



Metro | Agenda

Meeting: Metro Council Work Session
Date: Tuesday, Sept. 24, 2013
Time: 2 p.m.
Place: Council Chamber

CALL TO ORDER AND ROLL CALL

- 2 PM** **1. ADMINISTRATIVE/ COUNCIL AGENDA FOR SEPT. 26, 2013/ CHIEF OPERATING OFFICER COMMUNICATION**
- 2:15 PM** **2. ORENCO WOODS NATURE PARK UPDATE AND STATUS REVIEW - INFORMATION / DISCUSSION** **Kathleen Brennan-Hunter, Metro**
- 2:45 PM** **3. IMPROVING THE SOLID WASTE COMMUNITY ENHANCEMENT PROGRAM - INFORMATION / DISCUSSION** **Scott Robinson, Metro
Roy Brower, Metro
Bill Metzler, Metro**
- 3:15 PM** **4. COUNCIL LIAISON UPDATES - DISCUSSION**
- 3:45 PM** **5. COUNCIL BRIEFINGS/COMMUNICATION**

ADJOURN

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Agenda Item No. 2.0

**ORENCO WOODS NATURE PARK
UPDATE AND STATUS REVIEW**

Metro Council Work Session
Tuesday, Sept. 24, 2013
Metro, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: Sept. 24, 2013

TIME: 2:15

LENGTH: 30 minutes

PRESENTATION TITLE: Orenco Woods Nature Park Update and Status Review

DEPARTMENT: Sustainability Center

PRESENTER(S): Kathleen Brennan-Hunter, x1948, Kathleen.Brennan-Hunter@oregonmetro.gov

WORK SESSION PURPOSE & DESIRED OUTCOMES

- Purpose: To review the status of the planning process and draft master plan for the proposed 42-acre Orenco Woods nature park on property jointly owned by Metro and the City of Hillsboro, in the Rock Creek Headwaters and Greenway target area.
- Outcome: Provide staff with comments and feedback about the draft master plan which will then be finalized and brought before the Metro Council as a resolution for adoption of the final master plan.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

The Orenco Woods site was a 53-acre golf course operated by the Elks Lodge from 1953 to 2006, when it was bought by a developer planning to develop 250 homes on the site. In 2007 the City of Hillsboro (the "City") bought 11.3 acres from the developer for a city park. After years of delay, the development plan was abandoned and the property was deeded to the lender in 2009. In November, 2011, the Metro Council passed Resolution No. 11-4297, authorizing Metro and the City of Hillsboro to jointly purchase the remaining 42 acres with the intent of developing the site as a nature park; the goals and objectives established in that resolution have been met by the Orenco Woods project. The purchase occurred in December of 2011 and Metro's portion of the purchase price was provided by regional funds from the 2006 bond measure. The resolution included an Intergovernmental Agreement with the City that called for creation of a master plan for the park. Staff from the City and Metro, with planning consultants from Walker Macy, have produced a draft master plan which is now available for review.

The draft master plan incorporates both the City of Hillsboro owned site and the jointly purchased large site as one park. The planning has taken into consideration, the guidelines of using bond funds for passive recreation and preservation of the natural features, including an 11-acre riparian zone around Rock Creek, which traverses the site. Metro and the City plan to sell approximately 10.3 acres of the site's southeast corner (the "Sale Parcel") for development. Proceeds will assist with funding the planning and construction of the park as anticipated in the acquisition IGA. A partitioning of the larger site is necessary to make the Sale Parcel conveyable to the developer and that application has been submitted to the City. After the sale, the total park acreage will be approximately 42 acres.

There has been extensive public involvement around the Orenco Woods site since the mid-2000's when the developer/owner sought approval for his development plan. After the purchase by Metro and the City, a citizen's advisory committee was formed to help advise on programming of the site and development of the master plan. Several public meetings have been held. Some complex land use actions were necessary to unwind the former residential development approvals, and other

meetings were for the purpose of obtaining input on the proposed park design and master plan. The citizens of the area, especially the historic Orenco neighborhood residents, have had many opportunities to review and help form the current master plan. There is no known opposition to the general plan, but a few area residents have suggested more parking for the park be located nearer to Cornelius Pass Road. The Hillsboro Parks and Recreation Commission approved the draft master plan on June 25th, 2013. It is not necessary for Hillsboro's City Council to approve the plan because the Parks and Recreation Commission regulates park planning in Hillsboro. At Metro, it is the role of the Metro Council to approve and adopt master plans for parks.

The City will build and manage the park, and the park's character and usage will always be in line with the spirit and guidelines provided by the 2006 Natural Areas bond measure. Park construction is anticipated in 2015.

