	0.6%

Households Change from 2010

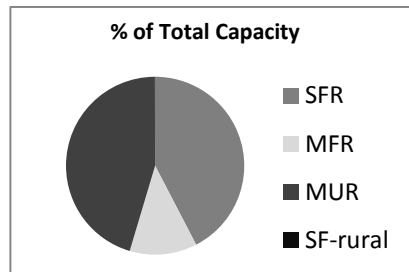
Year	SF	MF	Total
2025	2,915	625	3,540
2035	3,723	1,350	5,073
2040	3,729	1,829	5,559

2010-2045 Capacity Used

Year	SF	MF	Total
2025	91%	14%	47%
2035	100%	31%	67%
2040	100%	42%	74%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	3,187	921	3,410	4	3,191	4,331	7,522
% of Total	42%	12%	45%	0%	42%	58%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	3,081	3,727	7,580	14,388
2025	4,584	5,657	9,246	19,487
2035	5,418	6,990	10,077	22,485
2040	5,754	7,481	10,429	23,664

2010-2045 Employment Cap.

	IND	COM
Acres	86	189
% of Total	31%	69%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Portland**

County **Multnomah**

Note: Approximated by TAZ boundaries. Also includes Maywood Park.

Household Forecast

Year	SF	MF	Total	%APR
2010	143,801	104,915	248,716	
2025	163,609	163,566	327,175	1.8%
2035	165,636	204,068	369,704	1.2%
2040	167,243	222,584	389,827	1.1%

Households Change from 2010

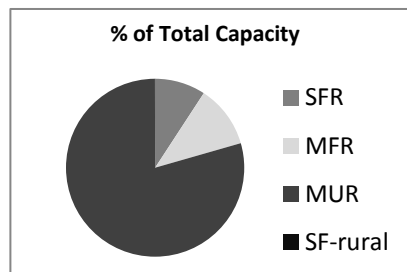
Year	SF	MF	Total
2025	19,808	58,651	78,459
2035	21,835	99,153	120,988
2040	23,442	117,669	141,111

2010-2045 Capacity Used

Year	SF	MF	Total
2025	100%	33%	40%
2035	100%	55%	61%
2040	100%	65%	71%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	18,235	22,491	157,289	78	18,313	179,780	198,093
% of Total	9%	11%	79%	0%	9%	91%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	65,150	139,116	170,076	374,342
2025	71,495	187,172	200,106	458,773
2035	76,134	218,147	214,199	508,482
2040	78,590	230,211	222,390	531,194

2010-2045 Employment Cap.

	IND	COM
Acres	1,608	983
% of Total	62%	38%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Sandy**

County **Clackamas**

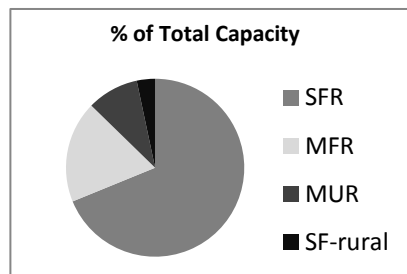
Note: City geographies are approximated by TAZ boundaries.

Household Forecast				
Year	SF	MF	Total	%APR
2010	3,809	516	4,325	
2025	5,138	553	5,691	1.8%
2035	6,954	681	7,635	3.0%
2040	8,748	746	9,494	4.5%

Households Change from 2010			
Year	SF	MF	Total
2025	1,329	37	1,366
2035	3,145	165	3,310
2040	4,939	230	5,169

2010-2045 Capacity Used			
Year	SF	MF	Total
2025	29%	2%	21%
2035	68%	9%	52%
2040	100%	13%	81%

2010-2045 Household Capacity by Type							
	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	4,399	1,180	600	213	4,612	1,780	6,392
% of Total	69%	18%	9%	3%	72%	28%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast				
Year	Retail	Service	Other	Total
2010	1,195	684	1,302	3,181
2025	1,846	1,438	2,210	5,494
2035	2,194	1,907	2,530	6,631
2040	2,631	2,348	3,175	8,154

2010-2045 Employment Cap.		
	IND	COM
Acres	83	285
% of Total	23%	77%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Sherwood**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	4,971	1,505	6,476	
2025	5,396	1,658	7,054	0.6%
2035	5,553	1,716	7,269	0.3%
2040	5,532	1,789	7,321	0.1%

Households Change from 2010

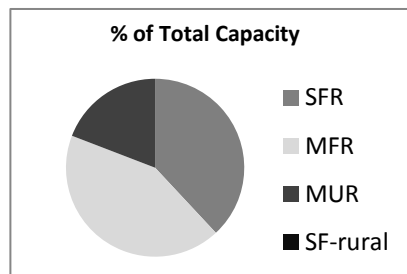
Year	SF	MF	Total
2025	425	153	578
2035	582	211	793
2040	561	284	845

2010-2045 Capacity Used

Year	SF	MF	Total
2025	84%	19%	43%
2035	100%	26%	59%
2040	100%	34%	63%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	507	571	255	0	507	826	1,333
% of Total	38%	43%	19%	0%	38%	62%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	1,103	1,206	1,907	4,216
2025	1,405	2,073	4,027	7,505
2035	1,643	2,604	5,005	9,252
2040	1,864	2,896	5,547	10,307

2010-2045 Employment Cap.

	IND	COM
Acres	322	70
% of Total	82%	18%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Tigard**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	12,035	6,632	18,667	
2025	14,290	8,630	22,920	1.4%
2035	15,120	10,877	25,997	1.3%
2040	15,307	11,809	27,116	0.8%

Households Change from 2010

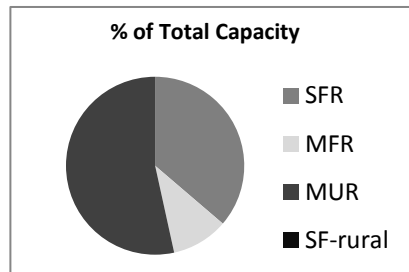
Year	SF	MF	Total
2025	2,255	1,998	4,253
2035	3,085	4,245	7,330
2040	3,272	5,177	8,449

2010-2045 Capacity Used

Year	SF	MF	Total
2025	69%	35%	47%
2035	94%	74%	81%
2040	100%	90%	94%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	3,266	928	4,814	0	3,266	5,742	9,008
% of Total	36%	10%	53%	0%	36%	64%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	9,072	11,901	16,196	37,169
2025	10,580	18,646	19,254	48,480
2035	10,764	23,818	19,650	54,232
2040	10,910	25,929	20,115	56,954

2010-2045 Employment Cap.

	IND	COM
Acres	94	304
% of Total	24%	76%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Troutdale**

County **Multnomah**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	3,981	1,806	5,787	
2025	4,430	1,954	6,384	0.7%
2035	4,506	2,126	6,632	0.4%
2040	4,585	2,211	6,796	0.5%

Households Change from 2010

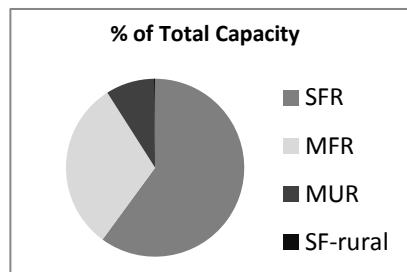
Year	SF	MF	Total
2025	449	148	597
2035	525	320	845
2040	604	405	1,009

2010-2045 Capacity Used

Year	SF	MF	Total
2025	59%	30%	47%
2035	69%	64%	67%
2040	80%	81%	80%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	755	389	111	3	758	500	1,257
% of Total	60%	31%	9%	0%	60%	40%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	1,272	493	2,361	4,126
2025	1,803	1,670	4,511	7,984
2035	2,039	2,357	5,615	10,011
2040	2,161	2,643	6,179	10,983

2010-2045 Employment Cap.

	IND	COM
Acres	494	79
% of Total	86%	14%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Tualatin**

County **Washington**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	5,391	4,847	10,238	
2025	5,919	5,100	11,019	0.5%
2035	5,980	5,190	11,170	0.1%
2040	6,078	5,215	11,293	0.2%

Households Change from 2010

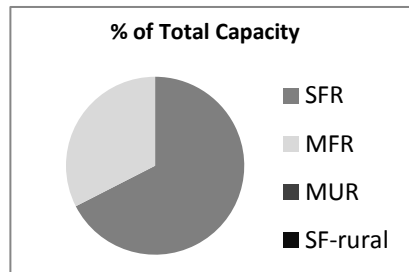
Year	SF	MF	Total
2025	528	253	781
2035	589	343	932
2040	687	368	1,055

2010-2045 Capacity Used

Year	SF	MF	Total
2025	94%	94%	94%
2035	100%	100%	100%
2040	100%	100%	100%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	559	269	0	0	559	269	828
% of Total	67%	33%	0%	0%	67%	33%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	4,372	6,140	12,460	22,972
2025	4,773	7,879	18,449	31,101
2035	5,066	8,868	21,305	35,239
2040	5,405	9,412	22,777	37,594

2010-2045 Employment Cap.

	IND	COM
Acres	434	26
% of Total	94%	6%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Unincorporated Clackamas County**

County **Clackamas**

Note: Approximated by TAZ boundaries. Also includes Johnson City and Rivergrove.

Household Forecast

Year	SF	MF	Total	%APR
2010	48,440	15,213	63,653	
2025	59,480	16,364	75,844	1.2%
2035	65,580	19,224	84,803	1.1%
2040	67,498	21,884	89,382	1.1%

Households Change from 2010

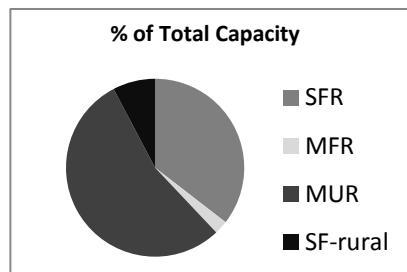
Year	SF	MF	Total
2025	11,040	1,151	12,191
2035	17,140	4,011	21,150
2040	19,058	6,671	25,729

2010-2045 Capacity Used

Year	SF	MF	Total
2025	29%	2%	14%
2035	45%	8%	24%
2040	50%	13%	29%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	31,357	2,187	48,018	6,828	38,184	50,205	88,389
% of Total	35%	2%	54%	8%	43%	57%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	13,058	16,124	28,456	57,638
2025	16,094	24,302	34,840	75,236
2035	17,764	31,789	36,532	86,085
2040	18,759	34,573	38,566	91,898

2010-2045 Employment Cap.

	IND	COM
Acres	2,258	558
% of Total	80%	20%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Unincorporated Multnomah County**

County **Multnomah**

Note: Approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	5,491	411	5,902	
2025	7,363	542	7,905	2.0%
2035	7,504	968	8,472	0.7%
2040	9,580	1,385	10,965	5.3%

Households Change from 2010

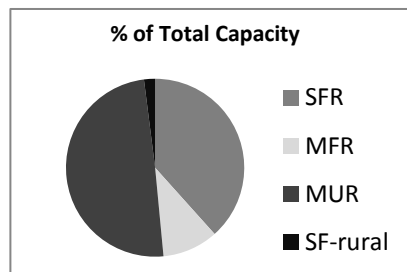
Year	SF	MF	Total
2025	1,872	131	2,003
2035	2,013	557	2,570
2040	4,089	974	5,063

2010-2045 Capacity Used

Year	SF	MF	Total
2025	30%	1%	13%
2035	32%	6%	17%
2040	66%	11%	33%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	5,922	1,565	7,642	310	6,232	9,207	15,439
% of Total	38%	10%	49%	2%	40%	60%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	470	856	1,909	3,235
2025	921	1,883	3,847	6,651
2035	1,133	2,534	4,312	7,979
2040	1,339	2,933	4,650	8,922

2010-2045 Employment Cap.

	IND	COM
Acres	430	83
% of Total	84%	16%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Unincorporated Washington County**

County **Washington**

Note: Approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	59,339	21,305	80,644	
2025	82,733	24,032	106,765	1.9%
2035	95,079	33,976	129,055	1.9%
2040	97,581	40,832	138,414	1.4%

Households Change from 2010

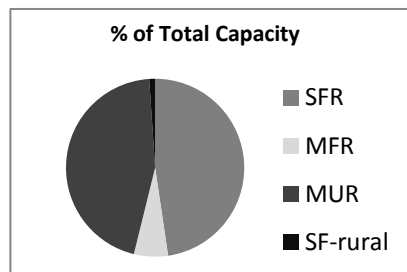
Year	SF	MF	Total
2025	23,394	2,727	26,121
2035	35,740	12,671	48,411
2040	38,242	19,527	57,770

2010-2045 Capacity Used

Year	SF	MF	Total
2025	43%	5%	24%
2035	66%	22%	44%
2040	71%	34%	52%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	52,925	6,868	50,059	1,184	54,108	56,927	111,035
% of Total	48%	6%	45%	1%	49%	51%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	6,540	15,267	21,851	43,658
2025	8,902	22,320	32,366	63,588
2035	10,553	28,859	46,499	85,911
2040	11,648	32,351	55,967	99,966

2010-2045 Employment Cap.

	IND	COM
Acres	3,956	708
% of Total	85%	15%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **West Linn**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	7,670	2,582	10,252	
2025	9,030	2,717	11,747	0.9%
2035	9,237	2,751	11,988	0.2%
2040	9,738	2,882	12,620	1.0%

Households Change from 2010

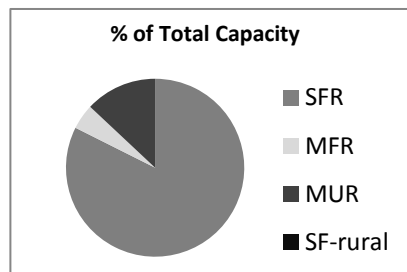
Year	SF	MF	Total
2025	1,360	135	1,495
2035	1,567	169	1,736
2040	2,068	300	2,368

2010-2045 Capacity Used

Year	SF	MF	Total
2025	80%	37%	72%
2035	92%	46%	84%
2040	100%	82%	100%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	1,709	95	270	0	1,709	365	2,074
% of Total	82%	5%	13%	0%	82%	18%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	966	1,593	1,693	4,252
2025	1,381	2,268	2,174	5,823
2035	1,517	2,683	2,331	6,531
2040	1,623	2,835	2,455	6,913

2010-2045 Employment Cap.

	IND	COM
Acres	9	43
% of Total	17%	83%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Wilsonville**

County **Clackamas**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	3,471	4,509	7,980	
2025	5,516	5,428	10,944	2.1%
2035	5,625	5,883	11,508	0.5%
2040	5,708	6,058	11,765	0.4%

Households Change from 2010

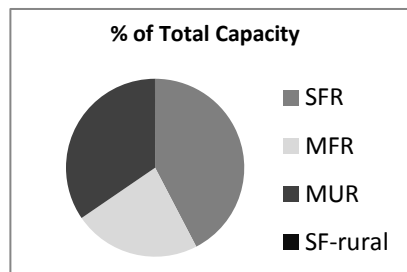
Year	SF	MF	Total
2025	2,045	919	2,964
2035	2,154	1,374	3,528
2040	2,237	1,549	3,785

2010-2045 Capacity Used

Year	SF	MF	Total
2025	100%	38%	70%
2035	100%	57%	84%
2040	100%	64%	90%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	1,783	973	1,454	1	1,785	2,427	4,212
% of Total	42%	23%	35%	0%	42%	58%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural

MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	2,480	4,839	9,754	17,073
2025	3,194	7,845	12,939	23,978
2035	3,536	9,733	14,150	27,419
2040	3,853	10,673	14,901	29,427

2010-2045 Employment Cap.

	IND	COM
Acres	316	172
% of Total	65%	35%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

METRO TAZ 'GAMMA' FORECAST -- JURISDICTION PROFILES

Published 11/15/2012 Metro Economic and Land Use Forecasting

City **Wood Village**

County **Multnomah**

Note: City geographies are approximated by TAZ boundaries.

Household Forecast

Year	SF	MF	Total	%APR
2010	458	1,081	1,539	
2025	492	1,088	1,580	0.2%
2035	488	1,121	1,609	0.2%
2040	489	1,192	1,680	0.9%

Households Change from 2010

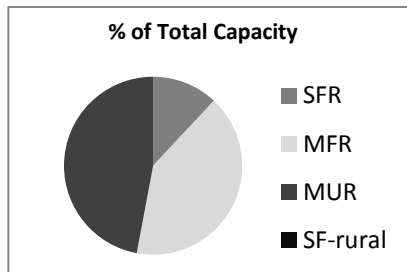
Year	SF	MF	Total
2025	34	7	41
2035	30	40	70
2040	31	111	141

2010-2045 Capacity Used

Year	SF	MF	Total
2025	91%	3%	13%
2035	81%	15%	22%
2040	82%	40%	45%

2010-2045 Household Capacity by Type

	SFR	MFR	MUR	SF-rural	All SF	All MF	Total
Capacity	37	128	146	0	37	274	311
% of Total	12%	41%	47%	0%	12%	88%	100%



SFR = Single Family Residential
MFR = Multi-Family Residential
MUR = Multi-Family, Mixed Use
SF-rural = Rural Single Family

SF = SFR + SF-rural
MF = MFR + MUR

Employment Forecast

Year	Retail	Service	Other	Total
2010	1,261	242	531	2,034
2025	1,609	828	1,259	3,696
2035	1,783	1,158	1,489	4,430
2040	1,870	1,298	1,607	4,775

2010-2045 Employment Cap.

	IND	COM
Acres	24	41
% of Total	37%	63%

DISCLAIMER: These data are for research purposes only, and do not reflect policy decisions by any jurisdictional authority.

