 **Metro** | *Agenda*

Meeting: Metro Council
Date: Thursday, Dec. 12, 2013
Time: 2 p.m.
Place: Metro, Council Chamber

CALL TO ORDER AND ROLL CALL

- 1. INTRODUCTIONS**
- 2. CITIZEN COMMUNICATION**
- 3. RECOGNITION OF BILL DORAN, METRO PARK RANGER, FOR 36 YEARS OF SERVICE AT OXBOW**
- 4. FY 12-13 EXTERNAL FINANCIAL AUDIT RESULTS**
- 5. CONSENT AGENDA**
 - 5.1 Consideration of the Council Minutes for Dec. 5, 2013
 - 5.2 **Resolution No. 13-4474**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License Jointly to Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties for Delivery of Source-Separated Food Waste to the Pacific Region Compost Facility Located Near Corvallis, Oregon.
 - 5.3 **Resolution No. 13-4475**, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to New Earth Farm for Delivery of Source-Separated Food Waste to its Processing Facility Located in Washington County, Oregon.
 - 5.4 **Resolution No. 13-4477**, For the Purpose of Confirming the Council President's Reappointment of Cynthia J. Haruyama to the Metropolitan Exposition Recreation Commission.
 - 5.5 **Resolution No. 13-4478**, For the Purpose of Confirming the Council President's Reappointment of Karis J.A. Stoudamire-Phillips to the Metropolitan Exposition Recreation Commission.
 - 5.6 **Resolution No. 13-4479**, For the Purpose of Confirming the Council President's Reappointment of Terry Goldman to the Metropolitan Exposition Recreation Commission.

James Lanzarotta, Moss Adams LLP
Bradley Smith, Moss Adams LLP

Continued on back...

5.7 **Resolution No. 13-4480**, For the Purpose of Confirming the Council President’s Reappointment of Judie Hammerstad to the Metropolitan Exposition Recreation Commission.

5.8 **Resolution No. 13-4488**, For the Purpose of Confirming the Appointments to the Public Engagement Review Committee.

6. ORDINANCES – SECOND READING

6.1 **Ordinance No. 13-1313**, For the Purpose of Adopting the Metro Geographic Information System Map of Metro’s District and Jurisdictional Boundaries and Making Technical Corrections. **Tim O’Brien, Metro**

6.1.1 Public Hearing on Ordinance No. 13-1313.

7. CHIEF OPERATING OFFICER COMMUNICATION

8. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for Dec. 12, 2013 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, Dec. 12</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. 15, 7:30 p.m. <i>Date:</i> Monday, Dec. 16. 28, 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. 16, 2 p.m.</p>	<p>Washington County and West Linn Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Saturday, Dec. 14, 11 p.m. <i>Date:</i> Sunday, Dec. 15, 11 p.m. <i>Date:</i> Tuesday, Dec. 17, 6 a.m. <i>Date:</i> Wednesday, Dec. 18, 4 p.m.</p>
<p>Oregon City and 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>	

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 and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative 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.

Metro’s nondiscrimination notice

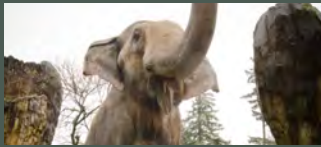
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Agenda Item No. 4.0

FY 12-13 External Financial Audit Results

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

CLICK HERE FOR FULL REPORT



600 NE Grand Ave.
Portland, Oregon
97232-2736

CAFR

**Comprehensive Annual Financial Report
For the fiscal year ended June 30, 2013**



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Agenda Item No. 5.1

Consideration of the Council Minutes for Dec. 5, 2013

Consent Agenda

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

Agenda Item No. 5.2

Resolution No. 13-4474, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License Jointly to Willamette Resources, Inc. and Republic Services of Clackamas and Washington Counties for Delivery of Source-Separated Food Waste to the Pacific Region Compost Facility Located Near Corvallis, Oregon.

Consent Agenda

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A) RESOLUTION NO. 13-4474
RENEWED NON-SYSTEM LICENSE JOINTLY TO WILLAMETTE)
RESOURCES, INC. AND REPUBLIC SERVICES OF CLACKAMAS) Introduced by Martha J. Bennett,
AND WASHINGTON COUNTIES FOR DELIVERY OF SOURCE-) Chief Operating Officer, with the
SEPARATED FOOD WASTE TO THE PACIFIC REGION) concurrence of Tom Hughes,
COMPOST FACILITY LOCATED NEAR CORVALLIS, OREGON) 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 facility; and

WHEREAS, Willamette Resources, Inc. ("WRI") and Republic Services of Clackamas and Washington Counties ("Republic") jointly hold Metro Solid Waste Facility Non-System License No. N-005-12(4), which expires on December 31, 2013; and

WHEREAS, WRI and Republic have filed a complete application seeking renewal of the non-system license to deliver source-separated food waste to the Pacific Region Compost Facility 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 and Republic 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 and Republic 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 _____, 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean, 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-005-12(4)

LICENSEE:		
Willamette Resources, Inc. 10295 SW Ridder Road Wilsonville, OR 97070	Republic Services of Clackamas and Washington Counties 10295 SW Ridder Road Wilsonville, OR 97070	
CONTACT PERSON:		
Derek Ruckman Phone: (503) 404-2128 Fax: (503) 570-0523 E-mail: druckman@republicservices.com	Ray Phelps (503) 404-2131 (503) 570-0523 rphelps@republicservices.com	Frank Lonergan (503) 404-2135 (503) 682-9505 flonergan@republicservices.com
MAILING ADDRESS:		
Willamette Resources, Inc. 10295 SW Ridder Road Wilsonville, OR 97070	Republic Services of Clackamas and Washington Counties 10295 SW Ridder Road Wilsonville, OR 97070	

ISSUED BY METRO:

Scott Robinson, Deputy Chief Operating Officer

Date

1	NATURE OF WASTE COVERED BY LICENSE
	<p>(a) Source-separated, commercial food waste generated within the Metro boundary and received at Willamette Resources, Inc. in accordance with Metro Solid Waste Facility Franchise No. F-005-08C; and</p> <p>(b) Source-separated, commercial food waste that is generated within the Metro region and collected by Republic Services of Clackamas and Washington Counties.</p>
2	CALENDAR YEAR TONNAGE LIMITATION
	<p>Licensee is authorized to deliver to the non-system facility listed in Section 3 of this license up to 12,000 tons per calendar year of the waste described in Section 1 of this license.</p>
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 for the purpose of processing and composting:</p> <p style="text-align: center;">Pacific Region Compost Facility 29969 Camp Adair Road Monmouth, Oregon 97361</p> <p>This license is issued on the condition that the non-system facility listed in this section is authorized to accept the type of waste described in Section 1. If Metro receives notice from the Oregon Department of Environmental Quality that this non-system facility is not authorized to accept such waste, Metro may immediately terminate this license pursuant to Section 10 of this license.</p>
4	TERM OF LICENSE
	<p>The term of this license will commence on January 1, 2013 and expire at midnight on December 31, 2014, unless terminated sooner under Section 10 of this license.</p>

5	COVERED LOADS
	Licensee shall suitably contain and cover, on all sides, all loads of source-separated food waste that are delivered under authority of this license to prevent spillage of waste while in transit to the non-system facility listed in Section 3.

6	MATERIAL MANAGEMENT
	<p>The Licensee is authorized to deliver the waste described in Section 1 of this license to the non-system facility listed in Section 3 under the following conditions:</p> <p>(a) The non-system facility shall accept all solid waste that is delivered under authority of this license for the sole purpose of processing and composting on-site. The Licensee shall not dispose of any source-separated recyclable material, except as provided in Section 7; and</p> <p>(b) The non-system facility shall receive, manage, process, and compost all solid waste that is delivered under authority of this license in accordance with all applicable local, state and federal laws, rules, regulations, ordinances, orders, and permits.</p>

7	REGIONAL SYSTEM FEE AND EXCISE TAX
	<p>The Licensee shall be subject to the following conditions:</p> <p>(a) Source-separated food waste that is delivered under authority of this license and is accepted and composted, in accordance with all applicable regulations, at the non-system facility listed in Section 3 is exempt from Regional System Fees and Excise Tax.</p> <p>(b) If the Licensee delivers waste under this license to the non-system facility listed in Section 3 but the material does not meet the facility's acceptance criteria (for example, the material is too contaminated for processing or composting) or the non-system facility fails to process and compost the material as required as a condition of this license, the Licensee shall pay to Metro an amount equal to the Regional System Fee, as provided in Metro Code Title V, for each ton or portion thereof of waste delivered to the non-system facility that is ultimately delivered to a disposal site.</p> <p>(c) If the Licensee delivers waste under this license to the non-system facility listed in Section 3 but the material does not meet the facility's acceptance</p>

criteria (for example, the material is too contaminated for processing or composting) or the non-system facility fails to process and compost the material as required as a condition of this license, the Licensee shall pay to Metro an amount equal to the Excise Tax, as provided in Metro Code Title VII, for each ton or portion thereof of waste delivered to the non-system facility that is ultimately delivered to a disposal site.

8 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.

9 RECORD KEEPING AND REPORTING

(a) The Licensee shall keep and maintain accurate records of the amount of all solid wastes that the Licensee delivers to the non-system facility listed 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:

- i. Ticket or weight slip number from the non-system facility;
- ii. Material category designating the type of material transferred to the non-system facility;
- iii. Date the load was transferred to the non-system facility;
- iv. Time the load was transferred to the non-system facility;
- v. Net weight of the load; and
- vi. Fee charged by the non-system facility.

(b) No later than the fifteenth (15th) day of each month, beginning with the first month following the commencement date of this license, Licensee shall transmit the records required under Section 9(a) above, that covers the preceding month, to Metro's Finance and Regulatory Services Department in an electronic format prescribed by Metro.

(c) Licensee shall make all records from which Section 9(a) above are derived available to Metro (or Metro's designated agent) for its inspection or copying, as long as Metro provides no less than three (3) business days written notice of an intent to inspect or copy documents. Licensee shall, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facility listed above in Section 3.

10	ADDITIONAL LICENSE CONDITIONS
	<p>This non-system license shall be subject to the following conditions:</p> <ul style="list-style-type: none">(a) The permissive transfer of solid waste to the non-system facility, listed in Section 3, authorized by this license shall be subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.(b) This license shall be subject to amendment, modification, or termination by Metro's Chief Operating Officer (the "COO") in the event that the COO determines that:<ul style="list-style-type: none">i. There has been sufficient change in any circumstances under which Metro issued this license;ii. The provisions of this license are actually or potentially in conflict with any provision in Metro's disposal contract with 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 facility listed in Section 3; oriv. The non-system facility listed in Section 3 fails to manage the waste subject to this license in accordance with the material management requirements described in Section 6.(c) This license shall, in addition to subsections (b)(i) through (b)(iv), above, be subject to amendment, modification, termination, or suspension pursuant to the Metro Code.(d) Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.(e) This license shall terminate upon the execution of a designated facility agreement with the facility listed in Section 3 that authorizes the facility to accept the waste described in Section 1 of this license.(f) This license authorizes delivery of solid waste only to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro.