Naming the Park

According to the Metro Code Chapter 2.16 (a) "Facilities owned by Metro shall be named through adoption of an ordinance by the Metro Council." Staff plan to ask the Metro Council to adopt an ordinance regarding the official name of the park. It is anticipated that the second reading of the ordinance shall coincide with the final approval of the park master plan by the Metro Council. The unofficial name of Orenco Woods Nature Park is a reference to the area's history as one of the oldest "company towns" in Oregon. Orenco is an amalgamation of the Oregon Nursery Company.

QUESTIONS FOR COUNCIL CONSIDERATION

- Do Councilors have any comments or feedback on the draft master plan?
- Are there any issues that could potentially impact the Council's approval of the master plan at a later date?

PACKET MATERIALS

- Would legislation be required for Council action? Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today? Power point presentation

Agenda Item No. 3.0

**IMPROVING THE SOLID WASTE
COMMUNITY ENHANCEMENT
PROGRAM**

Metro Council Work Session
Tuesday, Sept. 24, 2013
Metro, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: September 24, 2013 **TIME:** 2:45 p.m. **LENGTH:** 30 minutes

PRESENTATION TITLE: Improving the Solid Waste Community Enhancement Program

DEPARTMENT: Finance and Regulatory Services

PRESENTER(S): Scott Robinson (x1605), Roy Brower (x1657), Bill Metzler (x1666)

WORK SESSION PURPOSE & DESIRED OUTCOMES

- **Purpose:** Provide an overview of the proposed improvements to Metro's Solid Waste Community Enhancement Program (Metro Code Chapter 5.06).
- **Outcome:** Council provides input on the draft program recommendations prior to staff initiating the stakeholder engagement process.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

Metro has long recognized that certain solid waste facilities may present economic, environmental, health or other impacts on host communities. Metro's community enhancement policy was established in the Regional Solid Waste Management Plan (RSWMP) in 1988 and in Metro Code Chapter 5.06 in 1990. Metro's program has relied on provisions in state law (ORS 459.284) adopted in 1987.

Over the years, Metro has collected community enhancement fees only at certain individual solid waste facilities (i.e. Metro Central Station, Metro South Station, Forest Grove Transfer Station, the St. Johns Landfill, and at the long defunct Riedel Mass Composter). Metro's current program collects \$0.50 per ton on solid waste delivered to the public transfer stations and Forest Grove. The funds are used to provide grants for local community improvement projects and programs responsive to funding guidelines and goals.

The program and funds have been administered in one of two ways, (1) by Metro through a Metro administered committee (e.g., Metro Central Station Enhancement Committee, North Portland Enhancement Committee), or (2) by a local government through an intergovernmental agreement (IGA) between Metro and the host local government (e.g. Oregon City, Forest Grove).

In 2010, Metro Council determined that enhancement fees should be collected on food waste at the proposed Columbia Biogas facility (food waste processing and energy recovery). This was the first time Metro sought to collect enhancement fees at a new facility since the early 1990's. **New facilities, proposed new activities at existing facilities, and requests to increase the enhancement fee at existing facilities have prompted some local communities to inquire about Metro's program, which has not been updated since 1991.**

Community enhancement program issues were brought to a Council work session in October 2012. Since then, an internal project team has reviewed Metro's existing program, worked with the Council Solid Waste Liaisons (Councilors Harrington and Stacey), and developed recommendations that will lead to proposed amendments to Metro Code Chapter 5.06.

The primary purpose of today's work session is to provide Council with an opportunity to weigh-in on the key recommendations proposed by the project team prior to staff initiating a stakeholder engagement process in late 2013 per Council direction. Staff will develop new Metro Code language for Council consideration in 2014 based, in part, on the stakeholder process.

Program Concerns:

Metro Code Chapter 5.06 currently lacks flexibility and does not provide a clear framework for decision-making and administration. For instance:

- Metro Code lacks clarity about reliance on state law for program implementation.
- Types of facilities intended to be covered under program are unclear.
- There is no clear process for adding new facilities to the program.
- There is no clear process for adjusting the fee.

Key Recommendations for Change (see Attachment A):

- 1) Update Metro Code Chapter 5.06 and make clear that the program framework will continue to rely on state law.
- 2) Clarify the type of facilities that are eligible and ineligible based on state law. [Continue to suspend yard debris facilities from the program pending further regulatory evaluation.]
- 3) Establish a collaborative process to include the host local government for considering whether to impose fees at eligible facilities, both existing and new.
- 4) Provide a range of options for program administration and fund distribution.
- 5) Increase the fee due to inflation since program inception (from \$0.50 to \$1.00 per ton), and establish a process for modifying fees in the future. New fees to be effective upon Metro adoption of new rates in 2014.