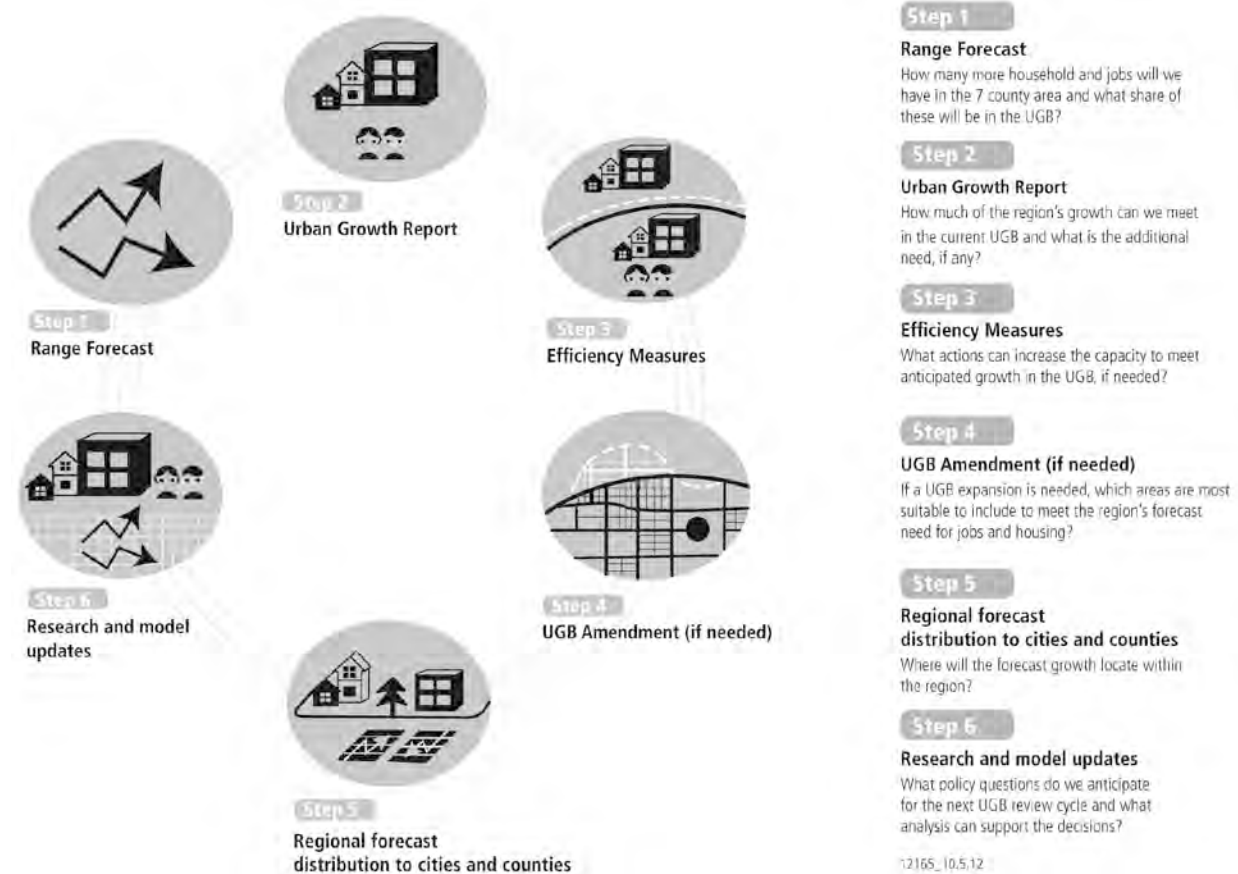
REGIONAL 2035 FORECAST DISTRIBUTION: EXECUTIVE SUMMARY

Purpose of this report

This Regional Growth Distribution report explains how Metro and local governments collaborated to forecast where population and employment forecast will be accommodated over the in 2035 based on current policies in zoning and adopted transportation plans, environmental regulations and development incentives. Planning for expected growth in population and jobs enable the region and local communities to make decisions that support good jobs, safe neighborhoods, protect farmland, and invest in public structures and services that enhance our quality of life.

Metro is required by Oregon law to forecast the population and employment growth that is expected for this region over the next 20 years. In 2009 Metro initiated its growth management decision process depicted in Figure 1. The first task in the process was the 2009 forecast of a range of 1.2 to 1.3 million households and 1.3 to 1.7 million jobs in the seven-county region (Clackamas, Clark, Columbia, Multnomah, Skamania, Yamhill, Washington) by 2030. Within the seven county total, Metro forecast the proportion expected to live and work within the Metro urban growth boundary (UGB).

Figure 1: Growth Management and Population and Employment Coordination Process



In 2010, the Metro Council adopted the capacity analysis which accounted for Regional Transportation Plan (RTP) investments and other actions that are likely to shape development patterns, and determined that some UGB expansion would likely be necessary. In 2011, the Metro Council made the urban growth boundary (UGB) decision based on investment policies and a point on the forecast range it picked.

The next step after the UGB decision, required by law, is the distribution of the forecast at smaller geographies to guide local and regional planning efforts as explained in this report. Oregon law (ORS 195.025; 195.036) requires Metro to coordinate a population forecast with local governments for planning purposes inside the UGB. Local governments that are scheduled to review and update their land use plans are expected by the Oregon Department of Land Conservation and Development to rely on the population and employment distribution information for their analysis. In addition to the state law, the Federal Clean Air Act requires Metro to use its forecast distributed at smaller geographies called traffic analysis zones (TAZ)¹ as the basis for its federally-required air quality conformity determination. This federal law requires Metro to show that the region will continue to meet the federal and state air quality regulations if the projects included in the RTP are built.

Metro has collaborated with local governments in the past to distribute the region's population and employment forecasts at the TAZ level. The last distribution, coordinated with local governments, was completed in 2006. The TAZ and city and county level distributions reflect adopted policies.

Metro Council adopted the household and employment forecast distributions by jurisdiction in November 2012 (Ordinance No. 12-1292) after the distributions were reviewed by Metro advisory committees – Metro Policy Advisory Committee, Joint Policy Advisory Committee on Transportation, Metro Technical Advisory Committee, Transportation Policy Alternatives Committee.



¹ The TAZ is the standard unit containing data representing the building blocks of Metro's key forecasting tools

How growth distribution information is used

Local governments and Metro rely on the population and employment forecast distribution to help build the future they want in the region and ensure that as jobs and population grow, they will be able to make wise investments that support economic development, safe neighborhoods and strong and vibrant communities, and minimize the burdens of growth.



The growth distribution information is useful for various entities:

Cities and Counties rely on the information to support their:

- Comprehensive plan update processes and address requirements for their periodic review of their land use plans
- Coordination of planning in areas outside Metro's jurisdictional boundary but within county boundaries.
- Planning of where to extend and upgrade pipes, roads and other essential public structures
- Identify needs necessary to update Transportation System Plan for consistency with the Regional Transportation Functional Plan and State Transportation Rule.

Schools and Special Districts can use the population and employment distribution for:

- Facility and financial planning
- Financial planning for facilities
- Parks planning
- Water and sewer system planning
- Sewer system planning
- Public school enrollment forecasting

Metro relies on the information to support:

- Updates to the Regional Transportation Plan
- Analysis of planning scenarios for the Climate Smart Communities Scenarios Project
- Transportation investments through the analysis of potential benefits of proposed projects within a half-mile radius of those projects

- Corridor planning such as the East Metro Connections Plan (EMCP) and Southwest Corridor Plan.



How Metro and local governments coordinated on growth distribution

There are two key steps in the actual forecast distribution coordinated by Metro and local governments:

- Estimating regional land supply -- existing housing and employment capacity, including undeveloped land that is available for development, based on existing zoning)
- Distributing the regional household and employment growth forecast to the available land supply

Land supply: Current approach of calculating residential land supply across the region is the buildable land inventory (BLI). The calculation method varies from one local government to another. Metro and local planners coordinated to refine the regional BLI method. The BLI method relies on local zoning to estimate the capacity of residential and employment land (how many residential units and acres of employment land can be accommodated in any area). However, not all zoned capacity will get used everywhere. The capacity estimation takes into account environmental constraints, rights of way, and future UGB expansion into urban reserves.

Additional capacity is realized from the decisions and policies made by some cities to encourage redevelopment in certain areas through incentive programs, such as urban renewal, tax abatement, streetscape and infrastructure improvements, and other policies. The additional capacity is added on top of the capacity that is based on residential and employment land zoning.

Distribution of the forecast: At this step in the process, the goal is to match the demand (forecast population and employment) with the supply (capacity of residential and employment land). The demand of forecast population was based on household size, income brackets, and age of households. Factors used to match the demand with the supply include built space by zone, location of household and employment, tenure choice (own or rent), type of building, estimate of development density, prices and cost of land, travel activity levels by mode and road segment, travel times between TAZs by time of day, and cost perceived by travelers in getting from any TAZ to another.

Summary of results

Figure 2 show the growth in households, displayed in housing units, captured inside the Metro UGB and the number of housing units captured by communities outside the Metro UGB. The forecast distribution indicates 4% decrease in the total number of single-family units captured by local governments inside the UGB (from 68% in 2010 to 64% in 2035), and slight (1%) increase in the number of multi-family units captured by local governments inside the UGB (from 83% in 2010 to 84% in 2035).

Figure 2: Housing Units (for Household) Forecast

Area	2010		2035		2010-2035 change	
	Single-Family	Multi-Family	Single-Family	Multi-Family	Single-Family	Multi-Family
Inside Metro UGB	357,090 (68%)	236,346 (83%)	452,823 (64%)	384,225 (84%)	95,733 (53%)	147,879 (84%)
Outside Metro UGB	170,422 (32%)	47,872 (17%)	256,610 (36%)	75,309 (16%)	86,188 (47%)	27,437 (16%)
Seven county PMSA	527,512 (100%)	284,218 (100%)	709,433 (100%)	459,534 (100%)	181,921 (100%)	175,316 (100%)

Figure 3 show the growth in jobs captured inside the Metro UGB and the number captured by communities outside the Metro UGB. The forecast distribution indicates a decrease in the total number of jobs units captured by local governments inside the UGB (from 82% in 2010 to 79% in 2035).

Figure 3: Employment Forecast

Area	2010	2035	2010-2035 change
Inside Metro UGB	753,032 (82%)	1,118,440 (79%)	365,408 (74%)
Outside Metro UGB	163,364 (18%)	294,167 (21%)	130,803 (26%)
Seven county PMSA	916,396 (100%)	1,412,607 (100%)	496,211 (100%)

Further analysis of the forecast distribution data reveals the following takeaways:

The TAZ level forecast distribution reflects Metro 2040 program objectives

- 32% growth in Centers and 17% in Corridors (2010-2035)
- Strong redevelopment and infill
- Future residential density rises to 12.3 unit/acre
- Growth splits of 60% MF and 40% SF (2010-2035)

Monitoring Needs:

- Single-family housing prices – step rise from 2030 to 2035.
- Capture rate for single family residential
- Commute patterns: distribution “tails” for long distance commuters begin to rise

40% increase in UGB population and 10% land absorption (2010-2035)

Future improvement of land supply estimation approach

Comments from local governments during the estimation of regional land supply acknowledged improvements in the residential capacity methodology so as to match households and land supply correctly in the long-term. The comments emphasized areas where the methodology could be further improved, such as residential location choice, including quality-of-life factors that influences a person's preference for single- or multi-family housing, and generational shift. The comments also emphasized the need to consider the difference between housing preference and living preference. In response, Metro has identified future research on:

- Residential choice study enhanced with market segmentation
- Redevelopment supply assumption refinement

It is anticipated that the research would further refine the residential capacity assumptions and methodology, provide valuable insight into how people weigh transportation and housing costs when deciding where to live, and illustrate differentiation of the full range of housing needs in the region. Implementation of the research is dependent on funding availability.

Sharing the information

[TO BE ADDED: FTP and Web addresses where interested persons can find the growth distribution information]

The forecast distribution data and other information can be found at the following FTP site.

ftp://ftp.oregonmetro.gov/dist/gm/TazAlloc2010/FINAL_2035-2040_TAZforecast/

CLICK HERE FOR FULL DOCUMENT

Attachment **65** (Staff Report to Ordinance no. 12-1292A)

Technical Documentation

Regional Forecast Distribution Methodology & Assumptions

Population and Employment

2010-40 TAZ Forecast Distribution “gamma scenario”

Metro

Research Center and Planning and Development Department

November 2012

CLICK HERE FOR FULL DOCUMENT

Attachment **76** (Staff Report to Ordinance No 12-1292A)

Metro Regional Forecast Distribution Coordination Meetings and Discussions

- **Regional Planning Directors' Meetings**
- **County Coordination Meetings**
- **Local Governments' Comments and Metro Response on the 2025 mid-term and 2035/2040 long-term distributions**

Metro

Research Center and Planning and Development Department

November 2012

Agenda Item No. 7.2

Ordinance No. 12-1294, For the Purpose of Amending Metro Code Chapter 2.19.100 Regarding Term Length and Membership of the Public Engagement Review Committee (PERC).

Ordinances – Second Read

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO CODE)
CHAPTER 2.19.100 REGARDING TERM LENGTH)
AND MEMBERSHIP OF THE PUBLIC)
ENGAGEMENT REVIEW COMMITTEE (PERC))
ORDINANCE NO. 12-1294
Introduced by Councilor Kathryn Harrington

WHEREAS, in furtherance of Metro’s Principles of Citizen Involvement, set forth in Resolution No. 97-2433, adopted January 23, 1997, the Metro Council established an Advisory Committee known as the Public Engagement Review Committee (PERC), to advise the Metro Council on the development and maintenance of programs and procedures to aid communication between the public and the Metro Council;

WHEREAS, as a result of engagement with community stakeholders and leaders to recruit members to PERC, the Metro Council finds that flexibility to add additional members to PERC and to lengthen and stagger the terms of all PERC members will allow PERC to better fulfill its mission; and now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS that:

- 1. Metro Code Chapter 2.19.100(b) is hereby amended as set forth in the redlined version of Metro Code Chapter 2.19.100(b), attached hereto as Exhibit A and incorporated herein.
- 2. This Ordinance being necessary for the health, safety or welfare of the Metro area in order to further Metro’s Principles of Citizen Involvement, an emergency is declared to exist, and this Ordinance takes effect upon passage

ADOPTED by the Metro Council this _____ day of November 2012.

Tom Hughes, Council President

Attest:

Approved as to Form:

Kelsey Newell, Recording Secretary

Alison Kean Campbell, Metro Attorney

Exhibit A to Ordinance 12-1294

CHAPTER 2.19
METRO ADVISORY COMMITTEES
2.19.100 Public Engagement Review Committee (PERC)

(b) Membership. The PERC consists of at least nine (9) members as follows:

At least three (3) at large representatives from the region, each of whom may be appointed for either a one, two, or three year term, subject to the limitations in Chapter 2.19.030(c)(2) on serving more than two (2) consecutive terms.

~~Three~~ At least three (3) representatives appointed from nominees of community associations, cooperatives, or other nonprofit groups in the region, each of whom may be appointed for either a one, two, or three year term. Notwithstanding Chapter 2.19.030(c)(3)(B), representatives appointed from these groups shall not outnumber the number of at-large representative and will be subject to the limitations on ~~terms~~ serving more than two (2) consecutive terms as provided in Chapter 2.19.030(c)(2).

One (1) representative who is a county employee from each of Clackamas, Multnomah and Washington Counties (for a total of three (3), for term lengths determined by the appointing jurisdiction. Each county will nominate an employee whose duties with the county are in a public engagement capacity. A county may alternatively nominate an employee of a local government entity (such as a city or special district) within such county whose duties with such entity are in a public engagement capacity, with the consent of the entity's administrator.

STAFF REPORT

FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 2.19.100 REGARDING TERM LENGTH AND MEMBERSHIP OF THE PUBLIC ENGAGEMENT REVIEW COMMITTEE (PERC)

Date: Nov. 6, 2012

Prepared by: Heather Coston ext. 7552

BACKGROUND

Following a public hearing on May 24, 2012, the Metro council approved amending the Metro Code regarding the Office of Citizen Involvement to dissolve the Metro Committee for Citizen Involvement and establish a new standing public committee, the Public Engagement Review Committee (PERC). The PERC will convene twice a year and consist of at-large community members, representatives from three community organizations and public involvement staff from Clackamas, Multnomah and Washington counties.

The PERC will serve as a key component of Metro's ongoing efforts to develop and implement successful public engagement processes. The committee will also assist with Metro's annual public engagement report, Opt In public engagement review survey and annual community summit.

PUBLIC ENGAGEMENT REVIEW COMMITTEE STRUCTURAL CHANGES

Staff recommends changes to the original ordinance to provide structural improvements.

1. Amend the ordinance to nominate committee members to one, two or three-year terms instead of the two-year terms that originated with the MCCI. The PERC meets twice a year, so by increasing the terms to up to three years, members will have more time to participate and develop their role on the committee. In the inaugural year staff is recommending that some members serve one or two-year terms in order to have a rotating membership and recruitment process. Member recruitment will occur annually for one-third of the community member and community organization positions in order to ensure continuity on the committee. Local jurisdiction representatives will be reappointed as desired by the sponsoring county. This will allow staff to stagger the influx of new members so there is not an entirely new committee every three years.
2. Amend the ordinance to allow additional community organization representatives on the committee. This additional flexibility will give council the option to include more members in the future, if it will help PERC better represent the diversity of the region.

ANALYSIS/INFORMATION

1. **Known Opposition** None
2. **Legal Antecedents** Resolution No. 97-2433 establishing Metro's Principles of Citizen Involvement; and Metro Code Chapter 2.19.030.
3. **Anticipated Effects** Flexibility to add additional members to PERC and to lengthen and stagger the terms of all PERC members will allow for more continuity and diverse representation.

4. **Budget Impacts** No budget impacts. Program needs are addressed through a shifting of existing staff resources and accessing Communications M&S included in the COO proposed budget for FY 2012-13.

RECOMMENDED ACTION

Amend Metro Code Section 2.19.030 to allow one, two and three-year terms instead of the two-year terms that originated with the MCCI.

Amend Metro Code Section 2.19.030 to allow additional representatives of community organizations.

Agenda Item No. 7.3

Ordinance No. 12-1295, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule and the FY 2012-13 Through 2016-17 Capital Improvement Plan.

Ordinances – Second Read

Metro Council Meeting
Thursday, Nov. 29, 2012
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AMENDING THE FY 2012-13 BUDGET AND) ORDINANCE NO. 12-1295
APPROPRIATIONS SCHEDULE AND THE FY)
2012-13 THROUGH 2016-17 CAPITAL) Introduced by Martha Bennett, Chief
IMPROVEMENT PLAN) Operating Officer, with the concurrence of
) Council President Tom Hughes

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2012-13 Budget; and

WHEREAS, Metro Code chapter 2.02.040 requires Metro Council approval to add any new position to the budget; and

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

WHEREAS, adequate funds exist for other identified needs; and

WHEREAS, ORS 294.463(1) provides for transfers of appropriations within a fund, including transfers from contingency that do not exceed 15 percent of a fund's appropriations, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction, and

WHEREAS, ORS 294.463(3) provides for transfers of appropriations or of appropriations and a like amount of budget resources between funds of the municipal corporation when authorized by an official resolution or ordinance of the governing body stating the need for the transfer, now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2012-13 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of recognizing new grants, contributions and donations, and transferring appropriations to provide for a change in operations..
2. That the FY 2012-13 through FY 2016-17 Capital Improvement Plan is hereby amended accordingly.
3. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____ 2012.