11	COMPLIANCE WITH LAW
	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 Metro Code 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.

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

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4474 FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-SYSTEM LICENSE JOINTLY TO WILLAMETTE RESOURCES, INC. AND REPUBLIC SERVICES OF CLACKAMAS AND WASHINGTON COUNTIES FOR DELIVERY OF SOURCE-SEPARATED FOOD WASTE TO THE PACIFIC REGION COMPOST FACILITY LOCATED NEAR CORVALLIS, OREGON

November 15, 2013

Prepared by: Warren Johnson
503-797-1836

Approval of Resolution No. 13-4474 will authorize the Chief Operating Officer (COO) to issue a two-year non-system license (NSL) jointly to Willamette Resources, Inc. (WRI) and Republic Services of Clackamas and Washington Counties (Republic) to annually deliver a maximum of 12,000 tons of source-separated, commercially-generated food waste ("commercial food waste") to the Pacific Region Compost Facility (PRC) located at 29969 Camp Adair Road near Corvallis, Oregon. The proposed NSL is a renewal of an existing license that is set to expire on December 31, 2013.

BACKGROUND

1. Overview

The applicant seeks to renew its NSL to transport commercial food waste generated within Metro to PRC. PRC is a non-system composting facility located outside of the region. Metro Code Section 5.05.025 prohibits any person from transporting solid waste to non-system facilities without an appropriate license from Metro. The proposed NSL renewal is subject to Metro Council approval because it involves putrescible waste (food waste).

2. The Applicant

Republic Services, Inc., (RSI) is the parent company of WRI, Republic, and PRC. RSI is a waste management company headquartered in Phoenix, Arizona. RSI is also the contract operator for the Metro South Transfer Station

In December 2011, the Metro Council granted an NSL¹ jointly to WRI and Republic² to annually deliver up to 12,000 tons of source-separated food waste to PRC. The NSL commenced on January 1, 2012, and will expire on December 31, 2013. The license authorizes the delivery of commercial food waste that is either received and reloaded at WRI or collected at the site of generation and directly-hauled by Republic. The purpose of the jointly issued NSL is to provide greater flexibility for the Licensee and improve administrative efficiency. Under the current NSL, the Licensee delivered about 7,500 tons of commercial food waste to PRC in calendar year 2012 and about 5,400 tons to the facility between January and September 2013.

On August 19, 2013, the applicant submitted an application to Metro seeking the renewal of its current NSL and requested a 5,000-ton increase in tonnage authorization (for a total of 17,000 tons per calendar

¹ Non-System License No. N-005-12(4)

² Republic Services, Inc. formerly operated under the name "Allied Waste Industries."

year). However, the applicant later withdrew its request for an increased tonnage authorization and now seeks the renewal of its license with the same currently authorized tonnage limit. The proposed license renews the existing authorization that WRI and Republic have jointly held since 2010.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to the proposed NSL.

2. Legal Antecedents

Metro Code Section 5.05.035(c) provides that, when determining whether or not to approve an NSL application, the Metro 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;*

PRC is an established yard debris and food waste composting facility that is well known to Metro staff. The facility accepts composting feedstock that consists primarily of source-separated food waste, yard debris, and wood waste.

The facility initially began accepting food waste from its affiliated haulers within the Willamette Valley (i.e., Corvallis, Albany and Salem) in November 2009. In early 2010, PRC began accepting Metro-area food waste that was delivered under authority of NSLs. In 2011, the facility began accepting commercial food waste from the Metro South Transfer Station. Prior to the end of 2009, PRC accepted only wood waste and yard debris for composting.

The potential environmental risk from the use of this non-system facility is generally presumed to be minimal because: 1) the facility is regulated and monitored by the Oregon Department of Environmental Quality (DEQ), and 2) composting feedstock, such as the type of material delivered to PRC, generally does not pose the same risk as that of others waste streams that are delivered to landfills for disposal.

- (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;*

Metro staff's investigation of the applicant, destination facility, and parent company revealed a good record of compliance with local and state agencies responsible for health, safety, and environmental regulations.

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

PRC is permitted by the DEQ. The facility manages all of the waste it receives, including commercial food waste, in accordance with the requirements of its DEQ-issued permit.

On August 7, 2013, the DEQ issued a letter to PRC notifying the facility of several concerns regarding its operating practices and procedures. The DEQ directed PRC to develop and implement a corrective action plan to: 1) meet all of the DEQ's required performance standards, 2) incorporate incoming feedstock into an active composting phase as necessary to meet the performance standards, 3) provide an adequate water distribution system throughout the site, 4) meet leachate and stormwater management requirements, 5) conduct all process monitoring parameters as specified in the facility's operating plan, and 6) ensure that prohibited wood waste is not accepted or used for composting feedstock. PRC subsequently submitted a plan to the DEQ on August 20, 2013, which outlined its proposed corrective actions and a timeline for addressing the cited concerns. The facility is presently working with the DEQ to resolve the outstanding operational issues. The DEQ has not taken any formal enforcement action at the facility or restricted its authority to accept Metro-area commercial food waste. Although the facility's action plan is still in progress, the proposed NSL allows the COO to subsequently amend, modify, or terminate the license if the COO determines that a change of authorization is necessary in the future.

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

The waste subject to the proposed NSL will be delivered to PRC for the purpose of composting rather than disposal. Based on the waste management hierarchy, composting is considered to be a higher and better management option than land disposal. As such, approval of the proposed NSL is likely to continue having a positive impact on the region's recycling and waste reduction efforts.

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

Metro is contractually obligated to deliver a minimum of 90 percent of the region's putrescible waste that is delivered to general purpose landfills during the calendar year, to landfills owned by Metro's disposal contractor, Waste Management. The waste subject to the proposed license will not be disposed at a general-purpose landfill. Approval of the proposed license will not conflict with Metro's disposal contract; however, increased diversion of organic material from disposal shrinks the amount of waste committed under the flow guarantee and the amount available for allocation to NSLs that control the remaining 10 percent.

In addition, RSI currently serves as Metro's contractor for processing organic waste received at the Metro South Transfer Station – including commercial food waste.

(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 currently in compliance with its Metro-issued NSL and has not had any compliance issues with regard to Metro regulations within the last two years. Additionally, Metro staff's investigation of the applicant revealed a good record of compliance with local and state agencies responsible for health, safety, and environmental regulations.

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

The proposed NSL is a renewal of an existing license. PRC provides important processing and composting capacity for the region that supports Metro's goal of diverting organics away from disposal and into recovery outlets.

3. Anticipated Effects

The effect of Resolution No. 13-4474 will be to jointly authorize WRI and Republic to deliver up to 12,000 tons per calendar year of commercial food waste directly to PRC for composting. This proposed NSL is one of two organics-related action items currently under consideration by Metro Council which contributes to reducing the amount of solid waste disposed in landfills.

4. Budget/Rate Impacts

Metro's Regional System Fee and Excise Tax (RSF and ET) rates depend on the amount of waste that is disposed. Any waste that is diverted from the disposal stream, such as the recovery of food waste, will in general increase those RSF and ET rates. Waste diversion will also affect other disposal prices (i.e., tip fees) at Metro transfer stations and other solid waste facilities due to fixed and capital costs, etc. being spread over less tonnage. The effects of these individual price changes will depend on facility-specific factors. However, the effect on the RSF and ET is universal across all ratepayers and waste disposed.

In general, approval of any new license or change of authority in an existing license during a fiscal year will have an actual impact on Metro's revenues, but would be factored into the fee and tax rates during the next budget-and-rates cycle. In this case, the application under consideration is the renewal of an existing NSL with no change in tonnage. The financial impact of this NSL has already been factored into the budget.

RECOMMENDED ACTION

The COO recommends approval of Resolution No. 13-4474 finding that the license renewal satisfies the requirements of Metro Code Section 5.05.035. Thus, the COO also recommends the issuance of an NSL substantially similar to the proposed NSL attached to the resolution as Exhibit A.

WJ:bjj
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Queue

Agenda Item No. 5.3

Resolution No. 13-4475, For the Purpose of Authorizing the Chief Operating Officer to Issue a Renewed Non-System License to New Earth Farm for Delivery of Source-Separated Food Waste to its Processing Facility Located in Washington County, Oregon.

Consent Agenda

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A) RESOLUTION NO. 13-4475
RENEWED NON-SYSTEM LICENSE TO NEW EARTH FARM)
FOR DELIVERY OF SOURCE-SEPARATED FOOD WASTE TO) Introduced by Martha J. Bennett,
ITS PROCESSING FACILITY LOCATED IN WASHINGTON) Chief Operating Officer, with the
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 facility; and

WHEREAS, New Earth Farm holds Metro Solid Waste Facility Non-System License No. N-137-12, which expires on December 31, 2013; and

WHEREAS, New Earth Farm has filed a complete application seeking renewal of the non-system license to deliver source-separated food waste to its own facility 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 applications and considered the relevant factors under the Metro Code; and

WHEREAS, the Chief Operating Officer recommends that Metro issue a non-system license to New Earth Farm with specific conditions as provided in Exhibit A to this Resolution; now therefore,

THE METRO COUNCIL RESOLVES AS FOLLOWS:

1. The non-system license application of New Earth Farm 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 New Earth Farm 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 _____, 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean, 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-137-14

LICENSEE:
New Earth Farm 11000 NW Jackson Quarry Road Hillsboro, OR 97124
CONTACT PERSON:
Scott Olsen Phone: (503) 913-2641 E-Mail: scott@newearthfarm.net
MAILING ADDRESS:
11000 NW Jackson Quarry Road Hillsboro, OR 97124

ISSUED BY METRO:

Scott Robinson,
Deputy Chief Operating Officer

Date

1	NATURE OF WASTE COVERED BY LICENSE
	Source-separated food waste that is generated by businesses and schools within the Metro boundary and collected by New Earth Farm.
2	CALENDAR YEAR TONNAGE LIMITATION
	<p>(a) Licensee is authorized to deliver to the non-system facility listed in Section 3 of this license up to 264 tons per calendar year of the waste described in Section 1 of this license.</p> <p>(b) Notwithstanding subsection (a) above, the COO may amend this license to decrease the calendar year tonnage limitation based on:</p> <ul style="list-style-type: none">(i) A permit issued by DEQ that authorizes a calendar year tonnage limitation lower than that authorized in subsection (a) above; and(ii) The Licensee's compliance with the terms 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 for the purpose of processing and land application at an agronomic rate allowed by DEQ:</p> <p style="text-align: center;">New Earth Farm 11000 NW Jackson Quarry Road Hillsboro, OR 97124</p> <p>This license is issued on the condition that the non-system facility listed in this section is authorized to accept the type of waste described in Section 1. If Metro receives notice from DEQ or Washington County that this non-system facility is not authorized to accept such waste, Metro may immediately modify or terminate this license pursuant to Section 10 of this license.</p>
4	TERM OF LICENSE
	The term of this license will commence on January 1, 2014 and expire at midnight on December 31, 2015, unless terminated sooner under Section 10 of this license.