Next Steps (see Attachment B):

- Stakeholder review of updates to existing program (October-December 2013):
 - ✓ Metro’s Solid Waste Advisory Committee (SWAC).
 - ✓ City managers / public officials with eligible facilities in their jurisdictions (e.g., Oregon City, Forest Grove, Troutdale, Sherwood, Wilsonville, and Portland).
 - ✓ Solid waste facility owners.
 - ✓ Citizen and neighborhood district coalitions.
- Develop Chapter 5.06 Code revisions for Council review and action (May 2014).

QUESTIONS FOR COUNCIL CONSIDERATION (See Attachment A and B)

- Does Council support moving forward with a stakeholder review process and have any suggestions for improving the stakeholder engagement process?
- Does Council support the proposed decision process for determining when and how to start collecting enhancement fees at a facility?
- Does Council support increasing the enhancement fee from \$0.50 per ton to \$1.00 per ton – the statutory maximum? Does Council wish to pursue state legislation to increase the fee in the future?

PACKET MATERIALS

- Would legislation be required for Council action Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today?
 - Attachment A - Draft Key Provisions for Improving Metro’s Solid Waste Community Enhancement Program.
 - Attachment B – Draft Stakeholder Engagement Process for Improving Metro’s Solid Waste Community Enhancement Program.

Attachment A
Draft Key Recommendations for Improving Metro's Solid Waste
Community Enhancement Program

The following is a summary of key recommendations to improve Metro's existing program.

1. Update Metro's Existing Program under State Law.

The proposed provisions will make clear that Metro's program is established and implemented under state law. Program improvements will continue to be guided by this statutory framework. With improvements and clarification, Metro's program can continue to work within the state's legal framework for the region into the future.

Legal basis for program. Metro's solid waste community enhancement fee program is established in accordance with ORS 459.280 and 459.284.

Program purpose and geographic coverage. Funds collected under the community enhancement program will be dedicated and used for enhancement of the area in and around the facility from which the fees have been collected as determined by the committee or local government. Metro's program is applicable to eligible facilities located in Clackamas, Washington and Multnomah Counties within Metro's jurisdictional boundary.

2. Program Applicability by Facility Type.

Metro's existing program does not clearly define what types of solid waste facilities are eligible and ineligible for enhancement fees. Historically, Metro's program has been applied only to specific individual facilities (rather than types of facilities) considered important to the regional system but with a negative public image (e.g., landfills, some transfer stations and mixed municipal waste composting facilities – but not source-separated yard debris facilities).

Metro's program will be updated to clearly specify the types of facilities that are eligible and ineligible, consistent with state law.¹ Doing so provides clarity, fairness and consistency to the program while establishing a more level playing field. Generally, eligible facilities covered under state law involve the intensive management of putrescible (wet) waste, such as household garbage, food waste and organics where odors and vector attraction are likely. Ineligible facility types are engaged in the active recovery or recycling of non-putrescible (dry) wastes e.g. construction debris, demolition waste, garage cleanouts and mixed recyclables. Generally ineligible facility activities pose fewer risks but can be sources of dust, litter and noise.

Eligible facility types include:

- Transfer stations.
- Reloads (includes food waste and food waste mixed with yard debris).
- Composting (includes food waste and food waste mixed with yard debris).
- Anaerobic digestion.
- Energy recovery.

Ineligible facility types include:

- Material recovery.
- Reuse.
- Recycling.

Metro will continue to suspend facilities that reload and compost **only yard debris** from the program until they can be evaluated for inclusion during a broader review process.

¹ ORS 459.280.

3. Decision Process for Establishing a Community Enhancement Program.

Metro's existing program does not currently identify a clear process for determining when or how to establish a program at an eligible solid waste facility. Historically, in order to initiate a new program, a solid waste facility would be listed explicitly by name in Code. Other programs, however, have also been initiated through an IGA with the host local government – but not listed in Code. The last facility to have been included, Columbia Biogas, was initiated by the facility and local community and the fee collection requirements were included in the facility operating franchise adopted by Council.

In order to minimize confusion and provide clarity to facility owners, better position the program for the future, and assure collaboration with host local governments, a notification, framework and decision process is proposed that will guide how and when to initiate a program. This improved process will provide a framework for improved program function and administration.

Proposed generic process for establishing a program at new facilities and existing facilities (not currently participating).