Tom Hughes, Council President

Attest:

Approved as to Form:

Kelsey Newell, Recording Secretary

Alison Kean Campbell, Metro Attorney

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Total Resources							
<u>Resources</u>							
<i>BEGBAL Beginning Fund Balance</i>							
	Beginning Fund Balance						
3400	* Undesignated		8,797,000		0		8,797,000
3400	* Reserved for CAP Adjustments		731,194		0		731,194
3261	* Prior period adjustment: TOD		2,060,195		0		2,060,195
3400	* Project Carryover		426,597		0		426,597
3400	* Reserve for Future One-Time Expenditures		1,313,255		0		1,313,255
3303	* Reserved for Local Gov't Grants (CET)		3,342,369		0		3,342,369
3403	* Reserve for Future Debt Service		2,682,093		0		2,682,093
3400	* Reserved for Metro Export Initiative		75,000		0		75,000
3405	* Reserved for Community Investment Initiat		1,072,000		0		1,072,000
3400	* Reserved for Future Planning Needs		502,546		0		502,546
3400	* Reserved for Nature in Neighborhood Gran		147,234		0		147,234
3400	* Reserve for Future Natural Areas Operatio		204,460		0		204,460
3415	* Prior year PERS Reserve		6,267,764		0		6,267,764
	<i>Subtotal Beginning Fund Balance</i>		<i>27,621,707</i>		<i>0</i>		<i>27,621,707</i>
<u>General Revenues</u>							
<i>EXCISE Excise Tax</i>							
4050	Excise Taxes		15,639,971		0		15,639,971
4055	Construction Excise Tax		1,760,000		0		1,760,000
<i>RPTAX Real Property Taxes</i>							
4010	Real Property Taxes-Current Yr		11,729,132		0		11,729,132
4015	Real Property Taxes-Prior Yrs		352,000		0		352,000
<i>INTRST Interest Earnings</i>							
4700	Interest on Investments		31,000		0		31,000
	<i>Subtotal General Revenues</i>		<i>29,512,103</i>		<i>0</i>		<i>29,512,103</i>
<u>Department Revenues</u>							
<i>GRANTS Grants</i>							
4100	Federal Grants - Direct		2,859,471		0		2,859,471
4105	Federal Grants - Indirect		4,941,774		0		4,941,774
4110	State Grants - Direct		763,970		0		763,970
4120	Local Grants - Direct		2,227,743		0		2,227,743
<i>LGSHRE Local Gov't Share Revenues</i>							
4135	Marine Board Fuel Tax		69,201		0		69,201
4139	Other Local Govt Shared Rev.		469,886		0		469,886
<i>GVCNTB Contributions from Governments</i>							
4145	Government Contributions		2,929,628		0		2,929,628
4150	Contractor's Business License		380,000		0		380,000
<i>CHGSVC Charges for Service</i>							
4165	Boat Launch Fees		158,622		0		158,622
4180	Contract & Professional Service		594,837		0		594,837
4230	Product Sales		164,558		0		164,558
4280	Grave Openings		257,524		0		257,524
4285	Grave Sales		240,728		0		240,728
4500	Admission Fees		6,597,002		0		6,597,002
4501	Conservation Surcharge		144,900		0		144,900
4502	Admission Fees - Memberships		1,773,100		0		1,773,100
4503	Admission Fees - Special Concerts		1,405,152		0		1,405,152

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Total Resources							
4510	Rentals		768,552		0		768,552
4550	Food Service Revenue		5,637,726		0		5,637,726
4560	Retail Sales		2,270,408		0		2,270,408
4580	Utility Services		2,056		0		2,056
4610	Contract Revenue		686,095		0		686,095
4620	Parking Fees		931,960		0		931,960
4630	Tuition and Lectures		1,084,844		20,940		1,105,784
4635	Exhibit Shows		381,200		0		381,200
4640	Railroad Rides		729,330		0		729,330
4645	Reimbursed Services		257,600		0		257,600
4650	Miscellaneous Charges for Service		15,075		0		15,075
4760	Sponsorships		260,282		0		260,282
<i>DONAT</i>	<i>Contributions from Private Sources</i>						
4750	Donations and Bequests		500,927		0		500,927
<i>MISCRV</i>	<i>Miscellaneous Revenue</i>						
4170	Fines and Forfeits		25,000		0		25,000
4890	Miscellaneous Revenue		148,881		0		148,881
<i>LOANRV</i>	<i>Interfund Loan - Resource</i>						
4960	Interfund Loan - Principal						
	* from MERC Fund		220,000		0		220,000
4965	Interfund Loan - Interest						
	* from MERC Fund		11,000		0		11,000
<i>EQTREV</i>	<i>Fund Equity Transfers</i>						
4970	Transfer of Resources						
	* from Risk Management Fund		295,207		0		295,207
<i>INDTRV</i>	<i>Interfund Reimbursements</i>						
4975	Transfer for Indirect Costs						
	* from MERC Operating Fund		2,498,424		0		2,498,424
	* from Zoo Bond Fund		288,252		0		288,252
	* from Natural Areas Fund		1,280,235		0		1,280,235
	* from Solid Waste Revenue Fund		4,524,896		0		4,524,896
<i>INTSRV</i>	<i>Internal Service Transfers</i>						
4980	Transfer for Direct Costs						
	* from Zoo Bond Fund		1,638		0		1,638
	* from MERC Operating Fund		161,056		0		161,056
	* from Natural Areas Fund		492,945		0		492,945
	* from Smith & Bybee Lakes Fund		104,841		0		104,841
	* from Solid Waste Revenue Fund		3,284,623		0		3,284,623
<i>Subtotal Department Revenues</i>			<i>52,841,149</i>		<i>20,940</i>		<i>52,862,089</i>
TOTAL RESOURCES			\$109,974,959		\$20,940		\$109,995,899

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Communications							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Specialist IV	1.00	57,953	-	0	1.00	57,953
	Associate Public Affairs Specialist	7.75	429,697	-	0	7.75	429,697
	Associate Visual Communications Desig	1.00	60,837	-	0	1.00	60,837
	Director	1.00	132,300	-	0	1.00	132,300
	Manager II	3.00	277,195	-	0	3.00	277,195
	Program Supervisor II	1.00	81,624	-	0	1.00	81,624
	Senior Management Analyst	1.00	63,899	-	0	1.00	63,899
	Senior Public Affairs Specialist	6.00	433,558	-	0	6.00	433,558
	Senior Visual Communications Designer	1.00	62,500	-	0	1.00	62,500
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		12,769		0		12,769
	Step Increases (AFSCME)		17,735		0		17,735
	COLA (represented employees)		28,819		0		28,819
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		141,114		0		141,114
5120	Fringe Benefits - Retirement PERS		235,665		0		235,665
5130	Fringe Benefits - Health & Welfare		303,421		(35,618)		267,803
5140	Fringe Benefits - Unemployment		1,972		0		1,972
5150	Fringe Benefits - Other Benefits		9,059		0		9,059
Total Personnel Services		23.13	\$2,371,443	0.00	(\$35,618)	23.13	\$2,335,825
Total Materials & Services			\$261,500		\$0		\$261,500
TOTAL REQUIREMENTS		23.13	\$2,632,943	0.00	(\$35,618)	23.13	\$2,597,325

**Exhibit A
Ordinance No. 12-1295**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Council Office							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5000	Elected Official Salaries						
	Council President	1.00	114,468	-	0	1.00	114,468
	Councilor	6.00	228,936	-	0	6.00	228,936
5010	Reg Employees-Full Time-Exempt						
	Assistant to the Council President	1.00	96,742	-	0	1.00	96,742
	Chief Operating Officer	1.00	180,250	-	0	1.00	180,250
	Council President Policy Coordinator	1.00	54,956	-	0	1.00	54,956
	Council Policy Analyst	3.00	166,047	-	0	3.00	166,047
	Deputy Chief Operating Officer	1.00	160,322	-	0	1.00	160,322
	Manager II	1.00	89,000	-	0	1.00	89,000
	Policy Analyst	1.00	57,154	-	0	1.00	57,154
	Policy Advisor I	2.00	183,462	-	0	2.00	183,462
	Policy Advisor II	2.38	335,819	-	0	2.38	335,819
	Program Analyst II	1.00	53,909	-	0	1.00	53,909
	Program Analyst III	1.00	60,383	-	0	1.00	60,383
	Program Analyst IV	2.00	134,599	-	0	2.00	134,599
	Program Analyst V	1.00	73,500	-	0	1.00	73,500
5015	Reg Empl-Full Time-Non-Exempt						
5020	Reg Emp-Part Time-Exempt						
5030	Temporary Employees - Hourly		115,000		0		115,000
5031	Temporary Employees - Salaried		16,432		0		16,432
5080	Overtime		5,000		0		5,000
5086	Mobile Communication Allowance		11,650		0		11,650
5089	Salary Adjustments				0		
	Merit/COLA Adjustment (non-rep)		32,291		0		32,291
	Other Adjustments (non-represented)		239,417		0		239,417
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		190,670		0		190,670
5120	Fringe Benefits - Retirement PERS		329,121		0		329,121
5130	Fringe Benefits - Health & Welfare		358,832		(42,562)		316,270
5140	Fringe Benefits - Unemployment		30,689		0		30,689
5150	Fringe Benefits - Other Benefits		10,641		0		10,641
Total Personnel Services		26.39	\$3,400,881	0.00	(\$42,562)	26.39	\$3,358,319
Total Materials & Services			\$796,921		\$0		\$796,921
TOTAL REQUIREMENTS		26.39	\$4,197,802	0.00	(\$42,562)	26.39	\$4,155,240

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Finance & Regulatory Services							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Accountant II	4.00	249,650	-	0	4.00	249,650
	Accountant III	1.00	67,048	-	0	1.00	67,048
	Associate Management Analyst	3.00	197,995	-	0	3.00	197,995
	Budget Coordinator	1.00	85,811	-	0	1.00	85,811
	Capital Projects Coordinator	1.00	85,537	-	0	1.00	85,537
	Director	1.00	140,232	-	0	1.00	140,232
	Deputy Director	1.00	130,472	-	0	1.00	130,472
	Investment Coordinator	1.00	77,587	-	0	1.00	77,587
	Manager I	3.00	268,103	-	0	3.00	268,103
	Manager II	4.00	409,008	-	0	4.00	409,008
	Program Analyst III	2.00	132,948	-	0	2.00	132,948
	Program Analyst V	1.00	76,609	-	0	1.00	76,609
	Program Supervisor I	1.00	71,743	-	0	1.00	71,743
	Senior Management Analyst	1.00	73,892	-	0	1.00	73,892
5015	Reg Empl-Full Time-Non-Exempt						
	Accountant I	1.00	55,058	-	0	1.00	55,058
	Accounting Specialist	1.00	49,858	-	0	1.00	49,858
	Accounting Technician II	3.50	151,133	-	0	3.50	151,133
	Administrative Assistant I	1.00	39,520	-	0	1.00	39,520
	Administrative Assistant III	1.00	46,218	-	0	1.00	46,218
	Program Assistant 3	0.67	36,824	-	0	0.67	36,824
5020	Reg Emp-Part Time-Exempt						
	Assistant Management Analyst	0.70	42,586	-	0	0.70	42,586
5086	Mobile Communication Allowance		1,200		0		1,200
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		38,641		0		38,641
	Step Increases (AFSCME)		16,026		0		16,026
	COLA (represented employees)		26,042		0		26,042
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		215,685		0		215,685
5120	Fringe Benefits - Retirement PERS		358,904		0		358,904
5130	Fringe Benefits - Health & Welfare		456,333		(47,656)		408,677
5140	Fringe Benefits - Unemployment		5,985		0		5,985
5150	Fringe Benefits - Other Benefits		14,394		0		14,394
Total Personnel Services		33.87	\$3,621,042	0.00	(\$47,656)	33.87	\$3,573,386
Total Materials & Services			\$597,233		\$0		\$597,233
TOTAL REQUIREMENTS		33.87	\$4,218,275	0.00	(\$47,656)	33.87	\$4,170,619

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Human Resources							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Director	1.00	138,153	-	0	1.00	138,153
	Manager I	1.00	80,913	-	0	1.00	80,913
	Manager II	1.00	88,144	-	0	1.00	88,144
	Program Analyst III	2.75	166,251	-	0	2.75	166,251
	Program Analyst IV	3.00	205,282	-	0	3.00	205,282
	Program Analyst V	3.00	224,891	-	0	3.00	224,891
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	4.00	182,162	-	0	4.00	182,162
	Payroll Specialist	2.00	95,119	-	0	2.00	95,119
5080	Overtime		1,000		0		1,000
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		28,231		0		28,231
	Step Increases (AFSCME)		1,522		0		1,522
	COLA (represented employees)		2,473		0		2,473
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		102,017		0		102,017
5120	Fringe Benefits - Retirement PERS		168,946		0		168,946
5130	Fringe Benefits - Health & Welfare		237,050		(32,199)		204,851
5140	Fringe Benefits - Unemployment		35,725		0		35,725
5150	Fringe Benefits - Other Benefits		6,722		0		6,722
Total Personnel Services		17.75	\$1,764,601	0.00	(\$32,199)	17.75	\$1,732,402
Total Materials & Services			\$402,431		\$0		\$402,431
TOTAL REQUIREMENTS		17.75	\$2,167,032	0.00	(\$32,199)	17.75	\$2,134,833

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Information Services							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Manager I	3.00	257,461	-	0	3.00	257,461
	Program Director	1.00	102,294	-	0	1.00	102,294
	Program Supervisor II	1.00	68,294	-	0	1.00	68,294
	Records & Information Analyst	2.50	144,034	-	0	2.50	144,034
	System Administrator III	3.00	233,249	-	0	3.00	233,249
	System Administrator IV	1.00	70,398	-	0	1.00	70,398
	System Analyst II	2.00	133,756	-	0	2.00	133,756
	System Analyst III	5.00	396,141	-	0	5.00	396,141
	System Analyst IV	2.00	175,234	-	(32,000)	2.00	143,234
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	1.00	47,570	-	0	1.00	47,570
	Technical Specialist II	4.00	242,445	-	0	4.00	242,445
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		11,902		0		11,902
	Step Increases (AFSCME)		23,156		0		23,156
	COLA (represented employees)		36,858		0		36,858
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		157,536		(2,900)		154,636
5120	Fringe Benefits - Retirement PERS		263,283		(3,600)		259,683
5130	Fringe Benefits - Health & Welfare		346,015		(15,030)		330,985
5140	Fringe Benefits - Unemployment		16,542		0		16,542
5150	Fringe Benefits - Other Benefits		10,225		0		10,225
Total Personnel Services		25.50	\$2,736,393	0.00	(\$53,530)	25.50	\$2,682,863
Total Materials & Services			\$903,960		\$0		\$903,960
TOTAL REQUIREMENTS		25.50	\$3,640,353	0.00	(\$53,530)	25.50	\$3,586,823

**Exhibit A
Ordinance No. 12-1295**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Metro Auditor							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5000	Elected Official Salaries						
	Auditor	1.00	91,574	-	0	1.00	91,574
5010	Reg Employees-Full Time-Exempt						
	Auditor's Administrative Assistant	1.00	48,751	-	0	1.00	48,751
	Principal Auditor	2.00	161,773	-	0	2.00	161,773
	Senior Auditor	2.00	144,448	-	0	2.00	144,448
5030	Temporary Employees - Hourly		15,000		0		15,000
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		9,229		0		9,229
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		39,538		0		39,538
5120	Fringe Benefits - Retirement PERS		71,574		0		71,574
5130	Fringe Benefits - Health & Welfare		79,920		9,016		88,936
5150	Fringe Benefits - Other Benefits		2,467		0		2,467
Total Personnel Services		6.00	\$664,274	0.00	\$9,016	6.00	\$673,290
Total Materials & Services			\$44,474		\$0		\$44,474
TOTAL REQUIREMENTS		6.00	\$708,748	0.00	\$9,016	6.00	\$717,764

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Office of Metro Attorney							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Legal Counsel II	5.00	557,752	-	0	5.00	557,752
	Metro Attorney	1.00	168,100	-	0	1.00	168,100
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	1.00	53,768	-	0	1.00	53,768
	Legal Secretary	3.00	147,846	-	0	3.00	147,846
	Paralegal II	2.00	119,434	-	0	2.00	119,434
5020	Reg Emp-Part Time-Exempt						
	Legal Counsel II	2.50	262,280	-	0	2.50	262,280
5030	Temporary Employees - Hourly		10,000		0		10,000
5080	Overtime		5,000		0		5,000
5086	Mobile Communication Allowance		3,350		0		3,350
5089	Salary Adjustments				0		
	Merit/COLA Adjustment (non-rep)		29,668		0		29,668
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		113,626		0		113,626
5120	Fringe Benefits - Retirement PERS		188,185		0		188,185
5130	Fringe Benefits - Health & Welfare		193,140		(13,967)		179,173
5140	Fringe Benefits - Unemployment		2,958		0		2,958
5150	Fringe Benefits - Other Benefits		6,865		0		6,865
Total Personnel Services		14.50	\$1,861,972	0.00	(\$13,967)	14.50	\$1,848,005
Total Materials & Services			\$65,200		\$0		\$65,200
TOTAL REQUIREMENTS		14.50	\$1,927,172	0.00	(\$13,967)	14.50	\$1,913,205

**Exhibit A
Ordinance No. 12-1295**

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Oregon Zoo							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Specialist IV	1.00	57,952	-	0	1.00	57,952
	Associate Natural Resource Sci	1.00	70,398	-	0	1.00	70,398
	Associate Public Affairs Special	1.00	52,581	-	0	1.00	52,581
	Associate Visual Communicatio	2.00	121,674	-	0	2.00	121,674
	Director	1.00	150,800	-	0	1.00	150,800
	Deputy Conservation Manager	1.00	68,294	-	0	1.00	68,294
	Deputy Director	2.00	237,511	-	0	2.00	237,511
	Events Coordinator	1.00	57,746	-	0	1.00	57,746
	Education Specialist III	6.00	392,792	-	0	6.00	392,792
	General Manager of Visitor Ven	0.25	40,081	-	0	0.25	40,081
	Manager I	1.50	120,203	-	0	1.50	120,203
	Manager II	4.00	371,910	-	0	4.00	371,910
	Program Analyst II	3.15	175,575	-	0	3.15	175,575
	Program Analyst III	1.00	73,326	-	0	1.00	73,326
	Program Analyst IV	1.00	68,294	-	0	1.00	68,294
	Program Director	1.00	108,514	-	0	1.00	108,514
	Program Supervisor I	1.00	60,838	-	0	1.00	60,838
	Program Supervisor II	6.50	461,138	-	0	6.50	461,138
	Project Coordinator	1.00	75,504	-	0	1.00	75,504
	Registrar	1.00	52,581	-	0	1.00	52,581
	Senior Public Affairs Specialist	3.00	197,818	-	0	3.00	197,818
	Senior Visual Communications I	1.00	63,899	-	0	1.00	63,899
	Service Supervisor I	3.00	159,330	-	0	3.00	159,330
	Service Supervisor II	7.00	388,172	-	0	7.00	388,172
	Service Supervisor III	3.00	189,374	-	0	3.00	189,374
	Service Supervisor IV	1.00	74,991	-	0	1.00	74,991
	Veterinarian I	1.00	80,135	-	0	1.00	80,135
	Veterinarian II	1.00	95,788	-	0	1.00	95,788
	Volunteer Coordinator II	1.00	57,952	-	0	1.00	57,952
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Specialist II	2.00	88,782	-	0	2.00	88,782
	Administrative Specialist III	5.00	219,864	-	0	5.00	219,864
	Animal Keeper	31.00	1,590,362	-	0	31.00	1,590,362
	Custodian	6.00	259,036	-	0	6.00	259,036
	Education Specialist II	1.00	60,844	-	0	1.00	60,844
	Gardener 1	7.00	342,013	-	0	7.00	342,013
	Maintenance Electrician	1.00	72,809	-	0	1.00	72,809
	Maintenance Lead	2.00	126,637	-	0	2.00	126,637
	Maintenance Technician	2.00	122,795	-	0	2.00	122,795
	Maintenance Worker 2	9.00	484,956	-	0	9.00	484,956
	Maintenance Worker 3	2.00	118,724	-	0	2.00	118,724
	Nutrition Technician	2.00	103,859	-	0	2.00	103,859
	Program Assistant 1	1.00	41,217	-	0	1.00	41,217
	Program Assistant 2	3.00	134,405	-	0	3.00	134,405
	Safety and Security Officer	4.00	178,526	-	0	4.00	178,526
	Senior Animal Keeper	7.00	415,534	-	0	7.00	415,534