5	COVERED LOADS
	Licensee shall suitably contain and cover, on all sides, all loads of source-separated food waste that are delivered under authority of this license to prevent spillage of waste while in transit to the non-system facility listed in Section 3.

6	MATERIAL MANAGEMENT
	<p>The Licensee is authorized to deliver the waste described in Section 1 of this license to the non-system facility listed in Section 3 under the following conditions:</p> <p>(a) The non-system facility shall accept all solid waste that is delivered under authority of this license for the sole purpose of processing on-site. The Licensee shall not dispose of any source-separated recyclable material, except as provided in Section 7; and</p> <p>(b) The non-system facility shall receive, manage and process all solid waste that is delivered under authority of this license in accordance with all applicable local, state and federal laws, rules, regulations, ordinances, orders, and permits.</p>

7	REGIONAL SYSTEM FEE AND EXCISE TAX
	<p>The Licensee shall be subject to the following conditions:</p> <p>(a) Source-separated food waste that is delivered under authority of this license and is accepted and processed, in accordance with all applicable regulations, at the non-system facility listed in Section 3 is exempt from Regional System Fees and Excise Tax.</p> <p>(b) If the Licensee delivers waste under this license to the non-system facility listed in Section 3 but the material does not meet the facility's acceptance criteria (for example, the material is too contaminated for processing or composting) or the non-system facility fails to process the material as required as a condition of this license, the Licensee shall pay to Metro an amount equal to the Regional System Fee, as provided in Metro Code Title V, for each ton or portion thereof of waste delivered to the non-system facility that is ultimately delivered to a disposal site.</p> <p>(c) If the Licensee delivers waste under this license to the non-system facility listed in Section 3 but the material does not meet the facility's acceptance criteria (for example, the material is too contaminated for processing) or the non-system facility fails to process and compost the material as required as</p>

	a condition of this license, the Licensee shall pay to Metro an amount equal to the Excise Tax, as provided in Metro Code Title VII, for each ton or portion thereof of waste delivered to the non-system facilities that is ultimately delivered to a disposal site.
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8	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.

9	RECORD KEEPING AND REPORTING
	<p>(a) The Licensee shall keep and maintain accurate records of the amount of all solid wastes that the Licensee delivers to the non-system facility listed 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 facilities:</p> <ul style="list-style-type: none">i. Ticket or weight slip number from the non-system facility;ii. Material category designating the type of material transferred to the non-system facility;iii. Date the load was transferred to the non-system facility;iv. Time the load was transferred to the non-system facility;v. Net weight of the load; andvi. Fee charged by the non-system facility. <p>(b) No later than the fifteenth (15th) day of each month, beginning with the first month following the commencement date of this license, Licensee shall transmit the records required under Section 9(a) above, that covers the preceding month, to Metro's Finance and Regulatory Services Department in an electronic format prescribed by Metro.</p> <p>(c) Licensee shall make all records from which Section 9(a) above are derived available to Metro (or Metro's designated agent) for its inspection or copying, as long as Metro provides no less than three (3) business days written notice of an intent to inspect or copy documents. Licensee shall, in addition, sign or otherwise provide to Metro any consent or waiver necessary for Metro to obtain information or data from a third party, including the non-system facilities listed above in Section 3.</p>

10	ADDITIONAL LICENSE CONDITIONS
	<p>This non-system license shall be subject to the following conditions:</p> <ul style="list-style-type: none">(a) The permissive transfer of solid waste to the non-system facility, listed in Section 3, authorized by this license shall be subordinate to any subsequent decision by Metro to direct the solid waste described in this license to any other facility.(b) In addition to the amendments by the COO authorized by Section 2 of this license, this license shall be subject to amendment, modification, or termination by the COO in the event that the COO determines that:<ul style="list-style-type: none">i. There has been sufficient change in any circumstances under which Metro issued this license;ii. The provisions of this license are actually or potentially in conflict with any provision in Metro's disposal contract with 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 facility listed in Section 3;iv. The non-system facility listed in Section 3 fails to manage the waste subject to this license in accordance with the material management requirements described in Section 6;v. The non-system facility listed in Section 3 generates malodors that are detectable off-site; orvi. The non-system facility listed in Section 3 fails to meet the specific criteria for qualification as an agricultural operation as established by Washington County.(c) This license shall, in addition to subsections (b)(i) through (b)(vi), above, be subject to amendment, modification, termination, or suspension pursuant to the Metro Code.(d) Licensee shall not transfer or assign any right or interest in this license without prior written notification to, and approval of, Metro.(e) This license authorizes delivery of solid waste only to the facility listed in Section 3. Transfer of waste generated from within the Metro boundary to any non-system facility other than that specified in this license is prohibited unless authorized in writing by Metro.

11	COMPLIANCE WITH LAW
	<p>Licensee shall fully comply with all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders, and permits pertaining in any manner to this license, including all applicable Metro Code provisions and administrative procedures adopted pursuant to Metro Code Chapter 5.05 whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the collection and hauling of the licensee's solid waste by federal, state, regional or local governments or agencies having jurisdiction over solid waste generated by the licensee shall be deemed part of this license as if specifically set forth herein.</p>
12	INDEMNIFICATION
	<p>Licensee shall defend, indemnify and hold harmless Metro, its elected officials, officers, employees, agents and representatives from any and all claims, demands, damages, causes of action, or losses and expenses, or including all attorneys' fees, whether incurred before any litigation is commenced, during any litigation or on appeal, arising out of or related in any way to the issuance or administration of this non-system license or the transport and disposal of the solid waste covered by this license.</p>

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4475 FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO ISSUE A RENEWED NON-SYSTEM LICENSE TO NEW EARTH FARM FOR DELIVERY OF SOURCE-SEPARATED FOOD WASTE TO ITS PROCESSING FACILITY LOCATED IN WASHINGTON COUNTY, OREGON

November 15, 2013

Prepared by: Will Ennis
(503) 797-1667

Approval of Resolution No. 13-4475 will authorize the Chief Operating Officer (COO) to issue a renewed non-system license (NSL) to New Earth Farm (NEF) to annually deliver a maximum of 264 tons of source-separated food waste to its processing facility located at 11000 NW Jackson Quarry Road in Hillsboro, Oregon. The proposed NSL is a renewal of an existing license that is set to expire on December 31, 2013.

BACKGROUND

1. Overview

The applicant seeks authorization to renew its NSL to transport source-separated food waste generated by businesses and schools within the Metro region to its own facility located outside of the region. Metro Code Section 5.05.025 prohibits any person from transporting solid waste to non-system facilities without an appropriate license from Metro. The proposed NSL renewal is subject to Metro Council approval because it involves putrescible waste (food waste).

2. The Applicant

NEF, which is owned and operated by Scott Olsen, is comprised of a 16-acre farmed plot that is part of a larger, 24-acre site. Produce grown at NEF is sold to the public, area restaurants and business cafeterias. Post-consumer vegetative food waste generated at commercial facilities, in addition to some meat and dairy waste, is then returned to NEF for processing.

NEF uses the bokashi method to process the food waste. Bokashi is an in-vessel anaerobic fermentation process and converts the majority of food waste delivered to the facility into liquid and solid soil amendments. The liquid component resulting from the process is land applied at NEF and neighboring farms. The remaining solid materials are tilled into the soil at NEF. The facility processes a smaller amount of food waste using vermicomposting and black soldier fly larvae. Solids from these processes are also used at NEF.

In October 2012, the Metro Council granted the applicant an NSL (No. N-137-12) to annually deliver a maximum of 264 tons of source-separated food waste to NEF. The license will expire on December 31, 2013. On August 23, 2013, NEF submitted to Metro an application requesting that Metro renew its existing NSL with a tonnage authorization of 264 tons per calendar year – the same amount in its current authorization.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to NEF hauling food waste to its own facility. To address potential odor issues at the facility, the proposed renewed NSL stipulates that the COO may amend, modify, or terminate the license as necessary if Metro determines that NEF generates malodors that are detectable off-site based on findings or actions taken by either Washington County or the Oregon Department of Environmental Quality (DEQ). The County and DEQ have regulatory authority over the facility and may take enforcement action to control odors if necessary.

2. Legal Antecedents

Metro Code Section 5.05.035(c) provides that, when determining whether or not to approve an NSL application, the Metro 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;*

Metro staff has visited NEF and is aware of how feedstocks are managed at the facility. Since NEF accepts only limited amounts food waste for processing, the waste does not pose the same potential environmental risk as waste being delivered for landfill disposal. There is no known evidence of any other wastes currently being accepted at NEF that could pose a risk of environmental contamination. The environmental risk from the use of this non-system facility is presumed to be minimal because the facility will be fully regulated and monitored 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;*

Metro staff's investigation of the applicant revealed a good record of compliance with local and state agencies responsible for health, safety, and environmental regulations. DEQ reports that the agency has not taken enforcement action against the NEF or received complaints regarding the facility's operation. Washington County also reports that no enforcement actions have been taken against NEF nor has the County received complaints about the facility's operation.

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

Metro and DEQ consider the operational practices and management controls in place at NEF to be adequate and consistent with other food waste processing facilities. Waste accepted at NEF is delivered in sealed containers and the majority of processing at NEF takes place in-vessel. NEF has provided Metro with a copy of its Odor Minimization Plan required by Washington County. NEF has obtained a DEQ compost facility registration permit for its processing operation. In 2012 Washington County

determined that NEF qualifies as an agricultural operation and is not required to obtain a County-issued franchise.

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

The waste subject to the proposed NSL will be delivered to NEF for the purpose of composting¹ rather than disposal. Based on the waste management hierarchy, composting is considered to be a higher and better management option than land disposal. As such, renewal of the proposed NSL is likely to continue having a positive impact on the region's recycling and waste reduction efforts.

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

The renewal of the proposed license 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 currently in compliance with its Metro-issued NSL and has not had any compliance issues with regard to Metro regulations within the last year. Additionally, the applicant has a good record of compliance with local and state agencies responsible for health, safety, and environmental regulations.