- **Notification.** Upon receipt of a new Metro solid waste facility application, or upon renewal, Metro will notify the host local government that the solid waste facility is eligible to participate in a community enhancement program.
- **Coordination with host local government.** Metro will coordinate with the host local government to determine whether a community enhancement fee should be collected at the eligible facility.
- **Local government IGA.** Metro will provide the host local government with an opportunity to enter into an IGA to administer a community enhancement program. If an IGA cannot be established between Metro and the host local government, Metro and the local government may consider other approaches.
- **Chief Operating Officer (COO) decision and opportunity for Council call-up.** A final decision whether to establish a program and collect enhancement fees at an eligible facility will be subject to approval or denial by the COO. The COO will inform the Council President and councilor whose district is host to an eligible facility, in writing no fewer than ten (10) days before the COO proposes to approve or deny the establishment of a community enhancement fee program at an eligible facility. The Council may then review and consider the COO's decision.

Existing community enhancement programs.

Metro's existing community enhancement programs will continue to be administered as they are currently. An IGA between Metro and Oregon City and Forest Grove, and a Metro administered enhancement committee for Metro Central Station and St. Johns Landfill.

4. Fund Distribution and Program Administration Options.

The distribution of funds collected through a community enhancement program will be subject to the approval of an advisory committee (community enhancement committee) established for that purpose. (Other options for administration will also be available as described below.). Metro will seek to strengthen community ties. In all cases, an advisory committee will be established to govern the criteria for program funding, distribution of funds and reporting periodically to Metro on results to assure maximum benefit to the local host community.

Options:

- **Direct local government administration through an IGA with Metro.** Metro may designate a city or county governing body as the community enhancement committee or create an alternative structure e.g. city council or committee established by the city. Ideally, such alternative structure

would be either designated or endorsed by the local government. The advisory committee would have the authority to select plans, programs and projects for the rehabilitation and enhancement of the area around the site for which Metro collects enhancement fees.

- **Locally-endorsed community-based non-profit organization.** Under this option, a program could be administered under a Metro contract with a community organization like an established neighborhood district coalition, committee for citizen involvement, or other similar community-based group.
- **Facility-initiated and managed community process established through a good neighbor agreement.** Under this option, an eligible facility can make arrangements to collect fees and establish a community enhancement committee itself with one or more recognized neighborhood associations – if a local government elects not to participate. A *good neighbor agreement* can spell out the specific terms, while a Metro license or franchise can include conditions to provide regulatory clarity to the neighborhood association through facility compliance.
- **Metro-administered enhancement committee.** Currently, Metro administers two community enhancement committees. The program would retain this option for the two existing facility programs and could employ it for future facilities if Council deemed it appropriate.

5. Funds.

Metro's existing enhancement fee of \$0.50 per ton was established in 1988, and has not changed since that time. In response, the program fee at existing facilities should be updated to make a one-time fee adjustment to \$1.00 per ton, which is the maximum allowed under state law. This adjustment is based on inflation since the program was started.²

Amount of enhancement fees. It is the policy of Metro to assess an enhancement fee of no more than \$1.00 per ton on solid waste delivered to each eligible facility approved by Metro in coordination with the host local government.

Amount. Starting in FY 2014-2015, for each ton of solid waste deposited at an eligible participating facility, \$1.00 shall be budgeted and accounted for in a community enhancement fund.

Adjustment. Metro will consider allowing for a periodic adjustment of the fee based on the Consumer Price Index (CPI) up to the amount set forth in ORS 459.284. However, adjusting the fee to \$1 per ton leaves no room for future CPI adjustments. In the future, Metro may wish to consider legislation to increase the state fee by some amount.

² \$0.50 in 1988 had the same buying power as \$0.99 in 2013, Consumer Price Index Calculator, US Bureau of Labor and Statistics.

Attachment B
Draft Stakeholder Engagement for
Improving Metro's Solid Waste Community Enhancement Program

1. Review proposal with local government solid waste directors (September)
2. Convene and review proposal with Solid Waste Advisory Committee (October)
3. Provide written briefing and opportunity to meet with city managers, public works or other appropriate officials about the proposal (October-November)
 - Oregon City
 - Forest Grove
 - Troutdale
 - Sherwood
 - Wilsonville
 - Portland
4. Provide written briefing and opportunity to meet with key solid waste industry members (November-December)
 - Waste Management
 - Republic Waste
 - Pride Recycling
 - Recology
 - Oregon Refuse and Recycling Association
5. Provide written briefing and opportunity to meet with citizen or neighborhood association groups (November)
 - Portland Office of Neighborhood Involvement (ONI) and Neighborhood District Coalitions (7).
 - Committee for Citizen Involvement (CCI) Steering Committee (Washington County).
 - Beaverton and Hillsboro neighborhood coalitions.
 - Clackamas County Coordinating Committee.
6. Brief MPAC (December).

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Materials following this page were distributed at the meeting.