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Oregon Zoo							
	Senior Gardener	1.00	59,362	-	0	1.00	59,362
	Storekeeper	1.00	50,049	-	0	1.00	50,049
	Typist/Receptionist-Lead	1.00	42,198	-	0	1.00	42,198
	Veterinary Technician	2.00	107,740	-	0	2.00	107,740
	Volunteer Coordinator I	1.00	60,844	-	0	1.00	60,844
5020	Reg Emp-Part Time-Exempt						
	Associate Visual Communicatio	0.50	30,418	-	0	0.50	30,418
	Video/Photography Technician	0.50	28,976	-	0	0.50	28,976
5025	Reg Employees-Part Time-Non-Exempt						
	Animal Keeper-PT	1.50	80,983	-	0	1.50	80,983
	Clerk/Bookkeeper	0.75	30,146	-	0	0.75	30,146
	Education Specialist II	1.55	87,909	-	0	1.55	87,909
	Food Service/Retail Specialist	3.90	154,086	-	0	3.90	154,086
	Lead Cash Office Clerk	0.85	35,869	-	0	0.85	35,869
	Education Specialist I	-	0	0.25	10,117	0.25	10,117
	Nutrition Technician I	0.50	24,430	-	0	0.50	24,430
	Program Assistant 1	2.15	81,781	-	0	2.15	81,781
	Security Officer I	0.50	18,729	-	0	0.50	18,729
	Veterinary Technician	0.50	26,935	-	0	0.50	26,935
	Visitor Service Worker 3-reg	0.85	27,527	-	0	0.85	27,527
5030	Temporary Employees - Hourly		2,124,297		0		2,124,297
5040	Seasonal Employees		1,324,921		0		1,324,921
5080	Overtime		413,114		0		413,114
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		77,532		0		77,532
	Step Increases (AFSCME)		37,306		232		37,538
	COLA (represented employees)		167,738		0		167,738
5100	Fringe Benefits						
5110	Fringe Benefits - Payroll Taxes		1,144,058		873		1,144,931
5120	Fringe Benefits - Retirement PERS		1,422,922		1,457		1,424,379
5130	Fringe Benefits - Health & Welfare		2,254,145		(47,262)		2,206,883
5140	Fringe Benefits - Unemployment		217,095		0		217,095
5150	Fringe Benefits - Other Benefits		57,625		69		57,694
Total Personnel Services		163.45	\$18,674,269	0.25	(\$34,514)	163.70	\$18,639,755
Total Materials & Services			\$12,187,756		\$0		\$12,187,756
TOTAL REQUIREMENTS		163.45	\$30,862,025	0.25	(\$34,514)	163.70	\$30,827,511

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Parks & Environmental Services							
<u>Personnel Services</u>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Specialist IV	1.00	55,209	-	0	1.00	55,209
	Assistant Management Analyst	7.40	402,065	-	0	7.40	402,065
	Director	1.00	140,000	-	0	1.00	140,000
	Manager I	3.00	264,953	-	0	3.00	264,953
	Manager II	1.60	164,605	-	0	1.60	164,605
	Principal Regional Planner	1.00	89,745	-	0	1.00	89,745
	Program Director	1.00	111,300	-	0	1.00	111,300
	Property Management Specialist	0.80	59,113	-	0	0.80	59,113
	Service Supervisor III	1.00	65,170	-	0	1.00	65,170
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Specialist I	1.00	33,874	-	0	1.00	33,874
	Administrative Specialist II	2.00	90,601	-	0	2.00	90,601
	Arborist	1.00	59,134	-	0	1.00	59,134
	Building Service Worker	1.00	45,260	-	0	1.00	45,260
	Building Services Technician	1.00	60,611	-	0	1.00	60,611
	Maintenance Worker 2	1.00	53,664	-	0	1.00	53,664
	Park Ranger	8.00	385,239	-	0	8.00	385,239
	Park Ranger Lead	1.00	59,134	-	0	1.00	59,134
	Printing/Mail Services Clerk	1.00	43,181	-	0	1.00	43,181
	Program Assistant 3	1.00	52,333	-	0	1.00	52,333
	Safety and Security Officer	1.75	76,722	-	0	1.75	76,722
5025	Reg Employees-Part Time-Non-Exempt						
	Program Assistant 1	0.55	22,583	-	0	0.55	22,583
5030	Temporary Employees - Hourly		326,875		0		326,875
5080	Overtime		34,422		0		34,422
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		19,397		0		19,397
	Merit Adjustment Pool (LIUNA)		8,172		0		8,172
	Step Increases (AFSCME)		16,497		0		16,497
	COLA (represented employees)		26,815		0		26,815
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		233,560		0		233,560
5120	Fringe Benefits - Retirement PERS		332,034		0		332,034
5130	Fringe Benefits - Health & Welfare		516,948		(20,956)		495,992
5140	Fringe Benefits - Unemployment		54,419		0		54,419
5150	Fringe Benefits - Other Benefits		13,648		0		13,648
Total Personnel Services		38.10	\$3,917,283	0.00	(\$20,956)	38.10	\$3,896,327
Total Materials & Services			\$2,844,542		\$0		\$2,844,542
TOTAL REQUIREMENTS		38.10	\$6,761,825	0.00	(\$20,956)	38.10	\$6,740,869

**Exhibit A
Ordinance No. 12-1295**

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Sustainability Center							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Specialist IV	1.00	57,953	-	0	1.00	57,953
	Assistant Regional Planner	1.00	55,210	-	0	1.00	55,210
	Director	1.00	145,198	-	0	1.00	145,198
	Manager I	0.70	62,591	-	0	0.70	62,591
	Manager II	1.70	166,300	-	0	1.70	166,300
	Policy Advisor II	1.00	127,484	-	0	1.00	127,484
	Principal Regional Planner	2.00	179,490	-	0	2.00	179,490
	Program Supervisor II	1.50	136,451	-	0	1.50	136,451
	Senior Management Analyst	1.00	63,900	-	0	1.00	63,900
	Senior Natural Resource Scientist	4.00	330,357	-	0	4.00	330,357
	Senior Public Affairs Specialist	0.20	14,080	-	0	0.20	14,080
	Senior Regional Planner	1.00	85,489	-	0	1.00	85,489
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Specialist III	1.00	39,181	-	0	1.00	39,181
	Natural Resource Technician	2.00	102,212	-	0	2.00	102,212
	Nutrition Technician	2.00	111,364	-	0	2.00	111,364
	Program Assistant 3	3.00	145,145	-	0	3.00	145,145
	Volunteer Coordinator I	1.00	57,810	-	0	1.00	57,810
5025	Reg Employees-Part Time-Non-Exempt						
	Volunteer Coordinator I	0.80	46,194	-	0	0.80	46,194
5030	Temporary Employees - Hourly		31,661		0		31,661
5080	Overtime		2,485		0		2,485
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		16,589		0		16,589
	Step Increases (AFSCME)		17,196		0		17,196
	COLA (represented employees)		27,945		0		27,945
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		169,988		0		169,988
5120	Fringe Benefits - Retirement PERS		269,023		0		269,023
5130	Fringe Benefits - Health & Welfare		351,188		11,474		362,662
5140	Fringe Benefits - Unemployment		9,328		0		9,328
5150	Fringe Benefits - Other Benefits		10,654		0		10,654
Total Personnel Services		25.90	\$2,832,466	0.00	\$11,474	25.90	\$2,843,940
Total Materials & Services			\$1,462,696		\$0		\$1,462,696
Total Capital Outlay			\$25,500		\$0		\$25,500
TOTAL REQUIREMENTS		25.90	\$4,320,662	0.00	\$11,474	25.90	\$4,332,136

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Planning & Development							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Specialist IV	1.00	50,069	-	0	1.00	50,069
	Assistant Management Analyst	1.00	60,837	-	0	1.00	60,837
	Assistant Regional Planner	1.00	63,899	-	0	1.00	63,899
	Associate Regional Planner	1.00	63,899	-	0	1.00	63,899
	Associate Trans. Planner	2.00	140,796	-	0	2.00	140,796
	Director	1.00	145,198	-	0	1.00	145,198
	Deputy Director	2.00	251,054	-	0	2.00	251,054
	Manager I	2.00	195,723	-	0	2.00	195,723
	Manager II	2.00	196,298	-	0	2.00	196,298
	Principal Regional Planner	5.00	448,727	-	0	5.00	448,727
	Principal Transportation Planner	4.00	354,725	-	0	4.00	354,725
	Program Supervisor I	1.00	66,736	-	0	1.00	66,736
	Senior Management Analyst	4.00	292,073	-	0	4.00	292,073
	Senior Regional Planner	4.00	314,554	-	0	4.00	314,554
	Senior Transportation Planner	10.00	807,395	-	0	10.00	807,395
	Transportation Engineer	1.00	89,745	-	0	1.00	89,745
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Specialist II	3.00	128,078	-	0	3.00	128,078
	Program Assistant 3	1.00	57,963	-	0	1.00	57,963
5020	Reg Emp-Part Time-Exempt						
	Principal Regional Planner	0.80	71,796	-	0	0.80	71,796
5030	Temporary Employees - Hourly		75,114		0		75,114
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		22,230		0		22,230
	Step Increases (AFSCME)		48,315		0		48,315
	COLA (represented employees)		78,511		0		78,511
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits						
5110	Fringe Benefits - Payroll Taxes		337,795		0		337,795
5120	Fringe Benefits - Retirement PERS		564,963		0		564,963
5130	Fringe Benefits - Health & Welfare		660,483		(20,826)		639,657
5140	Fringe Benefits - Unemployment		2,921		0		2,921
5150	Fringe Benefits - Other Benefits		21,140		0		21,140
Total Personnel Services		46.80	\$5,611,037	0.00	(\$20,826)	46.80	\$5,590,211
Total Materials & Services			\$8,866,159		\$0		\$8,866,159

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Research Center							
<i>Personnel Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Assistant GIS Specialist	1.00	55,235	-	0	1.00	55,235
	Administrative Specialist IV	1.00	52,581	-	0	1.00	52,581
	Assistant Regional Planner	1.00	60,837	-	0	1.00	60,837
	Associate GIS Specialist	1.75	120,865	-	0	1.75	120,865
	Associate Transportation Modeler	4.00	272,088	-	0	4.00	272,088
	Director	1.00	135,739	-	0	1.00	135,739
	Manager I	1.00	93,311	-	0	1.00	93,311
	Manager II	2.00	183,384	-	0	2.00	183,384
	Principal GIS Specialist	1.00	89,745	-	0	1.00	89,745
	Principal Regional Planner	1.00	89,745	-	0	1.00	89,745
	Principal Transportation Modeler	3.00	269,236	-	0	3.00	269,236
	Program Supervisor II	2.00	153,875	-	0	2.00	153,875
	Senior GIS Specialist	4.00	311,916	-	0	4.00	311,916
	Senior Transportation Modeler	2.00	170,977	-	0	2.00	170,977
5020	Reg Emp-Part Time-Exempt						
	Assistant GIS Specialist			-	0		
	Associate GIS Specialist	1.10	65,522	-	0	1.10	65,522
	Senior GIS Specialist	2.40	169,598	-	0	2.40	169,598
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		15,524		0		15,524
	Step Increases (AFSCME)		26,902		0		26,902
	COLA (represented employees)		42,916		0		42,916
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits						
5110	Fringe Benefits - Payroll Taxes		199,817		0		199,817
5120	Fringe Benefits - Retirement PERS		334,059		0		334,059
5130	Fringe Benefits - Health & Welfare		396,818		(3,306)		393,512
5140	Fringe Benefits - Unemployment		7,934		0		7,934
5150	Fringe Benefits - Other Benefits		12,558		0		12,558
Total Personnel Services		29.25	\$3,331,182	0.00	(\$3,306)	29.25	\$3,327,876
Total Materials & Services			\$617,779		\$0		\$617,779
TOTAL REQUIREMENTS		29.25	\$3,948,961	0.00	(\$3,306)	29.25	\$3,945,655

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
General Expenses							
Total Debt Service			\$1,654,290		0		\$1,654,290
<u>Interfund Transfers</u>							
<i>INDTEX Interfund Reimbursements</i>							
5800	Transfer for Indirect Costs						
	* to Risk Mgmt Fund-Liability		336,177		0		336,177
	* to Risk Mgmt Fund-Worker Comp		219,097		0		219,097
<i>EQTCHC Fund Equity Transfers</i>							
5810	Transfer of Resources						
	* to General Revenue Bond Fund-Zoo		403,320		0		403,320
	* to Gen'l Asset Mgmt Fund-Genl Cap Acct		200,000		0		200,000
	* to Gen'l Revenue Bond Fund-Debt Serv Acct		1,499,585		0		1,499,585
	* to MERC Fund (Tourism Opp. & Compt. Acct)		518,633		0		518,633
	* to Gen'l Asset Mgmt Fund-General R&R		661,000		0		661,000
	* to Gen'l Asset Mgmt Fund-IT R&R		260,000		43,100		303,100
	* to Gen'l Asset Mgmt Fund-Parks Cap Account		381,000		0		381,000
	* to Gen'l Asset Mgmt Fund-MRC R&R		288,000		0		288,000
	* to MERC Fund (one-time allocation)		50,000		0		50,000
	* to Gen'l Asset Mgmt Fund-Zoo Cap Acct		200,000		0		200,000
	* to Gen'l Asset Mgmt Fund-Parks R&R		329,400		0		329,400
	* to Solid Waste Revenue Fund		175,313		0		175,313
<i>LOANEX Interfund Loan - Expenditures</i>							
5860	Interfund Loan - Principal						
	* to MERC		2,200,000		0		2,200,000
Total Interfund Transfers			\$7,721,525		43,100		\$7,764,625
<u>Contingency & Unappropriated Balance</u>							
<i>CONT Contingency</i>							
5999	Contingency						
	* Contingency		2,859,375		(16,156)		2,843,219
	* Opportunity Account		206,100		0		206,100
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		2,430,861		0		2,430,861
	* Undesignated		0		266,574		266,574
	* PERS Reserve		4,613,474		0		4,613,474
	* Reserve for Future One-Time Expenditures		1,758,931		0		1,758,931
	* Reserved for Community Invest. Initiative		393,000		0		393,000
	* Reserved for Local Gov't Grants (CET)		2,128,369		0		2,128,369
	* Reserved for Cost Allocation Adjustments		382,035		0		382,035
	* Reserved for Future Planning Needs		60,372		12,066		72,438
	* Reserved for Equity Project		67,027		0		67,027
	* Reserved for Metro Export Initiative		50,000		0		50,000
	* Reserved for Capital		26,000		0		26,000
	* Reserved for Web Project		225,005		0		225,005
	* Reserve for Future Debt Service		639,414		0		639,414
Total Contingency & Unappropriated Balance			\$15,839,963		262,484		\$16,102,447
TOTAL REQUIREMENTS		451.64	\$109,974,959	0.25	20,940	451.89	\$109,995,899

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Asset Management Fund							
General Asset Management Fund							
<u>Resources</u>							
BEGBAL	Beginning Fund Balance						
3205	Restricted for Capital		1,410,778		0		1,410,778
3400	Unassigned Balance		5,155,469		0		5,155,469
3500	Assigned Balance		491,800		0		491,800
GRANTS	Grants						
4100	Federal Grants-Direct		800,000		0		800,000
4110	State Grants-Direct		233,900		0		233,900
INTRST	Interest Earnings						
4700	Interest on Investments		27,800		0		27,800
DONAT	Contributions from Private Sources						
4750	Donations and Bequests		30,000		0		30,000
MISCRV	Miscellaneous Revenue						
4890	Miscellaneous Revenue		0		6,320		6,320
EQTREV	Fund Equity Transfers						
4970	Transfer of Resources						
	* from Solid Waste Revenue Fund		54,200		0		54,200
	* from General Fund (Regional Parks)		329,400		0		329,400
	* from General Fund-IT R&R		260,000		43,100		303,100
	* from General Fund-MRC R&R		288,000		0		288,000
	* from General Fund-Gen'l R&R		661,000		0		661,000
	* from General Fund		781,000		0		781,000
TOTAL RESOURCES			\$10,523,347		\$49,420		\$10,572,767
<u>Materials & Services</u>							
GOODS	Goods						
5201	Office Supplies		5,647		0		5,647
CAPMNT	Capital Maintenance						
5261	Capital Maintenance - CIP		80,000		0		80,000
5262	Capital Maintenance - Non-CIP		82,996		0		82,996
OTHEXP	Other Expenditures						
Total Materials & Services			\$168,643		\$0		\$168,643
<u>Capital Outlay</u>							
5710	Improve-Oth thn Bldg		2,778,392		0		2,778,392
5720	Buildings & Related		645,464		0		645,464
5730	Exhibits and Related		730,000		10,675		740,675
5740	Equipment & Vehicles		286,715		0		286,715
5745	Licensed Vehicles		263,333		0		263,333
5750	Office Furniture & Equip		858,070		43,100		901,170
5760	Railroad Equip & Facil		73,152		0		73,152
5790	Intangible Assets		120,000		0		120,000
Total Capital Outlay			\$5,755,126		\$53,775		\$5,808,901
<u>Interfund Transfers</u>							
EQTCHG	Fund Equity Transfers						
5810	Transfer of Resources						
	* to Natural Areas Fund		19,681		0		19,681
Total Interfund Transfers			\$19,681		\$0		\$19,681

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Asset Management Fund							
General Asset Management Fund							
<u>Contingency & Unappropriated Balance</u>							
CONT	Contingency						
5999	Contingency						
	* Contingency		4,379,897		(10,675)		4,369,222
UNAPP	Unappropriated Fund Balance						
5990	Unappropriated Fund Balance						
	* Oregon Zoo Projects Account		200,000		6,320		206,320
Total Contingency & Unappropriated Balance			\$4,579,897		(\$4,355)		\$4,575,542
TOTAL REQUIREMENTS		0.00	\$10,523,347	-	\$49,420	0.00	\$10,572,767