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

NEF will provide processing capacity for the region that supports Metro's goal of diverting organics away from disposal and into recovery outlets and is providing an innovative approach to processing organics (the bokashi method).

3. Anticipated Effects

The effect of Resolution No. 13-4475 will be to authorize NEF to deliver up to 264 tons per calendar year of source-separated food waste to its own facility for processing. This proposed NSL is one of two organics-related action items currently under consideration by Metro Council which contributes to a reducing the amount of solid waste disposed in landfills.

4. Budget/Rate Impacts

Metro's Regional System Fee and Excise Tax (RSF and ET) rates depend on the amount of waste that is disposed. Any waste that is diverted from the disposal stream, such as the processing of food waste, will in general increase those RSF and ET rates. Waste diversion will also affect other disposal prices (tip fees) at Metro transfer stations and other solid waste facilities due to fixed and capital costs, etc. being

¹ NEF uses the bokashi method to process the food waste. Bokashi is an in-vessel anaerobic fermentation process and converts the majority of food waste delivered to the facility into liquid and solid soil amendments.

spread over less tonnage. The effects of these individual price changes will depend on facility-specific factors. However, the effect on the RSF and ET is universal across all ratepayers and waste disposed.

Granting this non-system license would have no material fiscal impact on Metro because the *maximum* amount of food waste authorized under this license is negligible. Furthermore, the historical diversion has already been factored into Metro's rates and budget – which further reduces any fiscal impact of granting this license.

RECOMMENDED ACTION

The COO recommends approval of Resolution No. 13-4475 finding that the license application satisfies the requirements of Metro Code Section 5.05.035, and issuance of a renewed NSL substantially similar to the proposed NSL attached to the resolution as Exhibit A.

WE/bjl
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Agenda Item No. 5.4

Resolution No. 13-4477, For the Purpose of Confirming the Council President's Reappointment of Cynthia J. Haruyama to the Metropolitan Exposition Recreation Commission.

Consent Agenda

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE	)	RESOLUTION NO. 13-4477
COUNCIL PRESIDENT’S REAPPOINTMENT OF)	
CYNTHIA J. HARUYAMA TO THE	)	Introduced by Tom Hughes,
METROPOLITAN EXPOSITION RECREATION	)	Council President
COMMISSION		

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission (“the Commission”); and

WHEREAS, the Metro Code, Section 6.01.030(b) provides that the Metro Council President’s appointments to the Commission are subject to confirmation by the Metro Council; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(d)(3) and (g), the Metro Council President has appointed Cynthia J. Haruyama as a candidate; and

WHEREAS, the Metro Council President submitted his appointment of Cynthia J. Haruyama to the Metro Council for confirmation; and

WHEREAS, the Metro Council finds that Cynthia J. Haruyama has the experience and expertise to make a substantial contribution to the Commission’s work; now therefore

BE IT RESOLVED that the Metro Council hereby confirms the Council President’s reappointment of Cynthia J. Haruyama as a member of the Metropolitan Exposition Recreation Commission, for a 4-year term as provided by the Metro Code, commencing immediately, on January 1, 2014 through December 31, 2017.

ADOPTED by the Metro Council this 12th day of December 2013.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4477, FOR THE PURPOSE OF
CONFIRMING THE COUNCIL PRESIDENT'S REAPPOINTMENT OF CYNTHIA J.
HARUYAMA TO THE METROPOLITAN EXPOSITION RECREATION COMMISSION

Date: December 12, 2013

Prepared by: Teri Dresler

BACKGROUND

The Metro Code, Section 6.01.030(a), gives the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission, subject to confirmation by the Council. Section 6.01.030(d)(3) of the Metro Code allows the Council President to nominate a candidate for appointment for the Metro Council's consideration.

The Metro Council President has reappointed Cynthia J. Haruyama as a candidate for membership on the Commission. The council President has submitted his reappointment of Ms. Haruyama to the Metro Council for confirmation. If confirmed, Ms. Haruyama would, pursuant to Metro Code, Section 6.01.030 (g), serve a 4-year term beginning January 1, 2013 and ending December 31, 2017. A copy of Ms. Haruyama's biography is attached as Attachment 1 to this Staff Report.

Metro Chief Operating Officer Martha Bennett concurs with this appointment.

ANALYSIS/INFORMATION

- **Known Opposition.** None
- **Legal Antecedents.** Metro Code as referenced above.
- **Anticipated Effects.** Reappointment of Ms. Haruyama to the Metropolitan Exposition Recreation Commission, in the manner provided by the Metro Code.
- **Budget Impacts.** None

RECOMMENDED ACTION

The chief Operating Officer recommends approval of Resolution 13-4477 to confirm the reappointment of Cynthia J. Haruyama to the Metropolitan Exposition Recreation Commission and to begin serving January 1, 2014.

Attachment 1

Resolution 13-4477: Confirming the Council President's Reappointment of Cynthia J. Haruyama to the Metropolitan Exposition Recreation Commission

Cynthia J. Haruyama Biography

Cynthia Johnson Haruyama is Deputy Director at the Portland Japanese Garden. Her prior work experience includes serving as Executive Director of Lan Su Chinese Garden and Hoyt Arboretum Friends Foundation and General Manager of A.M. Andrews Co. She has also practiced law, specializing in corporate law and business transactions with the Portland office of Davis Wright Tremaine and Farleigh Wada & Witt.

Ms. Haruyama's educational background includes a law degree from Columbia University and an undergraduate degree in East Asian Studies from Princeton University. She is a native of Portland, Ore., but has also lived in Japan, New Jersey and New York.

She currently serves as a board member of the Washington Park Transportation Management Association. Previously she has chaired the Washington Park Alliance and served on the Master Planning Committee for Leach Botanic Garden.

Agenda Item No. 5.5

Resolution No. 13-4478, For the Purpose of Confirming the Council President's Reappointment of Karis J.A. Stoudamire-Phillips to the Metropolitan Exposition Recreation Commission.

Consent Agenda

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE) RESOLUTION NO. 13-4478
COUNCIL PRESIDENT’S REAPPOINTMENT OF)
KARIS J.A. STOUDAMIRE-PHILLIPS TO THE) Introduced by Tom Hughes,
METROPOLITAN EXPOSITION RECREATION Council President
COMMISSION

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission (“the Commission); and

WHEREAS, the Metro Code, Section 6.01.030(b) provides that the Metro Council President’s appointments to the Commission are subject to confirmation by the Metro Council; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(d)(3) and (g), the Metro Council President has appointed Karis J.A. Stoudamire-Phillips as a candidate; and

WHEREAS, the Metro Council President submitted his appointment of Karis J.A. Stoudamire-Phillips to the Metro Council for confirmation; and

WHEREAS, the Metro Council finds that Karis Stoudamire-Phillips has the experience and expertise to make a substantial contribution to the Commission’s work; now therefore

BE IT RESOLVED that the Metro Council hereby confirms the Council President’s reappointment of Karis J.A. Stoudamire-Phillips as a member of the Metropolitan Exposition Recreation Commission, for a 4-year term as provided by the Metro Code, commencing immediately, on January 1, 2014 through December 31, 2017.

ADOPTED by the Metro Council this 12th day of December 2013.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4478, FOR THE PURPOSE OF CONFIRMING THE COUNCIL PRESIDENT'S REAPPOINTMENT OF KARIS J.A. STOUDAMIRE-PHILLIPS TO THE METROPOLITAN EXPOSITION RECREATION COMMISSION

Date: December 12, 2013

Prepared by: Teri Dresler

BACKGROUND

The Metro Code, Section 6.01.030(a), gives the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission, subject to confirmation by the Council. Section 6.01.030(d)(3) of the Metro Code allows the Council President to nominate a candidate for appointment for the Metro Council's consideration.

The Metro Council President has reappointed Karis J.A. Stoudamire-Phillips to membership on the Commission. The council President has submitted his reappointment of Ms. Stoudamire-Phillips to the Metro Council for confirmation. If confirmed, Ms. Stoudamire-Phillips would, pursuant to Metro Code, Section 6.01.030 (g), serve a 4-year term beginning January 1, 2013 and ending December 31, 2017. A copy of Ms. Stoudamire-Phillips' biography is attached as Attachment 1 to this Staff Report.

Metro Chief Operating Officer Martha Bennett concurs with this appointment.

ANALYSIS/INFORMATION

- **Known Opposition.** None
- **Legal Antecedents.** Metro Code as referenced above.
- **Anticipated Effects.** Reappointment of Ms. Stoudamire-Phillips to the Metropolitan Exposition Recreation Commission, in the manner provided by the Metro Code.
- **Budget Impacts.** None

RECOMMENDED ACTION

The chief Operating Officer recommends approval of Resolution 13-4478 to confirm the reappointment of Karis J.A. Stoudamire-Phillips to the Metropolitan Exposition Recreation Commission and to begin serving January 1, 2014.

Attachment 1

Resolution 13-4478: Confirming the Council President's Reappointment of Karis J.A. Stoudamire-Phillips to the Metropolitan Exposition Recreation Commission

Karis J.A. Stoudamire-Phillips Biography

Karis Stoudamire-Phillips supervises Corporate Responsibility and Community Relations at Moda Health (formerly ODS). She administered the Damon Stoudamire, Inc. Foundation from 1998 to 2008, and worked for Legacy Health Systems Foundation, the American Red Cross, Pacific Northwest Regional Blood Services, and Allergy Associates Research Center previously.

Mrs. Stoudamire-Phillips is a Portland native and lifelong contributor to community service. Board memberships past and present include the YWCA, Children's Cancer Association, Schoolhouse Supplies, Piedmont Rose Association, American Red Cross, Boys and Girls Clubs and St. Mary's Academy Alumni Council, to name a few. She serves as treasurer of the Boise Neighborhood Association and is a member of the Corporate Volunteer Council, Grantmakers of Oregon and Southwest Washington, Delta Sigma Theta Sorority, Jack & Jill and the Portland Development Commission Neighborhood Economic Development Leadership Group.

Karis resides in North Portland with her husband, Mike Phillips, and son Michael, Jr.

Agenda Item No. 5.6

Resolution No. 13-4479, For the Purpose of Confirming the Council President's Reappointment of Terry Goldman to the Metropolitan Exposition Recreation Commission.