Orenco Woods Nature Park

City of Hillsboro Parks and Recreation

Metro

Walker | Macy



Metro Council
September 24, 2013



Metro | *Making a great place*

Presentation overview

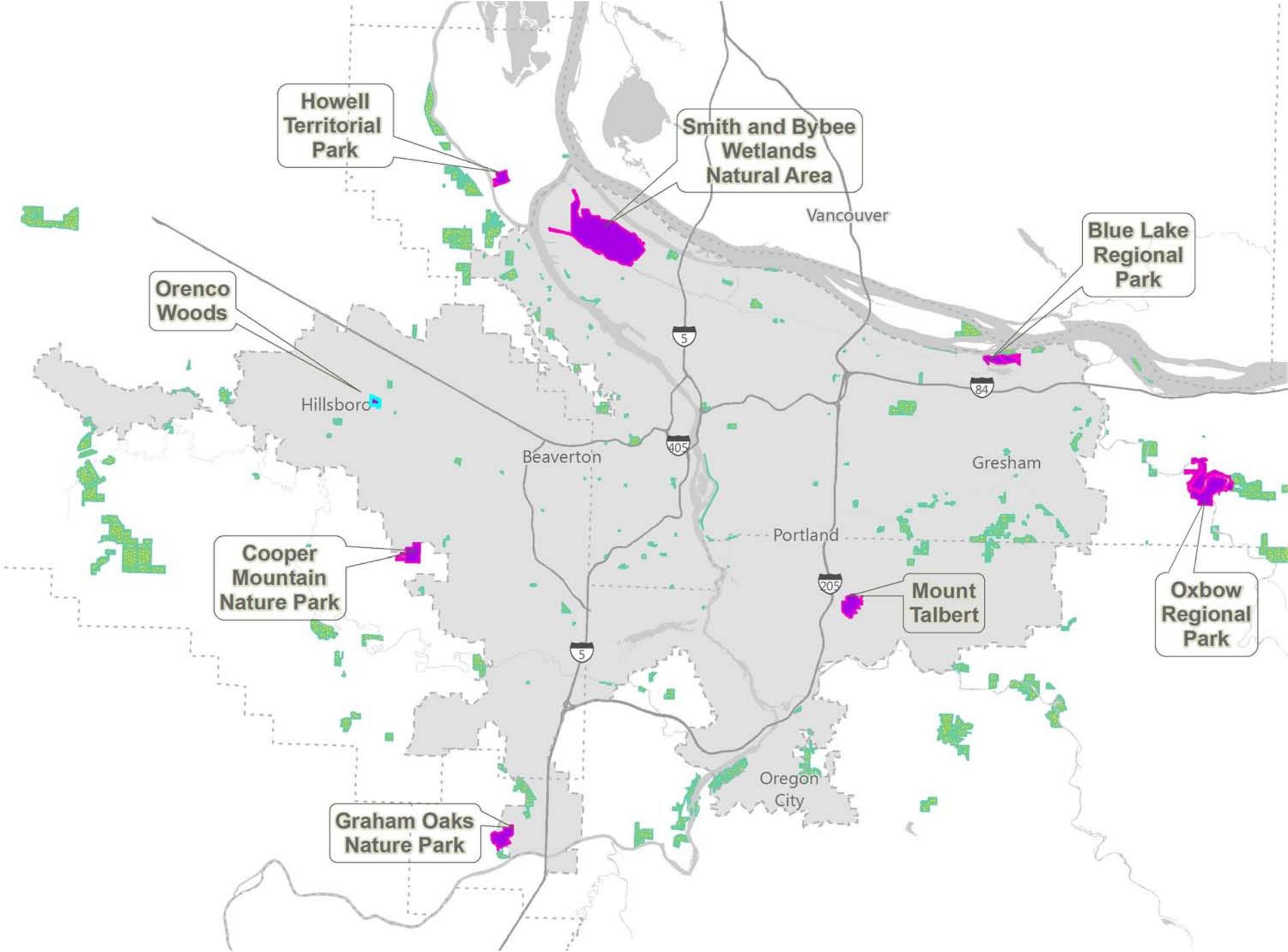
Site context

Planning
process

Draft
master plan