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	<u>Current</u>		<u>Revision</u>		<u>Amended</u>	
		<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>
		FTE	Amount	FTE	Amount	FTE	Amount
Metro Exposition Recreation Commission Fund							
MERC Fund							
<u>Personnel Services</u>							
SALWGE Salaries & Wages							
5010	Reg Employees-Full Time-Exempt						
	Account Executive	2.00	114,129	-	0	2.00	114,129
	Accountant II	1.00	57,953	-	0	1.00	57,953
	Admissions Staffing Manager	1.00	50,440	-	0	1.00	50,440
	Assistant Ticket Services Manager	1.00	48,880	-	0	1.00	48,880
	Asst. Event Svcs Mgr. or Senior House Mg	1.00	75,629	-	0	1.00	75,629
	Asst. Executive Director	2.00	205,162	-	0	2.00	205,162
	Asst. Operations Mgr. (Asst. Tech Svcs. M	2.00	149,514	-	0	2.00	149,514
	Audio Visual Supervisor	1.00	60,112	-	0	1.00	60,112
	Audio/Visual Technician Lead	1.00	48,339	-	0	1.00	48,339
	Audio/Visual Sales	1.00	53,414	-	0	1.00	53,414
	Executive Assistant	3.00	138,258	-	0	3.00	138,258
	System Analyst I	1.00	60,837	-	0	1.00	60,837
	System Analyst II	1.00	67,048	-	0	1.00	67,048
	Associate Management Analyst	1.00	67,048	-	0	1.00	67,048
	Assistant Management Analyst	0.60	28,636	-	0	0.60	28,636
	Policy Advisor I	1.00	97,850	-	0	1.00	97,850
	Director of Event Services	1.00	80,995	-	0	1.00	80,995
	Director of Sales & Marketing	1.00	93,600	-	0	1.00	93,600
	Event Manager	4.00	216,590	-	0	4.00	216,590
	Event Services Manager	1.00	81,078	-	0	1.00	81,078
	Director - Expo Center	1.00	109,200	-	0	1.00	109,200
	Manager I	1.00	77,801	-	0	1.00	77,801
	Manager II	0.30	29,328	-	0	0.30	29,328
	GM of Visitor Venues	0.75	120,242	-	0	0.75	120,242
	Program Analyst II	0.85	54,074	-	0	0.85	54,074
	Graphic Designer II	1.00	60,879	-	0	1.00	60,879
	Chief Engineer	1.00	70,990	-	0	1.00	70,990
	Marketing & Web Services Manager	1.00	72,882	-	0	1.00	72,882
	Executive Director - OCC	1.00	165,000	-	0	1.00	165,000
	Operations Manager	4.00	314,615	-	0	4.00	314,615
	Director of Operations	1.00	98,155	-	0	1.00	98,155
	Executive Director - PCPA	1.00	132,956	-	0	1.00	132,956
	Sales & Booking Manager	1.00	74,245	-	0	1.00	74,245
	Sales Manager	6.00	341,480	-	0	6.00	341,480
	Security Manager	1.00	73,236	-	0	1.00	73,236
	Senior Account Executive	2.00	129,002	-	0	2.00	129,002
	Set-up & Operations Supervisor	7.00	367,668	-	0	7.00	367,668
	Senior Set-up Supervisor	2.00	122,949	-	0	2.00	122,949
	Stage Supervisor	1.00	59,777	-	0	1.00	59,777
	Sustainability Coordinator	1.00	58,365	-	0	1.00	58,365
	Ticketing/Parking Service Manager	2.00	147,238	-	0	2.00	147,238
	Ticket Services Manager	1.00	65,062	-	0	1.00	65,062
	Volunteer Services Coordinator	1.00	51,438	-	0	1.00	51,438
5015	Reg Empl-Full Time-Non-Exempt						
	Accounting Technician	3.00	126,596	-	0	3.00	126,596
	Administrative Assistant	8.00	318,736	-	0	8.00	318,736
	Accountant	1.00	50,049	-	0	1.00	50,049
	Audio Visual Technician	3.00	132,253	-	0	3.00	132,253
	Electrician	5.00	338,800	-	0	5.00	338,800
	Facility Security Agent	9.00	319,756	-	0	9.00	319,756
	Lead Electrician	2.00	149,995	-	0	2.00	149,995

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Metro Exposition Recreation Commission Fund							
MERC Fund							
	Lead Operating Engineer	1.00	66,294	-	0	1.00	66,294
	Operating Engineer	7.00	443,983	-	0	7.00	443,983
	Painter	2.00	80,743	-	0	2.00	80,743
	Secretary II	1.00	30,026	-	0	1.00	30,026
	Services Sales Coordinator	1.00	48,316	-	0	1.00	48,316
	Marketing/Promotions Coordinator	1.00	38,106	-	0	1.00	38,106
	Lead Stagedoor Watchperson	1.00	38,691	-	0	1.00	38,691
	Information Systems Coordinator	1.00	52,722	-	0	1.00	52,722
	Box Office Coordinator	1.00	32,468	-	0	1.00	32,468
	Utility Lead	4.00	162,740	-	0	4.00	162,740
	Utility Maintenance	4.00	123,244	-	0	4.00	123,244
	Utility Maintenance Lead	1.00	49,047	-	0	1.00	49,047
	Utility Maintenance Specialist	3.00	141,816	-	0	3.00	141,816
	Utility Maintenance Technician	1.00	42,512	-	0	1.00	42,512
	Utility Worker II	40.00	1,405,267	-	0	40.00	1,405,267
5025	Regular Employees Part Time Non-Exempt	-	224,651	-	0	-	224,651
5030	Temporary Employees	-	5,000	-	0	-	5,000
5043	Part-Time, Non-Reimbursed Labor	-	1,161,263	-	0	-	1,161,263
5045	Part-Time, Reimbursed Labor-Stagehands	15.00	460,224	-	0	15.00	460,224
5045	Part-Time, Reimbursed Labor-Other	-	1,015,834	-	0	-	1,015,834
5080	Overtime	-	369,506	-	0	-	369,506
5086	Mobile Communication Allowance	-	4,320	-	0	-	4,320
5089	Salary Adjustment	-	-	-	0	-	-
	Merit/COLA Adjustment (non-rep)	-	154,236	-	0	-	154,236
	Step Increases (AFSCME)	-	2,053	-	0	-	2,053
	COLA (represented employees)	-	150,983	-	0	-	150,983
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits	-	-	-	0	-	-
5110	Fringe Benefits - Payroll Taxes	-	1,038,667	-	0	-	1,038,667
5120	Fringe Benefits - Retirement PERS	-	1,544,085	-	0	-	1,544,085
5130	Fringe Benefits - Health & Welfare	-	2,497,982	-	(163,456)	-	2,334,526
5140	Fringe Benefits - Unemployment	-	98,153	-	0	-	98,153
5150	Fringe Benefits - Other Benefits	-	56,207	-	0	-	56,207
Total Personnel Services		181.50	\$17,567,418	-	(\$163,456)	181.50	\$17,403,962
Total Materials & Services			\$24,341,158		\$0		\$24,341,158
Total Capital Outlay			\$3,344,077		\$0		\$3,344,077
Total Interfund Transfers			\$4,806,913	-	\$0		\$4,806,913
<u>Contingency and Ending Balance</u>							
<i>CONT Contingency</i>							
5999	Contingency						
	* General Contingency		2,299,335		163,456		2,462,791
	* Renewal and Replacement		200,000		0		200,000
	* New Capital/Business Strategy Reserve		5,196,719		0		5,196,719
	* Contingency for Capital (TL TAX)		142,214		0		142,214
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		620,500		0		620,500
	* Renewal & Replacement		12,277,072		0		12,277,072
Total Contingency and Ending Balance			\$20,735,840		\$163,456		\$20,899,296
TOTAL REQUIREMENTS		181.50	\$70,795,406	-	\$0	181.50	\$70,795,406

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Natural Areas Fund							
Natural Areas Fund							
<u>Personnel Services</u>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Associate Regional Planner	1.00	67,047	-	0	1.00	67,047
	Manager I	0.30	26,825	-	0	0.30	26,825
	Manager II	0.30	29,301	-	0	0.30	29,301
	Program Director	1.00	111,889	-	0	1.00	111,889
	Property Management Specialist	0.20	14,778	-	0	0.20	14,778
	Real Estate Negotiator	4.00	314,676	-	0	4.00	314,676
	Program Supervisor II	0.30	18,034	-	0	0.30	18,034
	Senior GIS Specialist	1.00	85,488	-	0	1.00	85,488
	Senior Management Analyst	1.00	73,893	-	0	1.00	73,893
	Senior Public Affairs Specialist	0.80	56,320	-	0	0.80	56,320
	Senior Natural Resource Scientist	1.00	77,586	-	0	1.00	77,586
5015	Reg Empl-Full Time-Non-Exempt						
	Natural Resource Technician	2.00	97,656	-	0	2.00	97,656
	Property Management Technician	1.00	47,524	-	0	1.00	47,524
5020	Reg Employees-Part Time-Exempt						
	Senior Regional Planner	0.80	68,391			0.80	68,391
5089	Salary Adjustment						
	Merit/COLA Adjustment (non-rep)		4,837		0		4,837
	Merit Adjustment Pool (LIUNA)	-	6,153	-	0	-	6,153
	Step Increases (AFSCME)		12,890		0		12,890
	COLA (represented employees)		20,948		0		20,948
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits						
5110	Fringe Benefits - Payroll Taxes		95,246		0		95,246
5120	Fringe Benefits - Retirement PERS		153,252		0		153,252
5130	Fringe Benefits - Health & Welfare		199,106		(1,382)		197,724
5140	Fringe Benefits - Unemployment		3,416		0		3,416
5150	Fringe Benefits - Other Benefits		6,064		0		6,064
Total Personnel Services		14.70	\$1,591,320	-	(\$1,382)	14.70	\$1,589,938
Total Materials & Services			\$12,150,000		\$0		\$12,150,000
Total Capital Outlay			\$31,437,760		\$0		\$31,437,760
Total Interfund Transfers			\$1,783,226		\$0		\$1,783,226
<u>Contingency and Ending Balance</u>							
<i>CONT Contingency</i>							
5999	Contingency						
	* General contingency		25,000,000		0		25,000,000
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Unappropriated Balance		27,525,139		1,382		27,526,521
Total Contingency and Ending Balance			\$52,525,139		\$1,382		\$52,526,521
TOTAL REQUIREMENTS		14.70	\$99,487,445	0.00	\$0	14.70	\$99,487,445

**Exhibit A
Ordinance No. 12-1295**

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Oregon Zoo Infrastructure and Animal Welfare Fund							
Oregon Zoo Bond Fund							
<u>Personnel Services</u>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Assistant Management Analyst	1.00	60,837	-	0	1.00	60,837
	Manager II	1.00	95,680	-	0	1.00	95,680
	Program Director	1.00	111,029	-	0	1.00	111,029
	Program Supervisor II	0.50	43,734	-	0	0.50	43,734
	Service Supervisor III	1.00	74,845	-	0	1.00	74,845
5089	Salary Adjustment						
	Merit/COLA Adjustment (non-rep)		8,457		0		8,457
	Step Increases (AFSCME)		973		0		973
	COLA (represented employees)		1,582		0		1,582
<i>FRINGE Fringe Benefits</i>							
5110	Fringe Benefits - Payroll Taxes		33,331		0		33,331
5120	Fringe Benefits - Retirement PERS		55,316		0		55,316
5130	Fringe Benefits - Health & Welfare		60,250		(14,237)		46,013
5150	Fringe Benefits - Other Benefits		2,053		0		2,053
Total Personnel Services		4.50	\$548,087	0.00	(\$14,237)	4.50	\$533,850
Total Materials & Services			\$14,753		\$0		\$14,753
Total Capital Outlay			\$18,963,162		\$0		\$18,963,162
Total Interfund Transfers			\$292,677		\$0		\$292,677
<u>Contingency and Ending Balance</u>							
<i>CONT Contingency</i>							
5999	Contingency						
	* General contingency		3,963,195		0		3,963,195
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Unappropriated Balance		54,817,992		14,237		54,832,229
Total Contingency and Ending Balance			\$58,781,187		\$14,237		\$58,795,424
TOTAL REQUIREMENTS		4.50	\$78,599,866	0.00	\$0	4.50	\$78,599,866

**Exhibit A
Ordinance No. 12-1295**

ACCT	DESCRIPTION	<u>Current</u>		<u>Revision</u>		<u>Amended</u>	
		<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Budget</u>
		FTE	Amount	FTE	Amount	FTE	Amount
Metro Exposition Recreation Commission Fund							
MERC Fund							
<u>Personnel Services</u>							
SALWGE Salaries & Wages							
5010	Reg Employees-Full Time-Exempt						
	Account Executive	2.00	114,129	-	0	2.00	114,129
	Accountant II	1.00	57,953	-	0	1.00	57,953
	Admissions Staffing Manager	1.00	50,440	-	0	1.00	50,440
	Assistant Ticket Services Manager	1.00	48,880	-	0	1.00	48,880
	Asst. Event Svcs Mgr. or Senior House Mg	1.00	75,629	-	0	1.00	75,629
	Asst. Executive Director	2.00	205,162	-	0	2.00	205,162
	Asst. Operations Mgr. (Asst. Tech Svcs. M	2.00	149,514	-	0	2.00	149,514
	Audio Visual Supervisor	1.00	60,112	-	0	1.00	60,112
	Audio/Visual Technician Lead	1.00	48,339	-	0	1.00	48,339
	Audio/Visual Sales	1.00	53,414	-	0	1.00	53,414
	Executive Assistant	3.00	138,258	-	0	3.00	138,258
	System Analyst I	1.00	60,837	-	0	1.00	60,837
	System Analyst II	1.00	67,048	-	0	1.00	67,048
	Associate Management Analyst	1.00	67,048	-	0	1.00	67,048
	Assistant Management Analyst	0.60	28,636	-	0	0.60	28,636
	Policy Advisor I	1.00	97,850	-	0	1.00	97,850
	Director of Event Services	1.00	80,995	-	0	1.00	80,995
	Director of Sales & Marketing	1.00	93,600	-	0	1.00	93,600
	Event Manager	4.00	216,590	-	0	4.00	216,590
	Event Services Manager	1.00	81,078	-	0	1.00	81,078
	Director - Expo Center	1.00	109,200	-	0	1.00	109,200
	Manager I	1.00	77,801	-	0	1.00	77,801
	Manager II	0.30	29,328	-	0	0.30	29,328
	GM of Visitor Venues	0.75	120,242	-	0	0.75	120,242
	Program Analyst II	0.85	54,074	-	0	0.85	54,074
	Graphic Designer II	1.00	60,879	-	0	1.00	60,879
	Chief Engineer	1.00	70,990	-	0	1.00	70,990
	Marketing & Web Services Manager	1.00	72,882	-	0	1.00	72,882
	Executive Director - OCC	1.00	165,000	-	0	1.00	165,000
	Operations Manager	4.00	314,615	-	0	4.00	314,615
	Director of Operations	1.00	98,155	-	0	1.00	98,155
	Executive Director - PCPA	1.00	132,956	-	0	1.00	132,956
	Sales & Booking Manager	1.00	74,245	-	0	1.00	74,245
	Sales Manager	6.00	341,480	-	0	6.00	341,480
	Security Manager	1.00	73,236	-	0	1.00	73,236
	Senior Account Executive	2.00	129,002	-	0	2.00	129,002
	Set-up & Operations Supervisor	7.00	367,668	-	0	7.00	367,668
	Senior Set-up Supervisor	2.00	122,949	-	0	2.00	122,949
	Stage Supervisor	1.00	59,777	-	0	1.00	59,777
	Sustainability Coordinator	1.00	58,365	-	0	1.00	58,365
	Ticketing/Parking Service Manager	2.00	147,238	-	0	2.00	147,238
	Ticket Services Manager	1.00	65,062	-	0	1.00	65,062
	Volunteer Services Coordinator	1.00	51,438	-	0	1.00	51,438
5015	Reg Empl-Full Time-Non-Exempt						
	Accounting Technician	3.00	126,596	-	0	3.00	126,596
	Administrative Assistant	8.00	318,736	-	0	8.00	318,736
	Accountant	1.00	50,049	-	0	1.00	50,049
	Audio Visual Technician	3.00	132,253	-	0	3.00	132,253
	Electrician	5.00	338,800	-	0	5.00	338,800
	Facility Security Agent	9.00	319,756	-	0	9.00	319,756
	Lead Electrician	2.00	149,995	-	0	2.00	149,995

Exhibit A
Ordinance No. 12-1295

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Metro Exposition Recreation Commission Fund							
MERC Fund							
	Lead Operating Engineer	1.00	66,294	-	0	1.00	66,294
	Operating Engineer	7.00	443,983	-	0	7.00	443,983
	Painter	2.00	80,743	-	0	2.00	80,743
	Secretary II	1.00	30,026	-	0	1.00	30,026
	Services Sales Coordinator	1.00	48,316	-	0	1.00	48,316
	Marketing/Promotions Coordinator	1.00	38,106	-	0	1.00	38,106
	Lead Stagedoor Watchperson	1.00	38,691	-	0	1.00	38,691
	Information Systems Coordinator	1.00	52,722	-	0	1.00	52,722
	Box Office Coordinator	1.00	32,468	-	0	1.00	32,468
	Utility Lead	4.00	162,740	-	0	4.00	162,740
	Utility Maintenance	4.00	123,244	-	0	4.00	123,244
	Utility Maintenance Lead	1.00	49,047	-	0	1.00	49,047
	Utility Maintenance Specialist	3.00	141,816	-	0	3.00	141,816
	Utility Maintenance Technician	1.00	42,512	-	0	1.00	42,512
	Utility Worker II	40.00	1,405,267	-	0	40.00	1,405,267
5025	Regular Employees Part Time Non-Exempt	-	224,651	-	0	-	224,651
5030	Temporary Employees	-	5,000	-	0	-	5,000
5043	Part-Time, Non-Reimbursed Labor	-	1,161,263	-	0	-	1,161,263
5045	Part-Time, Reimbursed Labor-Stagehands	15.00	460,224	-	0	15.00	460,224
5045	Part-Time, Reimbursed Labor-Other	-	1,015,834	-	0	-	1,015,834
5080	Overtime	-	369,506	-	0	-	369,506
5086	Mobile Communication Allowance	-	4,320	-	0	-	4,320
5089	Salary Adjustment	-	-	-	0	-	-
	Merit/COLA Adjustment (non-rep)	-	154,236	-	0	-	154,236
	Step Increases (AFSCME)	-	2,053	-	0	-	2,053
	COLA (represented employees)	-	150,983	-	0	-	150,983
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits	-	-	-	0	-	-
5110	Fringe Benefits - Payroll Taxes	-	1,038,667	-	0	-	1,038,667
5120	Fringe Benefits - Retirement PERS	-	1,544,085	-	0	-	1,544,085
5130	Fringe Benefits - Health & Welfare	-	2,497,982	-	(163,456)	-	2,334,526
5140	Fringe Benefits - Unemployment	-	98,153	-	0	-	98,153
5150	Fringe Benefits - Other Benefits	-	56,207	-	0	-	56,207
Total Personnel Services		181.50	\$17,567,418	-	(\$163,456)	181.50	\$17,403,962
Total Materials & Services			\$24,341,158		\$0		\$24,341,158
Total Capital Outlay			\$3,344,077		\$0		\$3,344,077
Total Interfund Transfers			\$4,806,913	-	\$0		\$4,806,913
<u>Contingency and Ending Balance</u>							
<i>CONT Contingency</i>							
5999	Contingency						
	* General Contingency		2,299,335		163,456		2,462,791
	* Renewal and Replacement		200,000		0		200,000
	* New Capital/Business Strategy Reserve		5,196,719		0		5,196,719
	* Contingency for Capital (TL TAX)		142,214		0		142,214
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		620,500		0		620,500
	* Renewal & Replacement		12,277,072		0		12,277,072
Total Contingency and Ending Balance			\$20,735,840		\$163,456		\$20,899,296
TOTAL REQUIREMENTS		181.50	\$70,795,406	-	\$0	181.50	\$70,795,406