Consent Agenda

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE) RESOLUTION NO. 13-4479
COUNCIL PRESIDENT’S REAPPOINTMENT OF)
TERRY GOLDMAN TO THE METROPOLITAN) Introduced by Tom Hughes,
EXPOSITION RECREATION COMMISSION) Council President

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission (“the Commission”); and

WHEREAS, pursuant to Metro Code Section 6.01.030(d)(1), the Washington County Commission has nominated Terry Goldman for reappointment on the Commission; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(e)(1), the Metro Council President has the authority to concur with the Washington County Commission’s nomination of Mr. Goldman or reject it; and

WHEREAS, the Metro Council President has concurred with the Washington County Commission’s nomination of Mr. Goldman, and submitted the appointment of Mr. Goldman to the Metro Council for confirmation; and

WHEREAS, the Metro Council finds that Terry Goldman has the experience and expertise to make a substantial contribution to the Commission’s work; now therefore

BE IT RESOLVED that the Metro Council hereby confirms the Council President’s reappointment of Terry Goldman as a member of the Metropolitan Exposition Recreation Commission, for a 4-year term as provided by the Metro Code, commencing immediately, on January 1, 2014 through December 31, 2017.

ADOPTED by the Metro Council this 12th day of December 2013.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4479, FOR THE PURPOSE OF CONFIRMING THE COUNCIL PRESIDENT'S REAPPOINTMENT OF TERRY GOLDMAN TO THE METROPOLITAN EXPOSITION RECREATION COMMISSION

Date: December 12, 2013

Prepared by: Teri Dresler

BACKGROUND

The Metro Code, Section 6.01.030(a), gives the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission, subject to confirmation by the Council. Section 6.01.030(d)(1) of the Metro Code allows Washington County to nominate a candidate for appointment for the Council President's consideration. Under section 6.01.030(e)(1) of the Metro Code, the Metro Council President has the authority to concur with Washington County's nomination and submit it to the Metro Council for confirmation, or reject it.

The Washington County Commission has nominated Terry Goldman for reappointment on the Commission. The council President has concurred with this nomination and accordingly submitted his reappointment of Mr. Goldman to the Metro Council for confirmation. A copy of the nomination letter from the Washington County Commission is attached as Attachment 1 to this Staff Report. A copy of Mr. Goldman's biography is attached as Attachment 2 to this Staff Report.

If confirmed, Mr. Goldman will, pursuant to the Metro Code, serve a 4-year term beginning January 1, 2014, through December 31, 2017.

Metro Chief Operating Officer Martha Bennett concurs with this appointment.

ANALYSIS/INFORMATION

- **Known Opposition.** None
- **Legal Antecedents.** Metro Code as referenced above.
- **Anticipated Effects.** Reappointment of Mr. Goldman to the Metropolitan Exposition Recreation Commission, in the manner provided by the Metro Code.
- **Budget Impacts.** None

RECOMMENDED ACTION

The chief Operating Officer recommends approval of Resolution 13-4479 to confirm the reappointment of Terry Goldman to the Metropolitan Exposition Recreation Commission and to begin serving January 1, 2014.



June 11, 2013

Tom Hughes
Metro Council President
Metro Regional Center
600 NE Grand Ave.
Portland, OR 97232

Dear President Hughes:

Thank you for the opportunity to nominate a Washington County representative for the Metropolitan Exposition and Recreation Commission.

Pursuant to Chapter 6 of the Metro Code, and agreed upon on Tuesday, June 11, 2013 at the Washington County Board of Commissioners meeting, we hereby nominates Terry Goldman as its representative on the Metropolitan Exposition and Recreation Commission for another term beginning January 1, 2013, and ending December 31,2017.

Sincerely,

Andy Duyck, Chair
Washington County Board of Commissioners

ATTACHMENT 2

Resolution 13-4479: Confirming the Council President's Reappointment of Terry Goldman to the Metropolitan Exposition Recreation Commission

Terry Goldman Biography

Terry Goldman is the hotel manager of the DoubleTree by Hilton Hotel Portland. Prior to this position, he served as president and CEO of the Washington County Visitors' Association, a nonprofit destination marketing organization, which markets Washington County, Ore., as a tourism destination. He was also general manager of the SpringHill Suites by Marriott-Portland Hillsboro. He directed sales and marketing for the twelve Oregon and Washington properties owned by its third party management company InnSight Hotel Management Group – capping off 16 years of sales and management experience in the hospitality industry. Throughout his tenure, he received numerous honors including the JW Marriott Award of Excellence in 2010 and one of two Oregon Lodging Association's Innkeeper of the Year awards in 2008. Goldman led the SpringHill Suites to distinction by earning the Hotel of the Year awards in 2007 and 2008; Community Service Hotel of the Year in 2006; and Opening Hotel of the Year award in 2004. He is the former chair of the Washington County Visitors' Association Board of Directors.

Mr. Goldman attended Pacific Lutheran University and is a graduate of Washington State University with a Bachelor of Arts degree in Hotel Restaurant Administration. He currently resides in Beaverton with his wife and two children.

Agenda Item No. 5.7

Resolution No. 13-4480, For the Purpose of Confirming the Council President's Reappointment of Judie Hammerstad to the Metropolitan Exposition Recreation Commission.

Consent Agenda

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE	)	RESOLUTION NO. 13-4480
COUNCIL PRESIDENT’S REAPPOINTMENT OF)	
JUDIE HAMMERSTAD TO THE	)	Introduced by Tom Hughes,
METROPOLITAN EXPOSITION RECREATION	)	Council President
COMMISSION		

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission (“the Commission”); and

WHEREAS, the Metro Code, Section 6.01.030(b) provides that the Council President’s appointments to the Commission are subject to confirmation by the Metro Council; and

WHEREAS, pursuant to Metro Code Section 6.01.030(d)(1), the Clackamas County Commission has nominated Judie Hammerstad for reappointment on the Commission; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(e)(1), the Metro Council President has the authority to concur with the Clackamas County Commission’s nomination of Ms. Hammerstad or reject it; and

WHEREAS, the Metro Council President has concurred with the Clackamas County Commission’s nomination of Ms. Hammerstad, and submitted the appointment of Ms. Hammerstad to the Metro Council for confirmation; and

WHEREAS, the Metro Council finds that Judie Hammerstad has the experience and expertise to make a substantial contribution to the Commission’s work; now therefore

BE IT RESOLVED that the Metro Council hereby confirms the Council President’s re-appointment of Judie Hammerstad as a member of the Metropolitan Exposition Recreation Commission, for a 4-year term as provided by the Metro Code, commencing immediately, on January 1, 2014 through December 31, 2017.

ADOPTED by the Metro Council this 12th day of December, 2013.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO.13-4480, FOR THE PURPOSE OF
CONFIRMING THE COUNCIL PRESIDENT'S REAPPOINTMENT OF JUDIE
HAMMERSTAD TO THE METROPOLITAN EXPOSITION RECREATION COMMISSION

Date: December 12, 2013

Prepared by: Teri Dresler

BACKGROUND

The Metro Code, Section 6.01.030(a), gives the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission, subject to confirmation by the Council. Section 6.01.030(d)(1) of the Metro Code allows Clackamas County to nominate a candidate for appointment for the Council President's consideration. Under section 6.01.030(e)(1) of the Metro Code, the Metro Council President has the authority to concur with Clackamas County's nomination and submit it to the Metro Council for confirmation, or reject it.

The Clackamas County Commission has nominated Judie Hammerstad for reappointment on the Commission. The council President has concurred with this nomination and accordingly submitted his appointment of Ms. Hammerstad to the Metro Council for confirmation. A copy of the nomination letter from the Clackamas County Commission is attached as Attachment 1 to this Staff Report. A copy of Ms. Hammerstad's bio is attached as Attachment 2 to this Staff Report. If confirmed, Ms. Hammerstad will, pursuant to the Metro Code, serve a 4-year term beginning January 1, 2014 through December 31, 2017.

ANALYSIS/INFORMATION

- **Known Opposition.** None
- **Legal Antecedents.** Metro Code as referenced above.
- **Anticipated Effects.** Reappointment of Ms. Hammerstad to the Metropolitan Exposition Recreation Commission, in the manner provided by the Metro Code.
- **Budget Impacts.** None

RECOMMENDED ACTION

The chief Operating Officer recommends approval of Resolution 13-4480 to confirm the reappointment of Judie Hammerstad to the Metropolitan Exposition Recreation Commission and to begin serving January 1, 2014.



BOARD OF COUNTY COMMISSIONERS

PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

October 9, 2013

Tom Hughes, President
Metro
600 NE Grand Ave
Portland, OR 97232

Dear President Hughes

The Clackamas County Board of Commissioners supports the reappointment of Judie Hammerstad as the Clackamas County representative on the Metro Exposition and Recreation Commission (MERC).

Ms. Hammerstad has been the Clackamas County representative to MERC since July 2009. Ms. Hammerstad has a long history of public service in Clackamas County. Her strong planning and policy making experience and skills working with committees make her an excellent candidate for this role.

Please accept our recommendation to reappoint Ms. Hammerstad to MERC.

Sincerely,

John Ludlow, Chair
On Behalf of the Clackamas County Board of Commissioners

Attachment 2

Resolution 13-4480: Confirming the Council President's Reappointment of Judie Hammerstad to the Metropolitan Exposition Recreation Commission

Judie Hammerstad Biography

Judie Hammerstad is a native Oregonian. She was born in Portland, grew up in Salem and returned to Oregon after living in Chicago, Boston and Palo Alto, Calif. for 12 years while her husband, John, received medical training as a neurologist. He is Professor Emeritus at Oregon Health and Science University in Portland. Judie and John have lived in Lake Oswego since 1972.

Judie's 30-year career in elected office began in 1981 as a two-term member and chair of the Lake Oswego School Board. She served in the Oregon State House of Representatives in 1987–88 and was elected to two terms as Clackamas County commissioner in 1990. She was elected to two terms as Lake Oswego's mayor from 2001–09 where her major accomplishments include downtown redevelopment, promotion of the arts, and the acquisition and development of open space/parks projects.

Judie was the founder and chair of the Community Streetcar Coalition, a national organization that promotes streetcar projects, and was a member of the board for Portland Streetcar, Inc. She is especially dedicated to bringing the streetcar from Portland to Lake Oswego. She also serves on the Marylhurst University Board of Trustees. She holds a bachelor's degree in history from the University of Oregon.

Agenda Item No. 5.8

Resolution No. 13-4481, For the Purpose of Confirming the Appointments to the Public Engagement Review Committee.

Consent Agenda

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING) RESOLUTION NO. 13-4488
APPOINTMENTS TO THE METRO PUBLIC)
ENGAGEMENT REVIEW COMMITTEE.) Introduced by Chief Operating Officer Martha
Bennett in concurrence with Council
President Tom Hughes

WHEREAS, in furtherance of Metro’s Principles of Citizen Involvement, set forth in Resolution No. 97-2433, adopted January 23, 1997, and Ordinance No. 12-1294 amending Metro Code Chapter 2.19.030, 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:
Greg Greenway
Jennifer Sexton
Tara Sulzen

Community organization representatives

Three-year term:
Casey Barnard

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 [insert date] day of [insert month]



Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4488 FOR THE PURPOSE OF CONFIRMING APPOINTMENTS TO THE METRO PUBLIC ENGAGEMENT REVIEW COMMITTEE.