Next steps





**Howell
Territorial
Park**

**Smith and Bybee
Wetlands
Natural Area**

**Blue Lake
Regional
Park**

**Orenco
Woods**

Hillsboro

Beaverton

Gresham

**Cooper
Mountain
Nature Park**

Portland

**Mount
Talbert**

**Oxbow
Regional
Park**

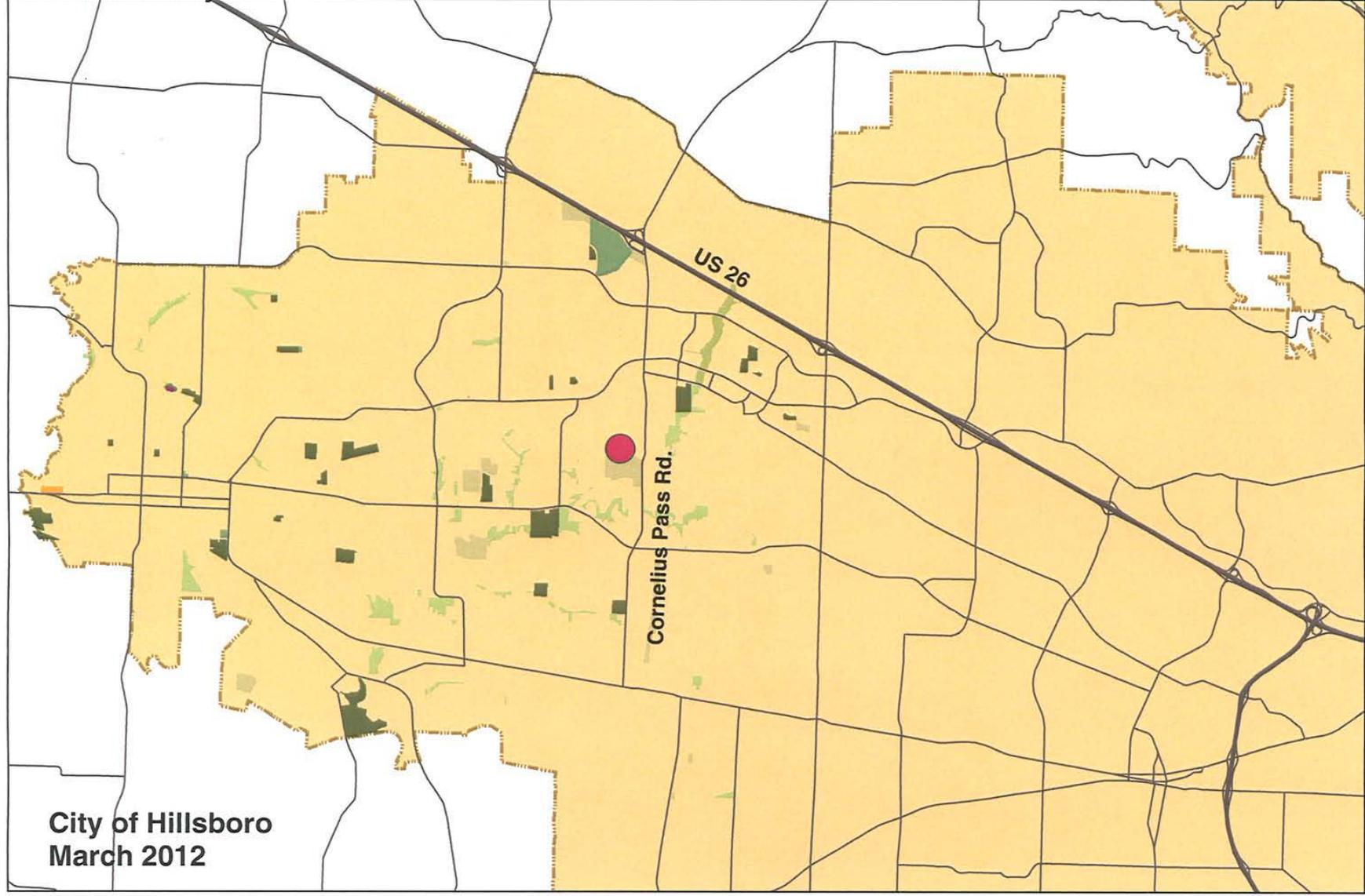
**Graham Oaks
Nature Park**

Oregon
City

Metro Urban Growth Boundary & Orenco Woods Nature Park Site

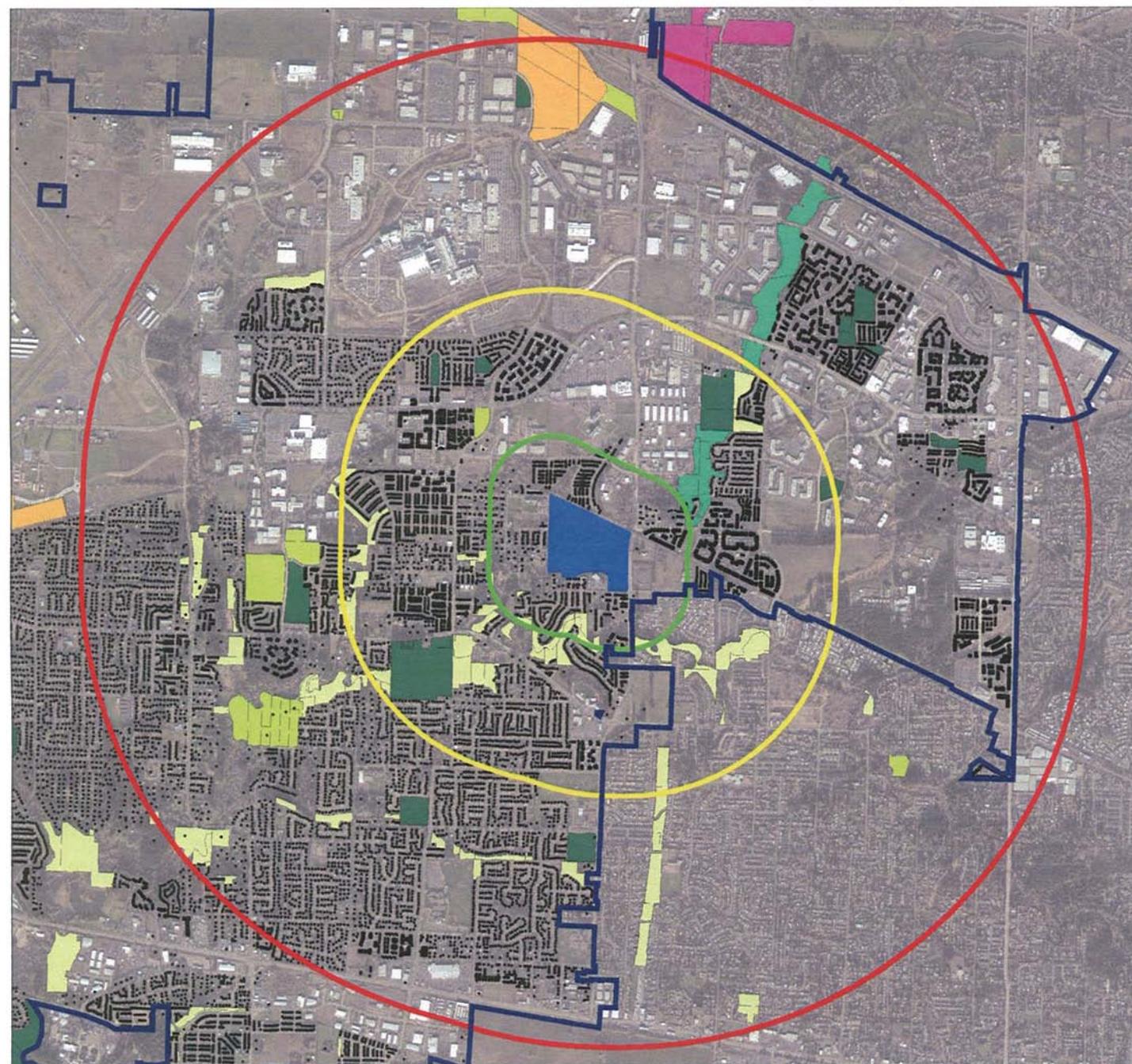


-  Urban Growth Boundary
-  Orenco Woods Nature Park Site
-  Other City Parks & Natural Areas