Exhibit B
Ordinance 12-1295
Schedule of Appropriations

	Current		Revised
	<u>Appropriation</u>	<u>Revision</u>	<u>Appropriation</u>
GENERAL FUND			
Communications	2,632,943	(35,618)	2,597,325
Council Office	4,197,802	(42,562)	4,155,240
Finance & Regulatory Services	4,218,275	(47,656)	4,170,619
Human Resources	2,167,032	(32,199)	2,134,833
Information Services	3,640,353	(53,530)	3,586,823
Metro Auditor	708,748	9,016	717,764
Office of Metro Attorney	1,927,172	(13,967)	1,913,205
Oregon Zoo	30,862,025	(34,514)	30,827,511
Parks & Environmental Services	6,761,825	(20,956)	6,740,869
Planning and Development	14,477,196	(20,826)	14,456,370
Research Center	3,948,961	(3,306)	3,945,655
Sustainability Center	4,320,662	11,474	4,332,136
Special Appropriations	4,896,187	0	4,896,187
Non-Departmental			
Debt Service	1,654,290	0	1,654,290
Interfund Transfers	7,721,525	43,100	7,764,625
Contingency	3,065,475	(16,156)	3,049,319
<i>Total Appropriations</i>	97,200,471	(257,700)	96,942,771
Unappropriated Balance	12,774,488	276,840	13,051,328
Total Fund Requirements	\$109,974,959	\$19,140	\$109,994,099
GENERAL ASSET MANAGEMENT FUND			
Asset Management Program	5,923,769	53,775	5,977,544
Non-Departmental			
Interfund Transfers	19,681	0	19,681
Contingency	4,379,897	(10,675)	4,369,222
<i>Total Appropriations</i>	10,323,347	43,100	10,366,447
Unappropriated Balance	200,000	6,320	206,320
Total Fund Requirements	\$10,523,347	\$49,420	\$10,572,767
MERC FUND			
MERC	45,252,653	(163,456)	45,089,197
Non-Departmental			
Debt Service	0	0	0
Interfund Transfers	4,806,913	0	4,806,913
Contingency	7,838,268	163,456	8,001,724
<i>Total Appropriations</i>	57,897,834	0	57,897,834
Unappropriated Balance	12,897,572	0	12,897,572
Total Fund Requirements	\$70,795,406	\$0	\$70,795,406

Exhibit B
Ordinance 12-1295
Schedule of Appropriations

	Current		Revised
	<u>Appropriation</u>	<u>Revision</u>	<u>Appropriation</u>
NATURAL AREAS FUND			
Sustainability Center	45,179,080	(1,382)	45,177,698
Non-Departmental			
Interfund Transfers	1,783,226	0	1,783,226
Contingency	25,000,000	0	25,000,000
<i>Total Appropriations</i>	<u>71,962,306</u>	<u>(1,382)</u>	<u>71,960,924</u>
Unappropriated Balance	27,525,139	1,382	27,526,521
Total Fund Requirements	<u>\$99,487,445</u>	<u>\$0</u>	<u>\$99,487,445</u>
OREGON ZOO INFRASTRUCTURE AND ANIMAL WELFARE FUND			
Oregon Zoo	19,526,002	(14,237)	19,511,765
Non-Departmental			
Interfund Transfers	292,677	0	292,677
Contingency	3,963,195	0	3,963,195
<i>Total Appropriations</i>	<u>23,781,874</u>	<u>(14,237)</u>	<u>23,767,637</u>
Unappropriated Balance	54,817,992	14,237	54,832,229
Total Fund Requirements	<u>\$78,599,866</u>	<u>\$0</u>	<u>\$78,599,866</u>
SOLID WASTE REVENUE FUND			
Finance & Regulatory Services	2,145,570	14,808	2,160,378
Sustainability Center	6,402,794	(50,255)	6,352,539
Parks & Environmental Services	49,662,045	(16,314)	49,645,731
Non-Departmental			
Interfund Transfers	8,157,903	0	8,157,903
Contingency	15,105,279	0	15,105,279
<i>Total Appropriations</i>	<u>81,473,591</u>	<u>(51,761)</u>	<u>81,421,830</u>
Unappropriated Balance	19,875,967	51,761	19,927,728
Total Fund Requirements	<u>\$101,349,558</u>	<u>\$0</u>	<u>\$101,349,558</u>

All Other Appropriations Remain as Previously Adopted

STAFF REPORT

FOR THE PURPOSE OF AMENDING THE FY 2012-13 BUDGET AND APPROPRIATIONS SCHEDULE AND THE FY 2012-13 THROUGH 2016-17 CAPITAL IMPROVEMENT PLAN

Date: October 22, 2012

Prepared by: Kathy Rutkowski 503-797-1630

BACKGROUND

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

General Fund Discretionary Beginning Fund Balance

The General Fund discretionary beginning fund balance for FY 2012-13 was lower than anticipated in the adopted budget, as we reported to Council in the FY 2011-12 fourth quarter financial report. At that time, we also identified several possible options for replenishing the fund balance. One of those options is to capture the net personal services savings available because of savings in health & welfare premiums due to lower than expected premium increases. The budget anticipated an average increase in overall premiums of 10 percent. The actual average increase was just under 6 percent. After adjusting for the actual enrollment choices of current employees and final cost of living adjustments in labor contracts, the estimated savings across all funds is approximately \$488,000 with about \$257,000 in the General Fund. This request proposes to capture the savings in all funds and reserve them for the future. Although the intent of the action is focused on replenishing the shortfall in the General Fund, for consistency the action captures the savings in all budgetary funds.

<u>Health & Welfare Estimated Budgeted Premium Savings</u>	
General Fund	\$257,698
MERC Fund	163,456
Solid Waste Revenue Fund	51,761
Natural Areas Bond Fund	1,382
Oregon Zoo Infrastructure Bond Fund	14,237
Total estimated savings	\$488,534

Create new 0.50 FTE Fee Based Tour Specialist Position

The Oregon Zoo is proposing to create a new part-time 0.50 FTE position to implement a series of new Behind the Scenes Tours (BST) at the Zoo. The goals of the Oregon Zoo Behind the Scenes Tours program are:

- To provide additional opportunities for the public to learn more about the respectful, science-based care at the Zoo.
- To deepen the connection between the public, the Oregon Zoo and its animal collection
- To raise revenue to support the work of the Oregon Zoo.

The proposed new 0.50 FTE Education Specialist I position will be responsible for working with the Zoo's Living Collection and Education divisions to develop and present a series of rotating behind the

scenes programs for individuals and groups that focus on highlighting the Zoo’s groundbreaking animal welfare and conservation work as well as giving participants unique, up close animal experiences. These tours will be new fee based tours and will not replace the existing donor and VIP tours currently offered by zoo staff. Fees will be set based on the length of tour and amount of keeper time and animal interaction. Both low cost “sneak peeks” and more high-end “encounters” will be developed. This program is projected to break even in its first year and make a profit in subsequent years.

The annual cost of the new part-time position including salary and fringe benefits is estimated at \$32,300 for FY 2012-13. The anticipated starting date for FY 2012-13 is January 1, 2013. The estimated cost of the position for the period January – June 2013 is \$16,150. The program manager anticipates the following fee structure and revenue generation for the first two fiscal years:

FY 2012-13 (Jan - Jun only)	Length	Min/Max	Per person \$	Est #	Total
Zoo Snooze Add on tours	45 min	15-70 people	\$12	805	9,660
Zoo Behind the Scenes	90 min	5-10 people	\$35	48	1,680
Animal Experience Tours	90-120 min	2-5 people	\$120	80	9,600
Total				931	\$20,940

FY 2013-14	Length	Min/Max	Per person \$	Est #	Total
Zoo Snooze Add on tours	45 min	15-70 people	\$12	1288	15456
Zoo Behind the Scenes	90 min	5-10 people	\$35	144	5040
Animal Experience Tours	90-120 min	2-5 people	\$120	200	24000
Total				1,614	\$44,496

These revenue estimates are based on analysis of several other similar zoo and aquaria fees for behind the scenes tours. A similar program at the Minnesota Zoo (with similar staffing levels) consistently brought in \$40,000 - \$45,000 in revenue over the last five years. Some institutions make significantly more revenue depending on the level of animal engagement offered and the number of staff involved. Depending on the success of the initial program, opportunities for expansion will be considered that don’t exceed capacity of the staff and animal collection.

The impact on existing zoo staff (Living Collections and Education) should be minimal. Zoo Snooze Add on Tours and basic Behind the Scenes tours will be designed to allow the BST specialist to lead the tours without any additional keeper or Living Collections involvement. The Animal Experience Tours will require approximately 30-45 minutes of keeper time per tour, but these tours will be rotated through the various animal areas of the Zoo so as not to create too much burden on any one area of the staff and collection. Past experience at other facilities has indicated that offering a fee based tour program can actually reduce the number of donor/VIP tours by providing a new and convenient way to register for tours. The Oregon Zoo Foundation has agreed to promote these tours to current members and donors as another way to “support” the Zoo.

The Conservation Camps and Classes manager will supervise this position and will spend 30-40 hours of time this winter and spring to train the specialist and help with tour development and scripting. Ideally this training will happen during the winter prior to the busy spring and summer seasons.

Oregon budget law does not allow the recognition and direct appropriation of this additional revenue without the benefit of a supplemental budget. This action transfers \$16,150 from contingency to personnel services for the Oregon Zoo to provide for the additional salary and fringe benefits associated with the position. It also acknowledges the receipt of \$20,940 in additional revenue but places the additional revenue in unappropriated balance in the General Fund to reimburse the contingency at year end.

Cascade Marsh and Africa Lagoon Aviaries

The Oregon Zoo Foundation successfully raised more than \$800,000 through their “Don’t Miss the Flight” campaign to fund the Cascade Marsh Aviary and the Africa Lagoon Aviary projects, while the General Fund appropriation at the zoo will fund an additional \$35,000. Design for both projects is complete and the projects were competitively bid as a single package to general contractors; work is slated to begin this fall. The final construction bid for the two projects requires a reallocation of the budget between the two projects from the original consultant cost estimates. This CIP and budget amendment shifts approximately \$104,000 from the Cascade Marsh Aviary budget to the Africa Lagoon Aviary budget. An additional \$4,355 is funded from contingency in the Zoo Capital Account of the General Asset Management Fund.

Project Name	Project #	Original CIP Budget	Budget After Bids	Change
Cascade Marsh	ZCA04	400,000	295,876	104,124
Africa Lagoon	ZAR24	465,000	573,479	(108,479)
		865,000	869,355	(4,355)

Energy Efficiency Assessment for Elephant Habitat Design

The zoo bond program has been working with the Energy Trust of Oregon (ETO) to assess the new elephant habitat design for energy efficiency. ETO has programs in place to incentivize planning to incorporate sustainable building into capital projects. Over the past several months, the elephant design team has met with the ETO and will receive \$6,320 to help underwrite the costs of design workshops focused on energy conservation. Oregon budget law does not allow the recognition and direct appropriation of this additional revenue without the benefit of a supplemental budget. This action transfers \$6,320 from the Zoo Capital Account contingency in the General Asset Management Fund to fund the project design work. It also acknowledges the receipt of the additional revenue but places the additional revenue in unappropriated balance to reimburse the contingency at year end.

Creation of a Robust Metro Data Center

Metro’s servers are currently spread across three locations: Metro Regional Center (MRC), the Oregon Convention Center and the Oregon Zoo. This system does not provide secure and reliable computing services, as seen when a 2010 power outage at MRC shut down data access for much of the agency for several hours. Less common but more devastating events could impact the agency for much longer. By investing in an existing location at the Oregon Convention Center and adding incremental costs to improve redundancy and speed, Metro can create a much more robust, modern Data Center at significantly lower long-term cost than the alternative of moving to a hosted off-site facility.

Budget Summary:

Data Center Budget	
Service Migration: Server Equipment	58,200
Service Migration: Network Equipment	28,000
UPS Battery Backup System	72,000
Cooling System	48,300
Fire Protection System	33,000
Data Center Cabinets	17,500
Electrical Work	9,000
Telecommunications	12,000
Contingency	8,500
Total	286,500

This cost of this project will be managed within Metro’s current appropriations. A large portion is already funded in the existing renewal and replacement (R&R) budget. This action will consolidate several smaller, non-CIP projects originally budgeted for the MRC server room (totaling \$181,200) into the Data Center project. This includes the server equipment, the backup battery system and a portion of the cooling costs. An additional \$62,200 will be funded by moving up several projects scheduled for later years, in order to gain long-term efficiencies, as well as using a small amount of savings from budgeted IT R&R projects that are no longer needed. The remaining \$43,100 will be funded by transferring savings in the Information Services General Fund appropriation, primarily the result of a position that was vacant for the first 4 months of the fiscal year. The transfer from Information Services will increase the total R&R appropriation, but will not result in a net increase agency-wide.

Funding Summary:

Funding for Data Center	
Existing MRC Server Room R&R project funding	181,200
Reprioritization of several future R&R projects	62,200
Savings from Information Svcs General Fund Budget	43,100
Total	286,500

This action will add the consolidated Data Center project to the Capital Improvement Plan (CIP).

ANALYSIS/INFORMATION

- 1. Known Opposition:** None known.
- 2. Legal Antecedents:** ORS 294.463(1) provides for transfers of appropriations within a fund, including transfers from contingency that do not exceed 15 percent of a fund’s appropriation, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction. ORS 294.463(3) provides for transfers of appropriations or of appropriations and a like amount of budget resources between funds of the municipal corporation when authorized by an official resolution or ordinance of the governing body stating the need for the transfer. Metro code chapter 2.02.040 requires the Metro Council to approve the addition of any position to the budget. Metro’s adopted financial policies require any project exceeding \$100,000 or an existing CIP project increasing greater than 20 percent to receive Council approval.

3. **Anticipated Effects:** This action provides for changes in operations as described above; creates a new 0.50 FTE Education Specialist I at the Oregon Zoo to implement a series of new Behind the Scenes Tours; acknowledges new revenue to offset the cost of the position; captures savings across the agency as a result health & welfare premium increases that were approximately 4 percent lower than budgeted; amends the capital improvement plan reallocating funding between two Oregon Zoo capital projects; and acknowledges revenue received from the Energy Trust of Oregon.
4. **Budget Impacts:** This action has the following impact on the FY 2012-13 budget:
 - Captures and reserves approximately \$488,000 in savings from health & welfare premium increases that were approximately 4 percent lower than budgeted. Replenishes the shortfall in the General Fund discretionary balance by approximately \$257,000.
 - Creates a 0.50 FTE fee based tour specialist position at the Oregon Zoo to implement a series of new Behind the Scenes Tours. Acknowledges new revenue to be generated by the addition of the position.
 - Reallocates funding between the Cascade Marsh and the Africa Lagoon Aviary projects providing a small increase funded from contingency and amending the Capital Improvement Program.
 - Provides funding for an energy efficiency assessment on the elephant habitat design acknowledging revenue to be received from the Energy Trust of Oregon.
 - Re-allocates and consolidates several projects in renewal and replacement, and transfers \$43,100 in salary savings due to a vacancy in the Information Services Department to create a much more robust, modern Data Center at significantly lower long-term cost than the alternative of moving to a hosted off-site facility.

RECOMMENDED ACTION

The Chief Operating Office recommends adoption of this Ordinance.

Materials following this page were distributed at the meeting.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4387 AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-SYSTEM LICENSE TO FOREST GROVE TRASFER STATION FOR DELIVERY AND DISPOSAL OF PUTRESCIBLE WASTE AT THE RIVERBEND LANDFILL LOCATED IN YAMHILL COUNTY, OREGON
November 20, 2012 Prepared by: Warren Johnson 503-797-1836

“Impact of Landfill Closure or Waste Diversion

If Metro-area solid waste could no longer be delivered to Riverbend for disposal for whatever reason, at least 208,000 tons of putrescible waste would have to be shifted to the Columbia Ridge Landfill each year under Metro’s disposal contract. Each round trip to Columbia Ridge Landfill is 280 miles longer, on average, than current trips to Riverbend. This increase in transport time and distance would increase costs and reduce environmental sustainability in the region.

The change in transport dominates all other economic and environmental effects. The additional transport cost would be about \$5 million per year. This translates to an average increase of almost \$24 on each ton shifted to Columbia Ridge Landfill from Riverbend. Ratepayers in Washington County and northwest Clackamas County would bear virtually all of the cost and residential ratepayers in these counties could see increases of \$1.40 to \$1.80 per month on their garbage bills.”

“The change in transport dominates all other economic and environmental effects.”



FY 2011-2012 Annual Report

Office of the Auditor



Accomplishments

- ✓ Completed six audits
- ✓ 79% of recommendations implemented
- ✓ Received gold award for audit report "Administration of Large Contracts"
- ✓ Three auditors qualified for certification

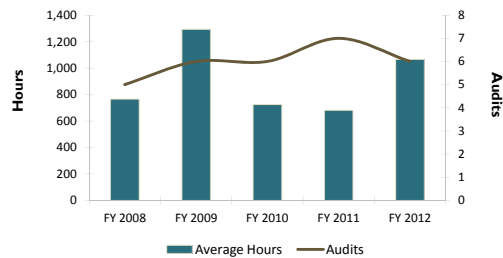
Nov. 2012

Performance Measures

The Audit Offices performance is measured by reviewing results in the following areas:

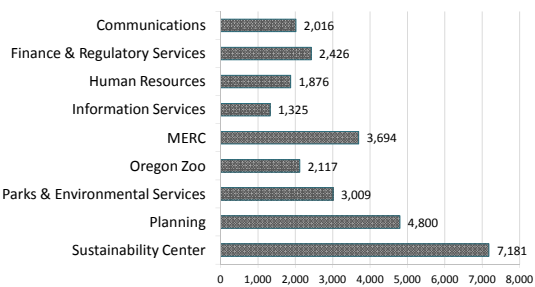
- ✓ Average hours to complete an audit and number of audits completed.
- ✓ Total staff hours per department.
- ✓ Audits completed per full-time equivalent (FTE) employee.
- ✓ Audit recommendation implementation rate within five years after completion of an audit.