Date: December 12, 2013

Prepared by: Valerie Cuevas,
503-797-1536

BACKGROUND

By approval of Ordinance no. 12-1294, 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 serves 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.

ANALYSIS/INFORMATION

For initial appointment to the committee in 2012, staff opened an application process and engaged community stakeholders, local agencies and jurisdictions to recruit committee applicants with public involvement experience, strong community connections and a diverse geographic and demographic representation.

Staff reviewed 27 applications for at-large community member and 7 applications for community organization representation. This information was reviewed by staff against the following published criteria:

- A commitment to community involvement
- Demonstrated skills, knowledge or experience that apply to principles of citizen involvement adopted by Metro
- An ability to assist in representing the geographic and demographic diversity of the region.

In the inaugural year of the PERC, one community organization representative and three at-large community members were appointed for a one-year term in order to establish a rotation schedule. Eventually all positions will be appointed for three-year terms. After consulting with councilors and the communications director, staff recommends the following be reappointed to the PERC for full three-year terms: Casey Barnard, Greg Greenway, Jennifer Sexton and Tara Sulzen.

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. 12-1294 amending Metro Code Chapter 2.19.030.
3. **Anticipated Effects** The appointments 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 accounted for in existing staff resources and accessing Communications M&S included in the COO proposed budget for FY 2013-2014.

RECOMMENDED ACTION

Confirm the reappointments of Casey Barnard, Greg Greenway, Jennifer Sexton and Tara Sulzen to the Public Engagement Review Committee (PERC).

Agenda Item No. 6.1

Ordinance No. 13-1313, For the Purpose of Adopting the Metro Geographic Information System Map of Metro's District and Jurisdictional Boundaries and Making Technical Corrections.

Ordinances – Second Reading

Metro Council Meeting
Thursday, Dec. 12, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE ADOPTING THE METRO	)	ORDINANCE NO. 13-1313
GEOGRAPHIC INFORMATION SYSTEM MAP)	
OF METRO’S DISTRICT & JURISDICTIONAL	)	Introduced by Chief Operating Officer Martha
BOUNDARIES & MAKING TECHNICAL	)	Bennett with the Concurrence of Council
CORRECTIONS	)	President Tom Hughes

WHEREAS, on May 19, 2011, the Metro Council adopted Ordinance 11-1261A to adopt a reapportionment plan and to describe the six Council districts of Metro and the Metro jurisdictional boundary, all of which became effective on January 3, 2013; and

WHEREAS, Ordinance 11-1261A employed a narrative description of the boundaries of the six Council districts of Metro and its jurisdictional boundary; and

WHEREAS, Geographic Information System (“GIS”) technology has enabled development of more accurate digital maps of the region; and

WHEREAS, since 2001, the Metro Council has used digital electronic maps to detail the Urban Growth Boundary;

WHEREAS, Metro has at its disposal digital mapping technologies that are more easily used and are of greater accuracy than the narrative description of the Council district boundaries and the jurisdictional boundary that was used in Ordinance 11-1261A; and

WHEREAS, a small number of mapping inconsistencies regarding the precise location of the district boundaries and the jurisdictional boundaries have been identified through the use of advanced, digital mapping technologies; and

WHEREAS, technical corrections are also required to the boundary descriptions set forth in Ordinance 11-1261A as the result of Metro’s consideration and amendment to the Urban Growth Boundary in 2012; and

WHEREAS, such technical corrections using digital technology are required to conform the description of Metro’s districts and jurisdictional boundaries to the most accurate version; and

WHEREAS, such technical corrections do not affect any elector of Metro; now therefore,

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THE METRO COUNCIL ORDAINS AS FOLLOWS:

That the digital map attached to this Ordinance as Exhibit A is hereby adopted and shall be used as the official description of the six Metro Districts and the Metro jurisdictional boundary.

ADOPTED by the Metro Council this _____ day of _____, 2013

Tom Hughes, Council President

Attest:

Approved as to Form:

Kelsey Newell, Recorder

Alison R. Kean, Metro Attorney

100 THAT
years COUNTS
1913-2013

Metro Council Meeting June 30, 2013 Audit

December 12, 2013

Jim Lanzarotta, Partner

Brad Smith, Senior Manager

MOSS ADAMS LLP

Certified Public Accountants | Business Consultants

Acumen. Agility. Answers.

WHAT WE WILL COVER

- Scope of services provided
- Audit results
- Status of prior year observations and recommendations
- Current year observations and recommendations
- Upcoming financial reporting changes
- Acknowledgements

NATURE OF SERVICES PROVIDED

- **Audit of the financial statements** of Metro (which include MERC) under Generally Accepted and Government Audit Standards
- **Technical review** of the CAFR for compliance with GAAP as well as GFOA Certificate of Excellence requirements
- Compliance testing/reporting under **Oregon Minimum Audit Standards**
- Single **Audit of federal grant programs** under OMB Circular A-133 and the Single Audit Act
- Special reports for Metro's compliance with the Natural Areas and Zoo **bond expenditures**



AUDIT RESULTS

Report	Result	Findings
Audit of Comprehensive Annual Financial Report	Unmodified Opinion	No
Federal Internal Control and Compliance	No Reportable Items	No
Oregon Minimum Standards Compliance	Compliance*	Yes
Federal Compliance for Major Programs	Compliance*	Yes
Schedule of Findings and Questioned Costs	Compliance*	Yes
Natural Areas General Obligation Bonds	Compliance	No
Oregon Zoo General Obligation Bonds	Compliance	No

** Audit findings related to compliance were discovered during testing procedures.*

STATUS OF PRIOR YEAR OBSERVATIONS AND RECOMMENDATIONS

Prior Year Observation	Action Taken by Management
<p>Define and document allowable administrative expenses for bond programs.</p>	<p>Developed “<i>Capital Outlay and Capital Cost Determination</i>” policy to clearly define allowable expenses.</p>
<p>Follow existing Metro procurement policies for contracts totaling \$5,000 and greater.</p>	<p>Purchasing Enhancement Project (PEP) developed to improve compliance with Metro procurement policies and Oregon Revised Statutes.</p>

CURRENT YEAR OBSERVATIONS AND RECOMMENDATIONS

Program	Sport Fish Restoration 15.605
Federal Regulation	Title 2 §215.43
State Regulation	ORS 279C.345
Findings	<p>Request for bid specifically identified the winning bidder’s product as the required product for the project. Metro did not comply with State and Federal procurement regulations.</p> <p>Title 2 §215.43 – <i>All procurement transactions shall be conducted in a manner to provide open and free competition. The recipient shall be alert to organizational conflicts of interest as well as noncompetitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade.</i></p> <p>ORS 279C.345 – <i>Specifications for a public improvement may not either expressly or implicitly require any product by any brand name or mark, or the product of a particular manufacturer or seller.</i></p>

NEW ACCOUNTING PRONOUNCEMENTS

- 2014
 - Statement 65—Assets and Liabilities Reclassifications (early implemented by METRO FYE 6/30/13)
 - Statement 66—Technical Corrections
 - Statement 67—Pension Plans (effective for Oregon PERS)

- 2015
 - Statement 68—Pensions for Employers (significant implications for Metro – significant financial statement impact, implementation issues to overcome)
 - Statement 69—Government Combinations
 - Statement 70—Financial Guarantees

POTENTIAL IMPACT OF GASB 68...

METRO			
Statement of Net Position			
	Pre GASB 68	Estimated Impact (1)	Post GASB 68
Pension Asset	15,808,900	(15,808,900)	-
Capital Assets	373,377,300		373,377,300
Other Assets	231,732,800		231,732,800
Total Noncurrent Assets	<u>620,919,000</u>		<u>605,110,100</u>
Net Pension Liability		32,514,500	32,514,500
Other Liabilities	<u>324,427,000</u>		<u>324,427,000</u>
Total Noncurrent Liabilities	<u>324,427,000</u>		<u>356,941,500</u>
Net Invested in Capital Assets	271,978,600		271,978,600
Restricted Net Assets	43,460,800		43,460,800
Unrestricted Net Assets	<u>(17,128,000)</u>	(48,323,400)	<u>(65,451,400)</u>
Total Net Assets	<u><u>298,311,400</u></u>		<u><u>249,988,000</u></u>