City of Hillsboro
March 2012

Orenco Woods Nature Park - Surrounding Population



Total Estimated Population

-  - ½ mile: 2,950
-  - 1 mile: 19,827
-  - 2 miles: 48,530



NE BIRCH ST

STONEY BROOK ST

NW 225TH AVE

MCDONALD HOUSE

31.4 acres

DOGWOOD ST

NW 226TH AVE

NW 225TH AVE

ELM ST

CITY PARCEL

11.3 acres

SALE PARCEL

10.3 acres

NW CORNELIUS PASS RD

NW WILSON ST
MAX LINE

Orenco Nursery Co. and McDonald House



Elks Lodge and Orenco Woods Golf Course



Orenco Woods comes into public ownership



Public involvement



Elementary school student vision



Public comment

What a beautiful
sacred space for
the community!
- Junia Huynh



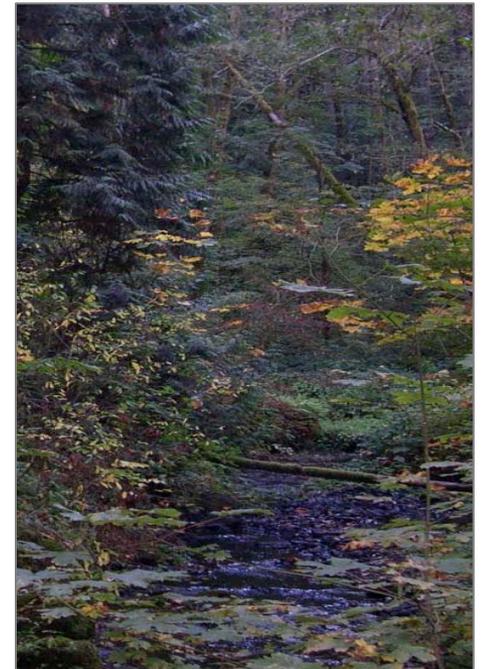
EVERYONE NEEDS
NATURE IN THEIR
NEIGHBORHOOD 

Project goals

- Utilize context-sensitive design to balance recreational opportunities with habitat protection, restoration and enhancement of the site's natural areas.
- Create a unique park that honors and respects the site's natural, cultural and historical attributes and setting.
- Provide for nature-related recreation experiences compatible with the nature park, and neighborhood park elements as appropriate.
- Provide welcoming park access that accommodates both community and neighborhood uses.
- Incorporate sustainable, low impact development principles into the park plan.

Conservation targets

1. Oak savannah
2. Mixed conifer and hardwood forest habitat
3. Riparian and floodplain forest habitat
4. Native fish



Program elements

Access and parking

Regional trail

Park trails

Bridges

Restrooms and picnic shelter

Viewpoints

Open space

Nature-based play

Adventure play

Education and interpretation

Habitat conservation



Open space

Nature-based play

Adventure play

Education and interpretation

Habitat conservation



Conceptual plan options



Development plans



Previous development plan



Current development plan

Draft master plan



Draft master plan: NW enlargement



Parking diagram



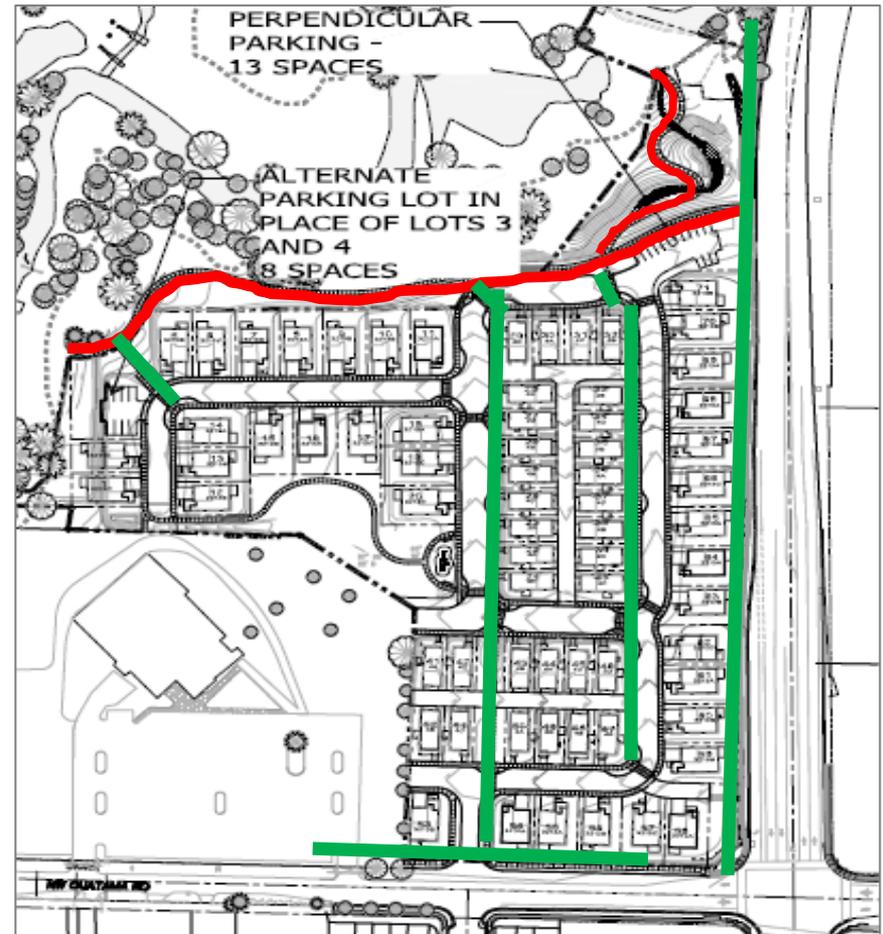
Polygon NW resident development proposal

Pedestrian connections from
Quatama and Cornelius Pass Rd.

Dedicated parking lot
(approximately 13 spaces)

Establish grade for Rock Creek
Regional Trail

Install local access trail to the
Park





Draft master plan



Draft master plan: SW enlargement



Environmental station #1: EXISTING



Environmental station #1: PROPOSED



Environmental station #2: EXISTING



Environmental station #2: PROPOSED



Draft master plan



Draft master plan: NE enlargement



Forest canopy bridge: EXISTING



Forest canopy bridge: PROPOSED



Environmental station #3: EXISTING



Environmental station #3: PROPOSED



Draft master plan



Next steps



Questions?