Average hours per audit and number of audits



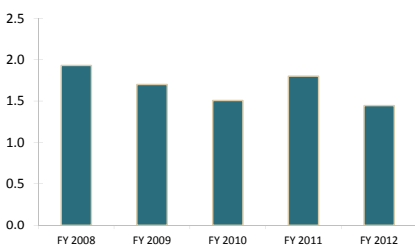
Nov. 2012

Audit hours by department



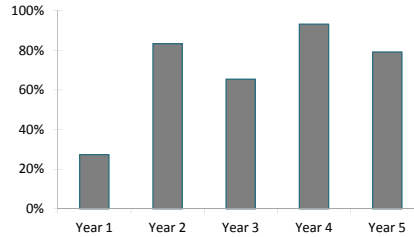
Nov. 2012

Audits per FTE



Nov. 2012

Audit recommendation implementation rate



Nov. 2012

Audits released

Large Contract Administration (July 2011). A review of three high-dollar, multi-year contracts for the operation of Metro's solid waste transfer facilities and food and beverage services at three venues owned by Metro.

Oregon Zoo Construction follow-up (Oct. 2011). This was a follow-up to the 2009 audit "Oregon Zoo Capital Construction." Auditors found management had made good progress on the recommendations from the original audit.

Recruitment & Selection Process (Nov. 2011). Auditors found that Metro's hiring decisions were supportable. The audit resulted from a report on the Ethics Line.

Natural Areas Maintenance (April 2012). This audit was conducted to determine the strength of Metro's program to maintain the land acquired in the past 15 years. Three natural parks were reviewed.

Financial Condition of Metro (June 2012). A check-up of Metro's financial condition for fiscal years 2002-2011.

Sustainability Management follow-up (June 2012). As a follow-up to the 2009 audit of Metro's sustainability management program, auditors reviewed progress on recommendations.

Nov. 2012

Audit schedule FY 2012-2013

Audits underway -

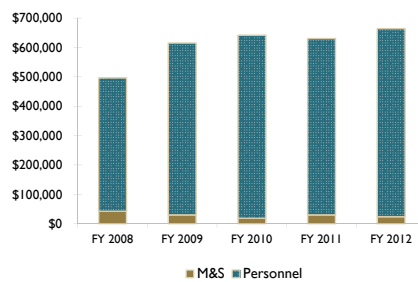
Audit Title	Expected Completion
Span of Control	Nov. 2012
Risk Management	Dec. 2012
Transportation Project Outcomes	May 2013
Organics Waste System	TBD

Future audits -

Audit Title	Expected Completion
IT Software Controls – audit follow up	TBD
Visitor Experience – Parks	TBD
Procurement	TBD

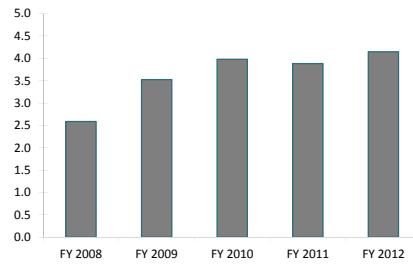
Nov. 2012

Audit office expenditure



Nov. 2012

Staffing available



Nov. 2012

Ethics Line

Primary Outcome

- Successfully investigated
- Withdrawn by reporter
- Not investigated-Frivolous
- Not investigated-Out of jurisdiction
- Not investigated-Inadequate information

Secondary Outcome

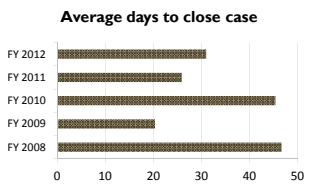
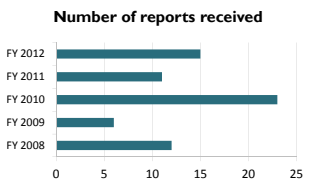
- Information Confirmed
- Information Inaccurate
- Unfounded

Action Taken

- Employee action
- Other action
- Audit conducted
- Reporter notified

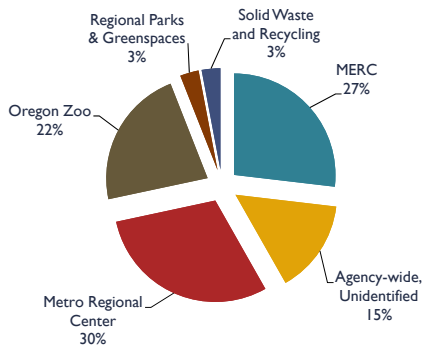
Nov. 2012

Results FY 2007-2008 to FY 2011-2012	Total
Not investigated – Frivolous	1
Not investigated – Inadequate information	4
Not investigated – Out of jurisdiction	4
Successfully investigated	57
Withdrawn by reporter	1
Total	67



Nov. 2012

**Location of Incidents
FY 2007-2008 to FY 2010-2011**



Nov. 2012

Questions ?



Metro Sustainability Goals for Internal Business Operations



Reduce Carbon

Reduce GHG emissions 80% below 2008 levels.



Prevent Waste

Recover all waste and reduce waste generation.



Choose nontoxic

Eliminate priority toxic and hazardous substances.



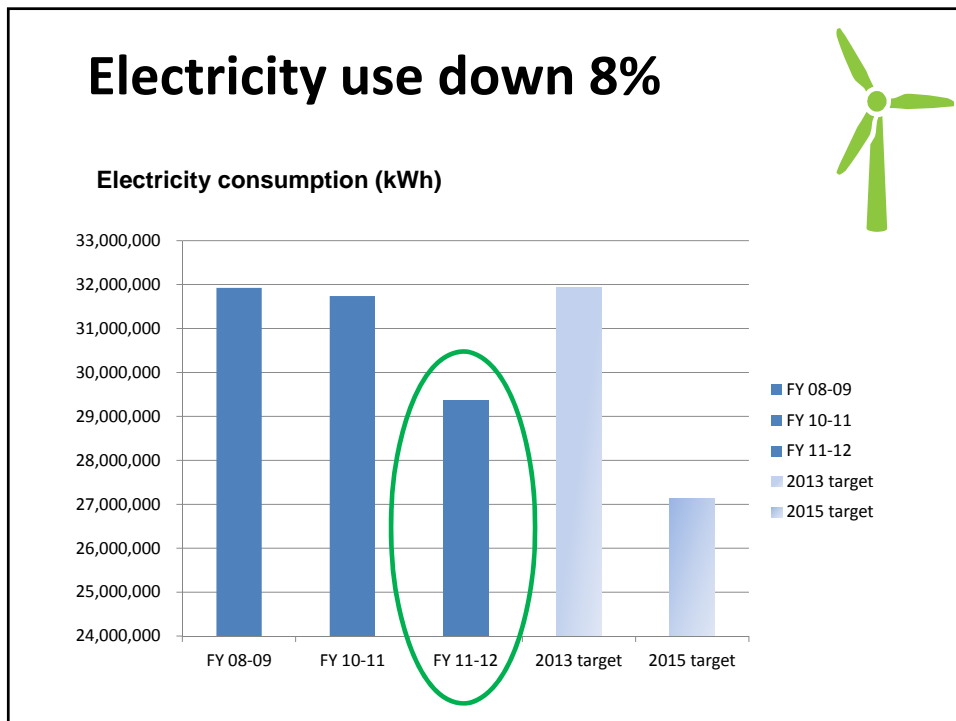
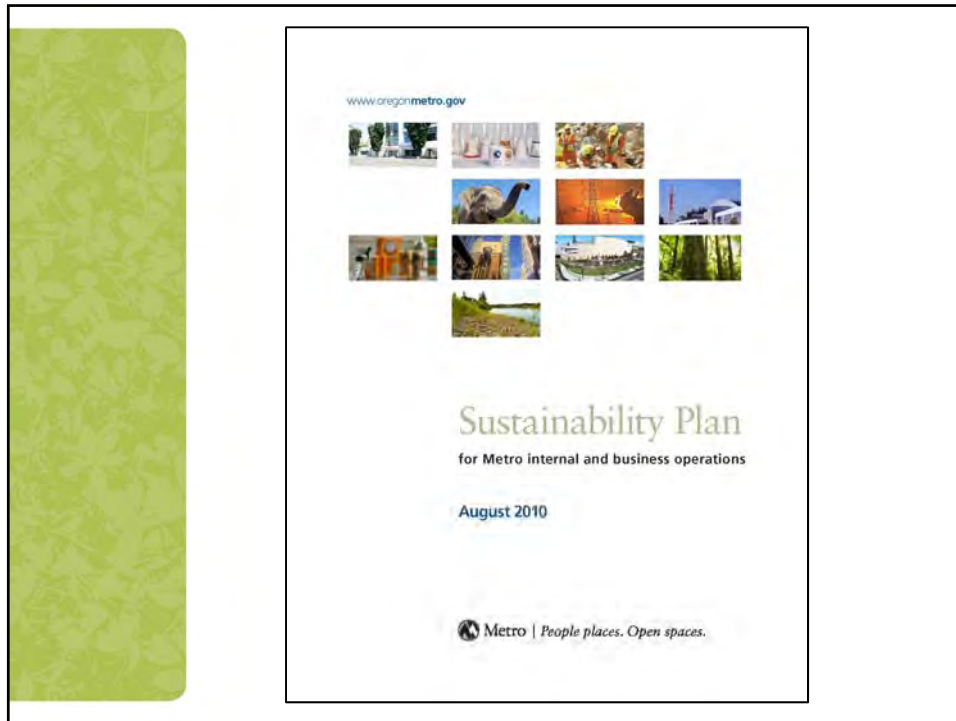
Conserve water

Reduce water use by 50% below 2008 levels.



Enhance habitat

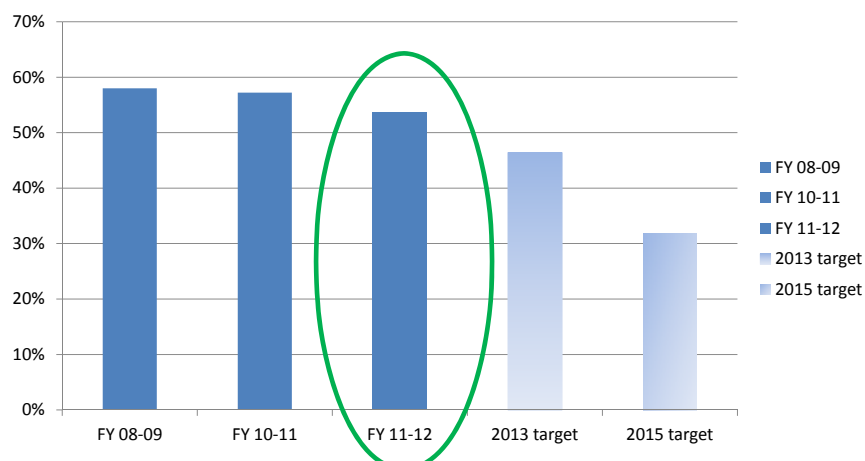
Developed properties contribute to urban ecosystems and watersheds.



Eliminated 13,000 pounds of hazardous materials



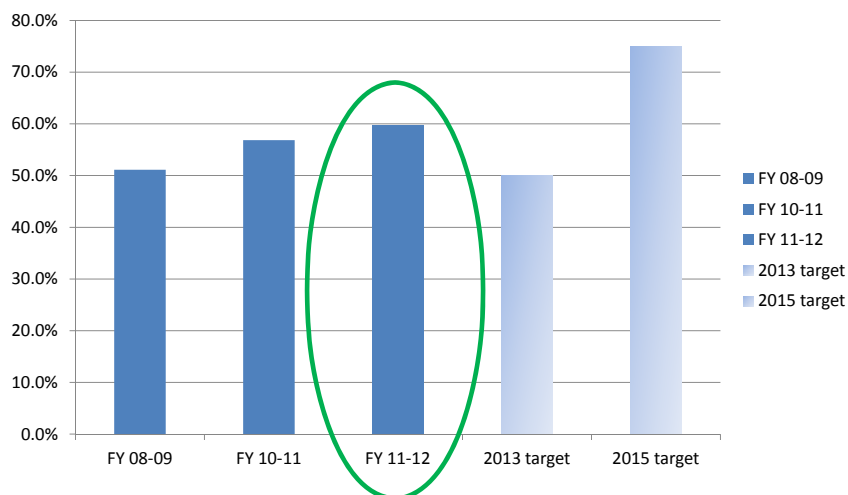
Percentage of chemical inventory rated high hazard



Recycling up 9%



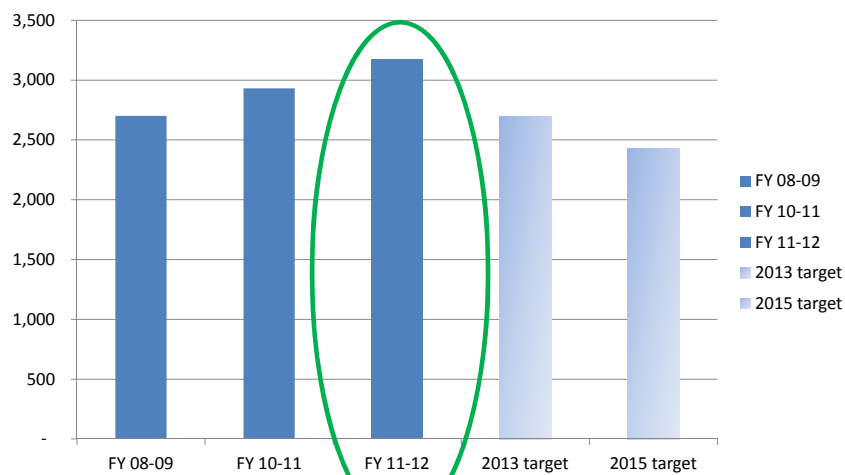
Recycling rate



Waste generation increased 17%



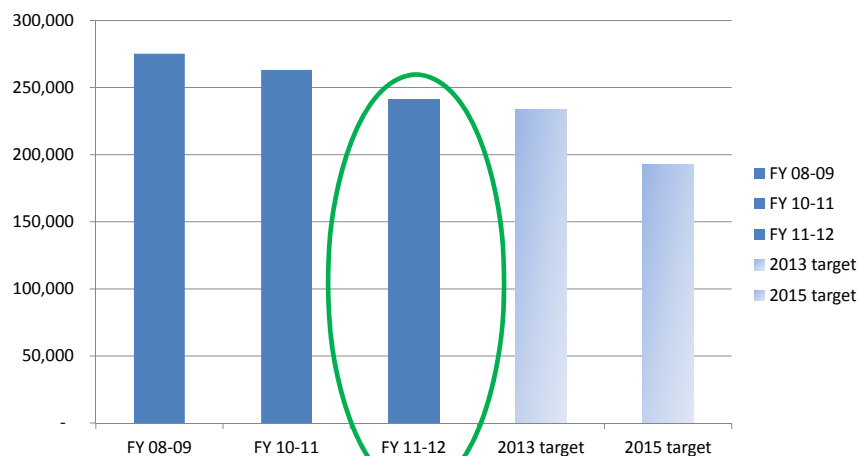
Waste generation (tons)



Water use down 8%



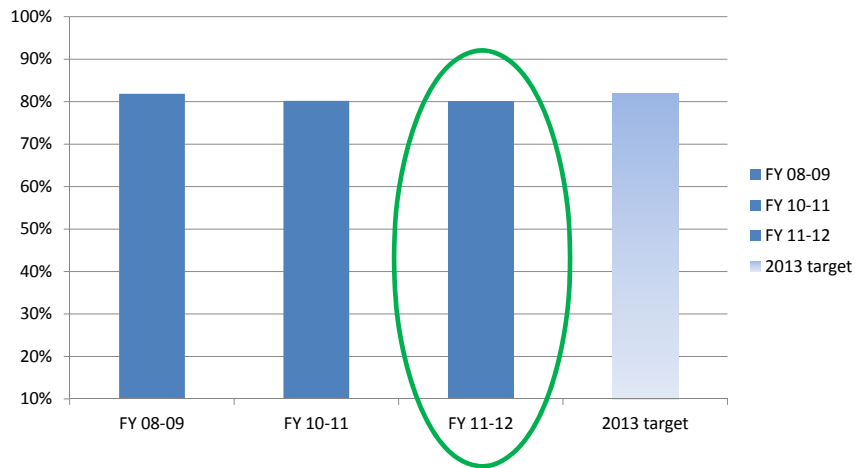
Water consumption (CCF)



Effective impervious area down 2%



Effective impervious area (percentage of total impervious area)



Energy efficiency in lighting



Lighting upgrades at Arlene Schnitzer Concert Hall and Metro Central Transfer Station will reduce energy, operating costs *and* greenhouse gas emissions.

Pacificwild wins award for local food purchasing

- \$1.8 million annually in food and beverage is local
- 70 percent of produce is local when in season
 - Pacific Coast Fruit
 - Charlie’s Produce
 - Fulton Provision Company
 - Marsee Foods
 - Tula Baking
 - Portland French Bakery
 - Portland Roasting Coffee Company
 - Sunshine Dairy Foods
 - More than 30 locally distilled spirits



Ecoroof at Metro Central Hazardous Waste



The 2,665-square-foot ecoroof covers approximately 60 percent of the facility’s roof area and was designed to be low-maintenance by using 13 varieties of hardy sedum plants.

Actions completed

- 100 actions in Sustainability Plan
- 14 actions completed
- 24 actions in progress
 - Green building assessments
 - Integrated Pest Management
 - Water fixture and energy retrofits
 - Update GHG inventory
 - Sustainable Procurement policy
- 62 left to go!

Looking Ahead

1. Make strategic investments.
2. Update the Capital Assets Management Policies.
3. Fully implement adopted sustainability policies.
4. Align with MWESB and FOTA program goals.
5. Add strategies to Sustainability Plan that support the “triple bottom line.”



Molly Chidsey, Sustainability Coordinator

Molly.Chidsey@oregonmetro.gov

503-797-1690

The Metro Council set an ambitious target for internal operations to be sustainable within one generation. To this end, the council adopted goals in five key categories to reduce the agency's environmental impact.

HOW ARE WE DOING?



Reduce carbon emissions

Electricity use is down 8 percent from 2008 levels.



Choose nontoxic

Metro eliminated 13,000 pounds of hazardous products from facility supplies in 2012.



Prevent waste

Metro facilities averaged a recycling rate of 60 percent, a 9 percent increase since 2008. Waste generation is up 17 percent from 2008 levels.



Conserve water

Water consumption is down 8 percent from 2008.



Enhance habitat

Effective impervious surface area at Metro properties has decreased 2 percent from 2008; 80 percent of impervious surfaces drain to a waterway.

www.oregonmetro.gov/greenmetro

Printed on recycled content paper. 12103

HIGHLIGHTS FROM 2012



The Oregon Zoo wins Association of Zoos and Aquariums award for reducing the environmental impact of day-to-day



Oregon Convention Center hosts "zero waste" Plazapalooza concert series; caterer pacificwild earns award for local food purchasing.



Portland Expo Center increases recycling and goes the extra mile for waste-conscious shows.



The Metro Central Household Hazardous Waste facility has a new 2,665-square-foot ecoroof.