(1) Based on 12/31/09 actuarial valuation report

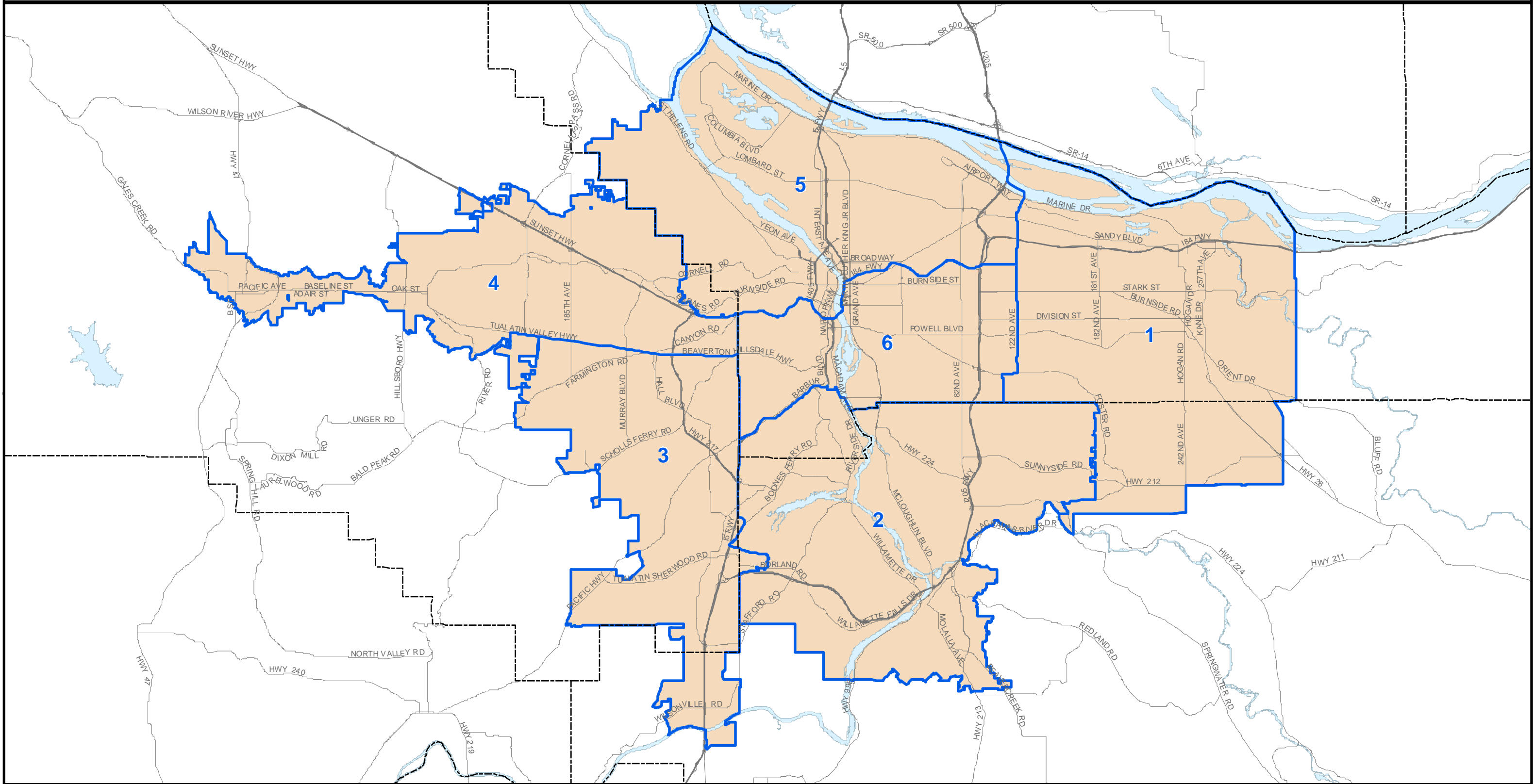
ACKNOWLEDGEMENTS

Thanks to Suzanne Flynn for her management of the audit contract, Tim Collier for his leadership; Don Cox, Karla Lenox, and Julia Fennel for their excellent facilitation of our audit procedures; and members of the Audit Committee for their guidance, oversight, and involvement in the process.

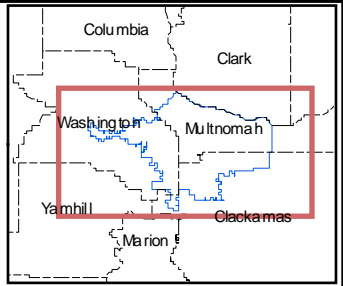
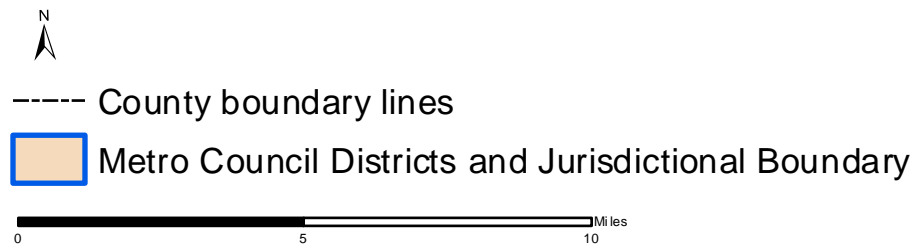
COMMENTS

Questions?

Metro Council Districts and Jurisdictional Boundary



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



STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 13-1313, FOR THE PURPOSE OF ADOPTING THE METRO GEOGRAPHIC INFORMATION SYSTEM MAP OF METRO'S DISTRICT & JURISDICTIONAL BOUNDARIES & MAKING TECHNICAL CORRECTIONS

Date: November 25, 2013

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

In 1977 the Oregon Legislature drew the Metro jurisdictional boundary, which serves as its political boundary. The jurisdictional boundary is separate from the urban growth boundary, which separates urban from rural land in the region. Land inside the jurisdictional boundary has elected representation on Metro's Council and is subject to Metro's regulatory and taxing authority. The 1977 legislature adopted a legal description for the initial district boundary; however the statute that included the legal description was repealed in 1991.

In 2011 the Metro Council went through a process to adopt new Metro Council district boundaries in response to the 2010 U.S. Census. Accordingly, the Metro Council district lines were redrawn to ensure that each district is within five percent of the average district population. The new Metro Council districts become effective on January 3, 2013.

Metro's Research Center provides state-of-the-art mapping, spatial analysis, regional economic analysis, and demographic and travel forecasting for Metro, our regional partners, businesses and the public. While making the necessary changes to the Metro Council district boundaries in response to the 2010 Census, Research Center staff identified a number of places where the original legal description is not accurate and some technical corrections are required due to the Urban Growth Boundary expansion of 2011.

In addition, staff has discovered multiple discrepancies between city and county records of boundary lines and the Metro boundary, most of which date from the 1980s through Boundary Commission actions. In many cases land that was annexed by a city within Metro was apparently never added to Metro's own jurisdictional boundary map.

Oregon Revised Statute (ORS) 199.510(2)(C) provides some clarification for these inconsistencies:

ORS 199.510 Financial effects of transfer or withdrawal; exceptions

(2)(C) When a city receives services from a district and is part of that district, any territory thereafter annexed to the city shall be included in the boundaries of the district and shall be subject to all liabilities of the district in the same manner and to the same extent as other territory included in the district.

Several of the cities annexing land specifically cite the statute, suggesting the existence of a common opinion that the statute was intended to automatically add land to Metro as it was annexed by the cities. This seems logical and efficient, compared to each city annexation also requiring a formal process to amend the Metro jurisdictional boundary. Other annexations indicate the land is already within Metro. Applying the statute, the status of these parcels becomes fairly obvious since the parcels are already being properly taxed by their respective counties as being in the Metro jurisdictional boundary; despite the fact the parcels were not included on the Metro boundary map.

According to the county elections departments, the taxing codes for individual parcels are the basis for determining which elections a property owner is able to vote in. Therefore, the registered voters of the subject parcels that have been taxed as if in the Metro jurisdictional boundary have had the opportunity to vote in Metro elections.

As custodians of the region's geographic-based data infrastructure, Resource Center staff coordinates with regional partners to collect and combine Geographic Information System or GIS data into a seamless data set for use in region wide decision-making. Research Center staff has maintained a GIS jurisdictional boundary layer since 1988. In 2001, the Metro Council adopted Ordinance Number 01-900A, which made the GIS urban growth boundary map the official Metro urban growth boundary map.

PROPOSAL

Since the initial legal description for the jurisdictional boundary was repealed in 1991, is inaccurate and a new legal description has never been created, staff proposes that the GIS jurisdictional boundary layer and the six Metro District boundaries layer be adopted as the official Metro jurisdictional boundary and Metro District boundary. Adoption of the GIS layer is appropriate as the new Metro Council Districts become effect on January 3, 2013.

For the twenty-five identified parcels or portions of parcels that are currently being taxed by their respective counties as being in Metro, staff proposes that they should be included in the mapped Metro jurisdictional boundary as defined by the GIS layer. The parcel locations are listed below by city and represented in a series of maps in Attachment 1. Total acreage of parcels is 15.94.

Forest Grove

Map 1 - Mountain View Drive – one parcel and one partial parcel totaling 8.2 acres that are outside the urban growth boundary

Map 2 - Willamina Avenue – seven complete parcels, seven partial parcels and street right of way totaling 2.18 acres (0.81 acres is right of way)

Hillsboro

Map 3 - NW West Union Road – one parcel plus right of way totaling 7.74 acres (6 acres is right of way split between street right of way and abandoned ODOT rail right of way)

Map 4 - NW Lenox Street – four parcels totaling 1.0 acres

Map 5 - NW Glencoe Road – one parcel and street right of way totaling 3.01 acres (0.13 acres is right of way)

Oregon City

Map 6 - S Clackamas River Drive – one parcel plus street right of way and Clackamas River totaling 1.59 acres that is outside the urban growth boundary (1.47 acres is right of way and river)

Map 7 - Canyon Ridge Circle –one parcel totaling 0.47 acres

Portland

Map 8 - NW Creston Road – one parcel plus street right of way totaling 0.2 acres (0.04 acres is right of way)

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: ORS Chapter 268 allowed for the creation of the Metropolitan Service District and the formation of the jurisdictional boundary. Metro Code Section 3.09 provides the mechanism for future amendments to the jurisdictional boundary. ORS 199.510(2)(C) allows for parcels that were annexed into a city that receives services from Metro to be included in the Metro jurisdictional boundary.

Anticipated Effects: Adoption of Ordinance No. 13-1313 will: (1) make the GIS Metro jurisdictional boundary and Metro District boundary map the official description of the six Metro Districts and the Metro jurisdictional boundary and (2) make technical corrections to the mapped boundary location. Adoption of the GIS layer as the official jurisdictional boundary will allow Research Center staff to update and maintain the GIS jurisdictional boundary and Metro District layers in an efficient manner.

Budget Impacts: There is no budget impact.