Portland Center for the Performing Arts, Arlene Schnitzer Concert Hall switches to LED lighting, which uses 85 percent less energy.

greenMetro report card 2012

SUSTAINABLE OPERATIONS

As a regional government committed to promoting sustainable communities, Metro is working to reduce its own ecological footprint. The annual sustainability report for

operations at Metro facilities describes the efforts to reduce the environmental impact of Metro's public venues, parks, buildings and solid waste facilities.

Visit Metro's website to see the full report.

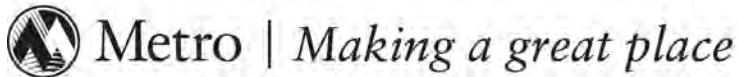
www.oregonmetro.gov/greenmetro



Metro | *Making a great place*



New Oregon Zoo Vet Medical Center earned LEED Gold certification.



METRO COUNCIL MEETING

Meeting Summary

Nov. 15, 2012

Metro, Council Chamber

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

Councilors Excused: Councilors Barbara Roberts and Carl Hosticka

Council President Tom Hughes convened the regular council meeting at 2:02 p.m.

1. INTRODUCTIONS

Council President Hughes welcomed Mr. Ichiro Miyazaki, Director of Toyama, Japan's Tourism Division. Mr. Miyazaki was shadowing Metro staff to learn about planning, sustainability and Metro's venues.

Council President Hughes also recognized Deputy Chief Operating Officer Scott Robinson with a pin commemorating his five years at Metro.

2. CITIZEN COMMUNICATIONS

Craig Peterson, Ringside Restaurant: Mr. Peterson thanked the Metro Council for allowing Ringside to stay at Glendoveer and stated that he was happy Metro viewed the venue as a vital part of the community. He stated that over the past 35 years, Ringside has hosted many functions for the community, and emphasized that Ringside looks forward to moving forward with the new golf course management group. Mr. Peterson also recognized Metro staff for their professionalism and stated that the process had been a pleasure.

Ramsey McPhillips, Coalition to Stop the Dump: Mr. McPhillips represented the Coalition to Stop the Dump, a group comprised of agencies, organizations, and individuals in Yamhill County who are opposed to the extension of Riverbend Landfill – a landfill which Metro supplies 40 percent of its capacity. He requested that Metro Council allot time at their Nov. 29 meeting to discuss the Riverbend franchise agreements.

Kathie Oriet, City of Carlton: Mayor Oriet stated that 165 trucks pass through the City of Carlton's Main Street (Highway 47) each week. She stated that there is no base under the main road, and as such the road constantly has potholes. She stated that the City has tried to work with ODOT to rebuild the road. Additionally, Mayor Oriet stated that few merchants provide sidewalk seating because of garbage truck odor and liquid spills. She stated that the problems would continue as long as Riverbend accepts garbage from the north coast and the Metro region as waste is hauled from the Forest Grove Transfer Station via Highway 47. Additional comments addressed impacts to local businesses due to truck travel. Mayor Oriet requested time on the Nov. 29 agenda for further discussion.

Jeff Lorton, Travel Yamhill Valley: Mr. Lorton stated that he was the chair of the Marketing Committee and a local business owner. He stated that he recently rented a helicopter and took aerial photos of the Riverbend Landfill. He expressed his support for Mayor Oriet's concerns and echoed her comments about the garbage trucks' odor and spillage. He stated that the area draws in pedestrians and tourists and provided an example of a local winery that tried to open – but unfortunately had to close – an outdoor tasting room. He stated that it is hard for Carlton and the surrounding cities to engage in the wine industry with the landfill. He petitioned the Council to allow time for further discussion and offered to provide a presentation of his aerial photos to illustrate the scope and scale of the landfill and proposed expansion.

Council recommended that Mayor Oriet, Mr. McPhillips and Mr. Lorton work with Metro staff to schedule time with Council. Council asked clarifying questions about rerouting traffic down Carlton's Monroe Street. Testifiers clarified that the trucks still use Main Street as the primary route and only use Monroe Street – which is still in the city's winery district – when Main Street undergoes construction.

3. NATURAL AREAS OVERSIGHT COMMITTEE REPORT

Ms. Linda Craig and Mr. Drake Butsch of the Natural Areas Oversight Committee provided a brief presentation on the committee's July 2011 to June 2012 report. Their presentation provided information on the committee composition, FY 11-12 accomplishments, site stabilization, Natural Areas Information System (e.g. TerraMet), bond sale, administrative costs and staff, and dashboard reports for regional acquisition, local share projects, and the Nature in Neighborhoods Capital Grant program. Ms. Craig stated that the committee believed the bond program was moving along very well and that the benefits were accumulating for the region. The committee did not recommend any changes for FY 12-13, but encouraged Metro to continue its current work and to further work on the performance implementation so the agency and committee can learn more about the benefits the bond measure has had on the region. Mr. Drake also noted that the committee would like to be kept in the loop on the expenditure of unusual circumstances such as the Blue Heron site.

Councilor Kathryn Harrington, on behalf of the full Council and Metro, recognized, thanked and presented Ms. Craig and committee member David Pollock (not present) with photo plaques for their service on the committee. Councilors discussed the value the oversight committee provides and the potential to use the public-private partnership as a model for other programs. Councilors stated that the committee provides the public consistent and coherent information and helps to build confidence that the voters' money is spent wisely. Additionally, councilors stated that the committee has also helped Metro establish a level of credibility for possible future bond requests.

4. CONSENT AGENDA

Motion:	Councilor Rex Burkholder moved to approve the Nov. 15 consent agenda which consisted of: <ul style="list-style-type: none">• Consideration of the Minutes for Nov. 8, 2012;• Resolution No. 12-4376, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Crown Point Refuse, Inc. for Delivery and Disposal of Putrescible Waste at the Wasco County Landfill Located in Wasco County, Oregon;
---------	--

	<ul style="list-style-type: none">• Resolution No. 12-4377, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Willamette Resources, Inc. For Delivery and Disposal of Putrescible Waste at the Coffin Butte Landfill Located in Benton County, Oregon;• Resolution No. 12-4378, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Arrow Sanitary Service, Inc. for Delivery of Putrescible Waste to the West Van Materials Recovery Center and the Central Transfer and Recycling Center Located in Clark County, Washington;• Resolution No. 12-4379, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to American Sanitary, Inc. for Delivery of Putrescible Waste to the West Van Materials Recovery Center and the Central Transfer and Recycling Center Located in Clark County, Washington;• Resolution No. 12-4380, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to Waste Management of Oregon, Inc. for Delivery of Putrescible Waste from the Troutdale Transfer Station to the Columbia Ridge Landfill Located in Gilliam County, Oregon, and Under Certain Unusual Circumstances to Riverbend Landfill in Yamhill County, Oregon; and• Resolution No. 12-4386, For the Purpose of Declaring the Restaurant Property at Glendoveer Golf and Tennis Center Surplus Property, Exempting the Restaurant from Paying Excise Tax and Authorizing the Execution of a Lease with Ringside Restaurant.
--	---

Vote:

Council President Hughes and Councilors Craddick, Burkholder, Collette and Harrington voted in support of the motion. The vote was 5 ayes, the motion passed.

5. ORDINANCES – FIRST READ

5.1 **Ordinance No. 12-1294**, For the Purpose of Amending Metro Code Chapter 2.19.100 Regarding Term Length and Membership of the Public Engagement Review Committee (PERC).

Second read, public hearing, and Council consideration and vote are scheduled for November 29. Councilor Harrington was assigned carrier for the legislation.

5.2 **Ordinance No. 12-1295**, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule and the FY 2012-13 through 2016-17 Capital Improvement Plan.

Second read, public hearing, and Council consideration and vote are scheduled for November 29. Council President Hughes was assigned carrier for the legislation.

6. RESOLUTIONS

6.1 Resolution No. 12-4375, For the Purpose of Adopting the Metro Diversity Action Plan.

Motion:	Councilor Burkholder moved to approve Resolution No. 12-4375.
Second:	Councilor Harrington seconded the motion.

Councilor Burkholder introduced Resolution No. 12-4375. Councilor Burkholder stated that he was proud to bring the resolution forward for Council consideration and that the process first started in 2005 with the formation of Metro's Diversity Action Team. He stated that the plan was about making a great place and emphasized that equity was one of region's six desired outcomes. He stated that the plan aims to create an inclusive agency culture as well as outreach into the community. Councilor Burkholder stated that the plan was developed by Metro staff and various community partners, and emphasized that plan was a living document. He stated that as times change, the community changes, and as Metro's understanding of its responsibilities change so will the plan in order to ensure Metro is up-to-date and doing its best to be inclusive. Additionally, the Diversity Action Plan provides greater accountability to Metro's decisions, interactions and how the agency convenes the region's citizens and leadership to better serve the region. Councilor Burkholder also highlighted that the MER Commission adopted a letter of support expressing their full commitment to implementing the recommendations of the Action Plan.

Councilor Burkholder introduced Mr. Bill Tolbert for staff's presentation. Mr. Tolbert thanked the Council for their continued support and contributions to the plan. He stated that Metro has received great, critical feedback from staff and community partners, and emphasized that staff would continue to receive feedback from stakeholders throughout the process. Mr. Tolbert stated that Metro is currently doing a lot of work, but that there is more to do, and hoped Metro would become a leader for other jurisdictions.

Vote:

Council President Hughes and Councilors Craddick, Burkholder, Collette and Harrington voted in support of the motion. The vote was 5 ayes, the motion <u>passed</u> .

6.2 Resolution No. 12-4383, For the Purpose of Adopting Policy Direction to the Regional Flexible Funding Allocation (RFFA) Process for Federal Fiscal Years 2016-18.

Motion:	Councilor Carlotta Collette moved to approve Resolution No. 12-4383.
Second:	Councilor Shirley Craddick seconded the motion.

Councilor Collette introduced Resolution No. 12-4383 which if approved would provide guidelines for allocating the region's 2016-18 Metropolitan Transportation Improvement Program (MTIP) Regional Flexible Fund monies. She stated that this year's process was unusual due to the recent MAP-21 federal legislation which calls for allocation of money in three-year cycles versus the normal two-year cycles, and an additional allocation of approximately \$34 million.

Councilor Collette provided a brief overview of the region's three-step process for allocating the 2016-18 RFFA funds which total approximately \$94 million. She stated that Step 1 funds are allocated to regional priority projects or programs such as the Transit Oriented Development or

Regional Travel Options programs. Step 2 funds – or community investment funds – are allocated to active transportation and complete streets, and freight and green economy projects. Lastly, the new step – Step 3 *Regional Economic Opportunity Fund*– will allocate the additional \$34 million to projects that provide a regional economic impact. Councilor Collette stressed that environmental justice groups must be included in the process. Councilor Collette stated that the Joint Policy Advisory Committee on Transportation (JPACT) approved the resolution at its Nov. 8 meeting.

Councilors thanked Councilor Collette for her leadership on the committee and the RFFA process. Councilors stated that the plan was developed through a collaborative process and regional discussion, and that local leaders were able to come together with a common goal of how to distribute the funds. Councilors encouraged the public to download a copy of the plan and flagged that the deadline for the REOF projects is quickly approaching. Councilors encouraged the public to be proactive and engage with their local cities and counties to ensure their opinions and thoughts would be heard. Additional discussion included the accelerated timeline to match ODOT’s State Transportation Improvement Program (STIP) timeline.

Vote:

Council President Hughes and Councilors Craddick, Burkholder, Collette and Harrington voted in support of the motion. The vote was 5 ayes, the motion <u>passed</u> .

7. CHIEF OPERATING OFFICER COMMUNICATION

Ms. Martha Bennett provided an update on meetings regarding the possible natural area local option levy – for example, she and Council President Hughes met with the region’s mayors on Nov. 14.

8. COUNCILOR COMMUNICATION

Councilors recognized Mr. Dan Cooper for his service at Metro. Mr. Cooper, Metro’s former Attorney, will retired November 20. Councilors shared stories and praised Mr. Cooper for his contributions to Metro.

Councilor updates included the following recent meetings or events: the Community Investment Initiative Leadership Council meeting, Tom Murphy presentation, the Metro Policy Advisory Committee (MPAC) meeting, Greater Portland, Inc. summit, Hillsboro Chamber meeting, and Willamette Pedestrian Coalition – Oregon Walks event.

Additionally, Council President Hughes asked councilors to authorize the full Council to represent Metro at Travel Portland’s familiarization tours on November 29 to December 1.

Motion:

Councilor Harrington moved to authorize the full Metro Council to participate in the upcoming Travel Portland familiarization tour.

Vote:

Council President Hughes and Councilors Craddick, Burkholder, Collette and Harrington voted in support of the motion. The vote was 5 ayes, the motion <u>passed</u> .

9. **ADJOURN**

There being no further business, Council President Hughes adjourned the regular meeting at 3:40 p.m. Council will convene the next regular council meeting on Thursday, Nov. 29 at 2 p.m. at the Metro Council Chamber.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "K. Newell".

Kelsey Newell, Regional Engagement and Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOV. 15, 2012

Item	Topic	Doc. Date	Document Description	Doc. Number
	Agenda	11/15/12	Revised Nov. 15 agenda	111512-01
4.1	Minutes	11/08/12	Council summary for Nov. 8, 2012	111512-02
6.1	Legislation	N/A	Revised legislation - Resolution No. 12-4383 and attachments	111512-03



BOARD OF COUNTY COMMISSIONERS

KATHY GEORGE • LESLIE LEWIS • MARY P. STERN

535 NE Fifth Street • McMinnville, OR 97128-4523

(503) 434-7501 • Fax (503) 434-7553

TTY (800) 735-2900 • www.co.yamhill.or.us

November 29, 2012

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

Dear President Hughes and Metro Councilors,

Thank you for requesting comment from Yamhill County on the renewal of non-system licenses for the transportation of Metro-area solid waste to Riverbend Landfill.

Our Solid Waste Coordinator Sherrie Mathison has already provided input to you regarding the factors that are set forth in your Metro Code Section 5.05.035.

The Yamhill County Commissioners would like to provide some additional remarks for your November 29 meeting. We would prefer to be with you in person, but our other commitments do not allow us to join your meeting. We respectfully request that you consider these written comments. Our co-commissioner Mary Stern would like to be able to join us on this letter, but she must recuse herself as her husband is employed by Waste Management.

The Yamhill County Board of Commissioners is on record supporting the continued operation of Waste Management's Riverbend Landfill for several reasons:

The Riverbend Landfill is an economic asset to Northwestern Oregon. Especially in this economic climate, when families and companies are struggling, this facility provides for substantially lower disposal rates for residents and businesses – not only in Yamhill County – but for people throughout the entire region. Riverbend provides more than 20 family-wage jobs and, in 2013, Waste Management plans to invest \$12 million on local construction projects and other capital improvements at the Riverbend facility.

The Riverbend Landfill is an environmental asset. Because it is local to this region, truck traffic miles are reduced. The sustained quantity of waste that is disposed of at this landfill gives Waste Management the opportunity to pursue capital-intensive alternative, innovative technologies for this regional site. Riverbend Landfill has also initiated a community-guided master planning process to determine how 450 acres of its land will be used. Public meetings begin in 2013. This master plan envisions uses including recreation, wildlife preserves, educational opportunities, and crop research.

Riverbend Landfill/Waste Management is a responsible business partner in our community, one that actively listens and responds to our citizenry as part of an open and transparent dialogue. This past year (2012), Riverbend hosted 10 well-attended community meetings to invite feedback, address neighbor concerns, educate the public about the site's environmental protections systems, and address topics suggested by neighbors and community members. In direct response to this community input, Riverbend has made changes in the operation of the landfill: reducing operating hours and also investing significant resources to expand and improve the efficiency of the existing gas management system.

Waste Management and Riverbend have demonstrated a commitment to waste reduction by the \$1.4 million investment at Waste Management's Newberg Transfer Station to significantly increase the diversion of waste from the landfill. Also, Yamhill County has recently approved the 2013 construction of a new, improved user-friendly public recycling center at Riverbend Landfill, which is expected to result in an additional waste reduction of 5,000 to 10,000 tons per year.

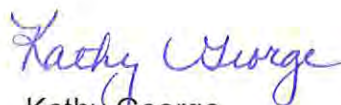
Looking to the future, the Yamhill County Board of Commissioners is pleased with Waste Management's continued leadership relating to landfill alternatives – technologies that use waste as a resource. Our Board has clearly stated that our vision for Yamhill County includes some type of green technology that uses waste for beneficial purposes, such as generation of energy, clean fuels, and new bi-products as yet unknown. Any innovation requires a reliable, sustainable source of municipal solid waste that will enable the development of commercially viable alternative technologies. Without this reliable source, Waste Management will be unable to implement a new-generation facility to eventually replace the older landfill technology.

We are looking forward to working with Waste Management's leadership in the years ahead to bring new technology to this entire region. We hope that the Metro Council will join us in continuing this partnership with Waste Management and Riverbend Landfill.

Sincerely yours,



Leslie Lewis
Chair



Kathy George
Vice-Chair



133 SW Second Ave, Suite 201 • Portland, OR 97204 • (503) 497-1000 • fax (503) 223-0073 • www.friends.org
Southern Oregon Office • PO Box 2442 • Grants Pass, OR 97528 • (541) 474-1155 • fax (541) 474-9389
Willamette Valley Office • 220 East 11th Avenue, Suite 5 • Eugene, OR 97401 • (541) 520-3763 • fax (503) 223-0073
Central Oregon Office • 115 NW Oregon Ave #21 • Bend, OR 97701 • (541) 719-8221 • fax (866) 394-3089

November 29, 2012

Metro Council
600 NE Grand Avenue
Portland OR 97232

Re: Ordinance No. 12-1292A, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2035 to Traffic Analysis Zones in the Region Consistent with the Forecast Adopted by Ordinance No. 11-1264B in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036

Dear Chair Hughes and Council Members:

1000 Friends of Oregon supports Ordinance No. 12-1295A. The revision to the original ordinance, proposed by Councilor Burkholder and calling for research on housing preference, redevelopment, and integrated housing and transportation costs, is critical if the region is to be successful in providing for the housing, employment, and transportation needs of current and future residents, and in providing for a sustainable economy

Many studies have shown that how we use land and the transportation choices we make are changing, and fairly quickly. Both the aging baby-boomers and those in their 20s and 30s are looking for more urban, mixed-use neighborhoods with walking and transit options and smaller housing units. The annual surveys by the National Association of Realtors consistently show well over 50% of those surveyed prefer this type of higher density neighborhood. By 2040, 72% of the Metro region's households will not have children, up from 68% today. Younger Americans are driving less and are less likely to own a car or have a driver's license. Also by 2040, approximately 2/3 of today's commercial buildings will have exceeded their life expectancy, offering extraordinary opportunities for more efficient re-development. Using existing infrastructure more efficiently will become a critical asset, since the region already faces \$10 billion in expected infrastructure needs with no funding sources.

This all means that due to both preference and necessity, the region will have to become more efficient in using its capacity – and not simply look at it in terms of acres of land or assume development in the future will look like it has in the past.

We look forward to working with Metro as this research is carried out. Thank you.

Sincerely,

Mary Kyle McCurdy
Policy Director and Staff Attorney