RECOMMENDED ACTION

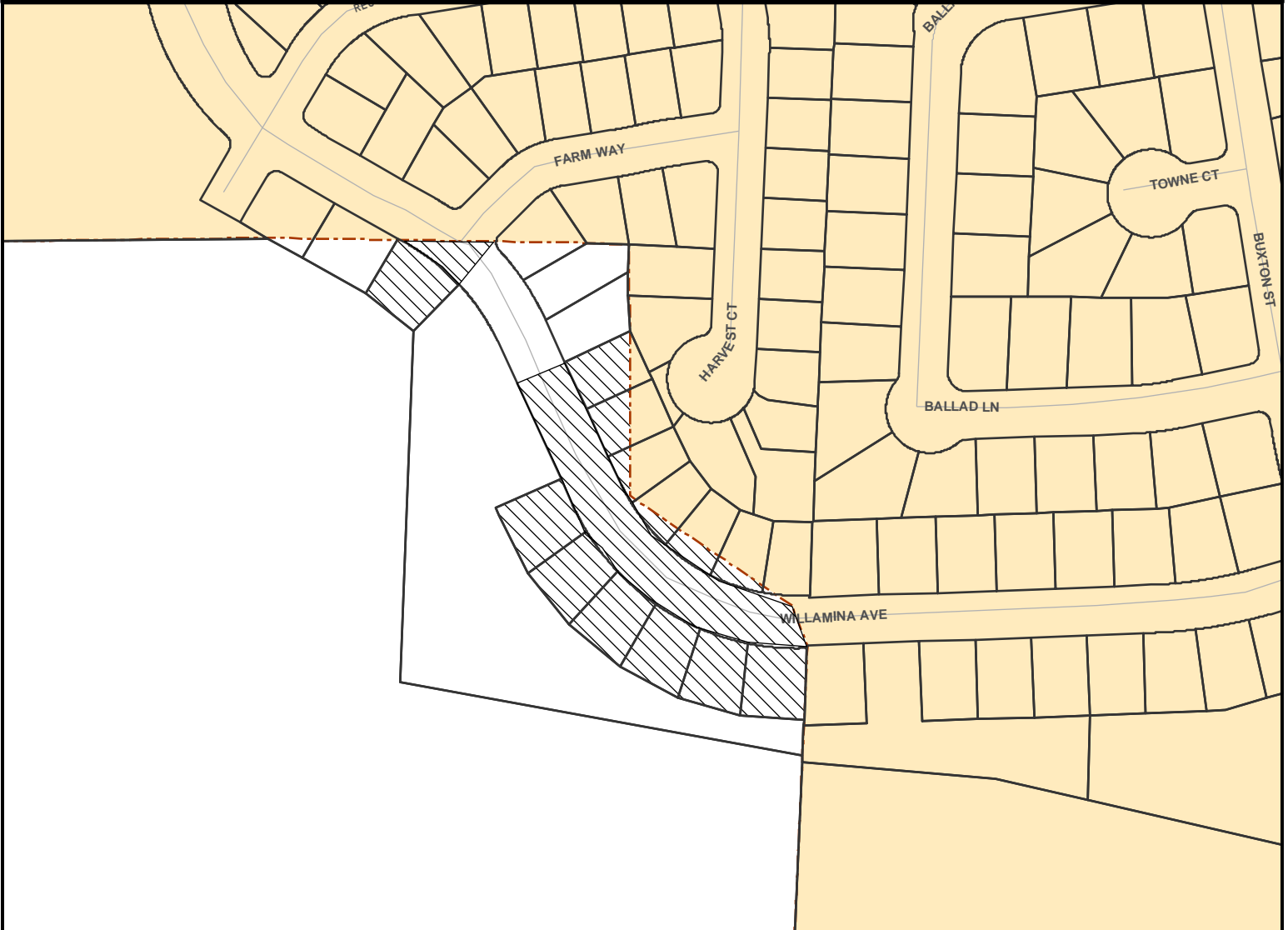
Staff recommends adoption of Ordinance No. 13-1313.

Map 2

1N4W35

Metro District Boundary




Washington County

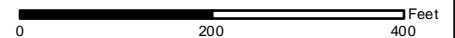


Map 2, Metro District Boundary



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

-  Taxlots
-  Metro District Boundary
-  Taxlots Metro tax code & adjacent ROW



1:2,400



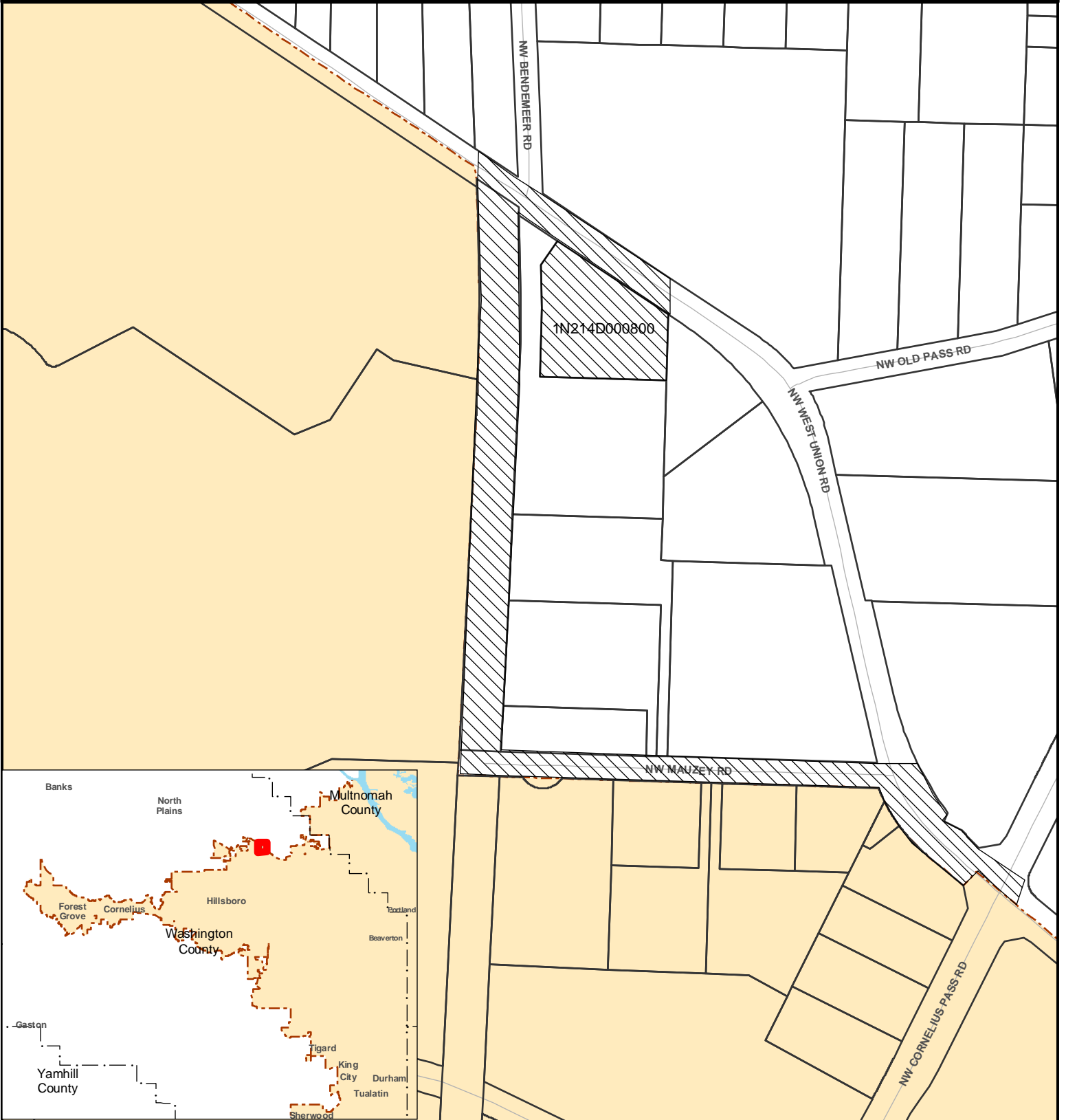
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Map 3

1N2W14

Metro District Boundary




Washington County

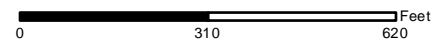


Map 3, Metro District Boundary



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

-  Taxlots Metro tax code & adjacent ROW
-  Taxlots
-  Metro District Boundary



1:3,800



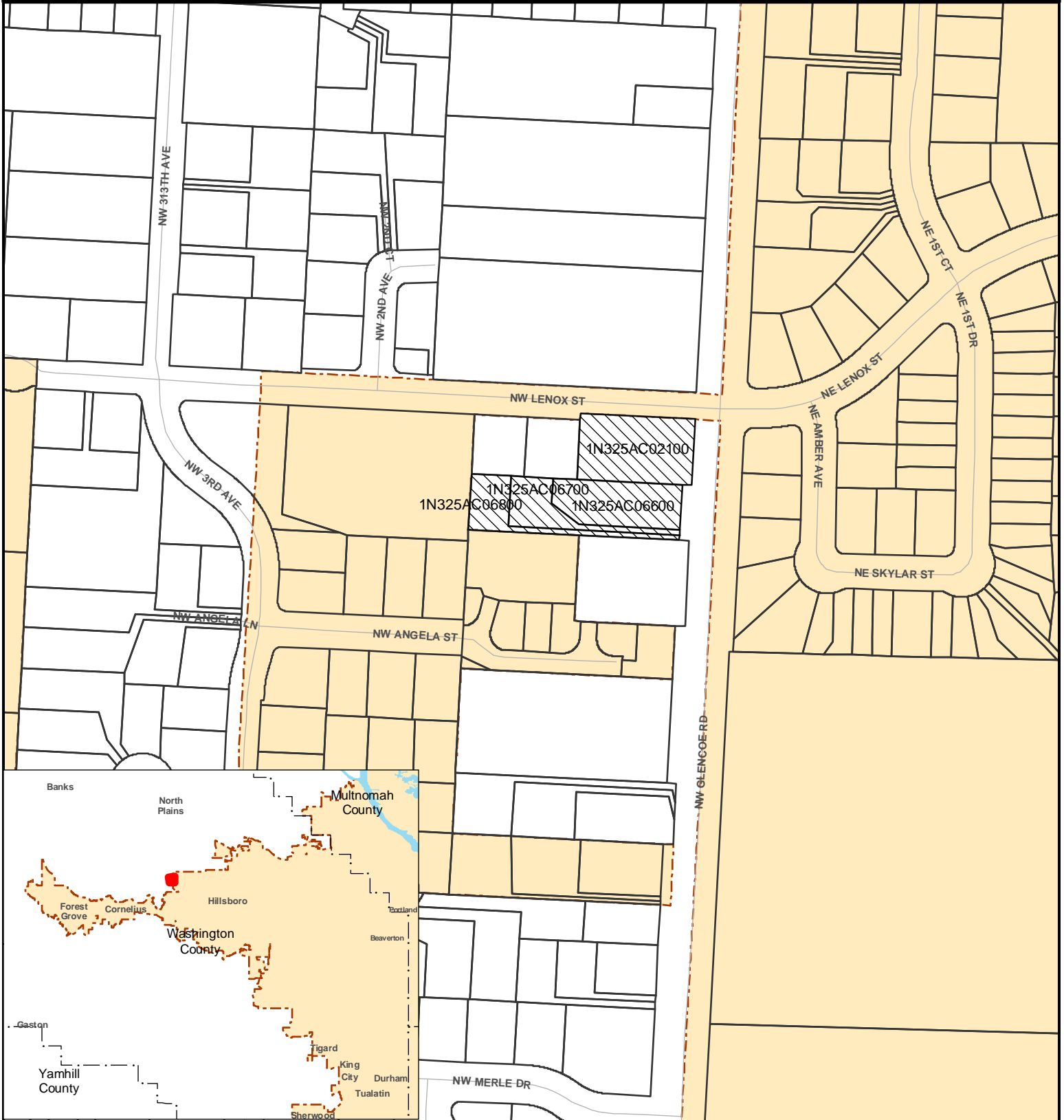
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Map 4

1N3W25

Metro District Boundary




Washington County

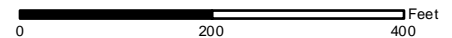


Map 4, Metro District Boundary



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

-  Taxlots Metro tax code
-  Taxlots
-  Metro District Boundary



1:2,400



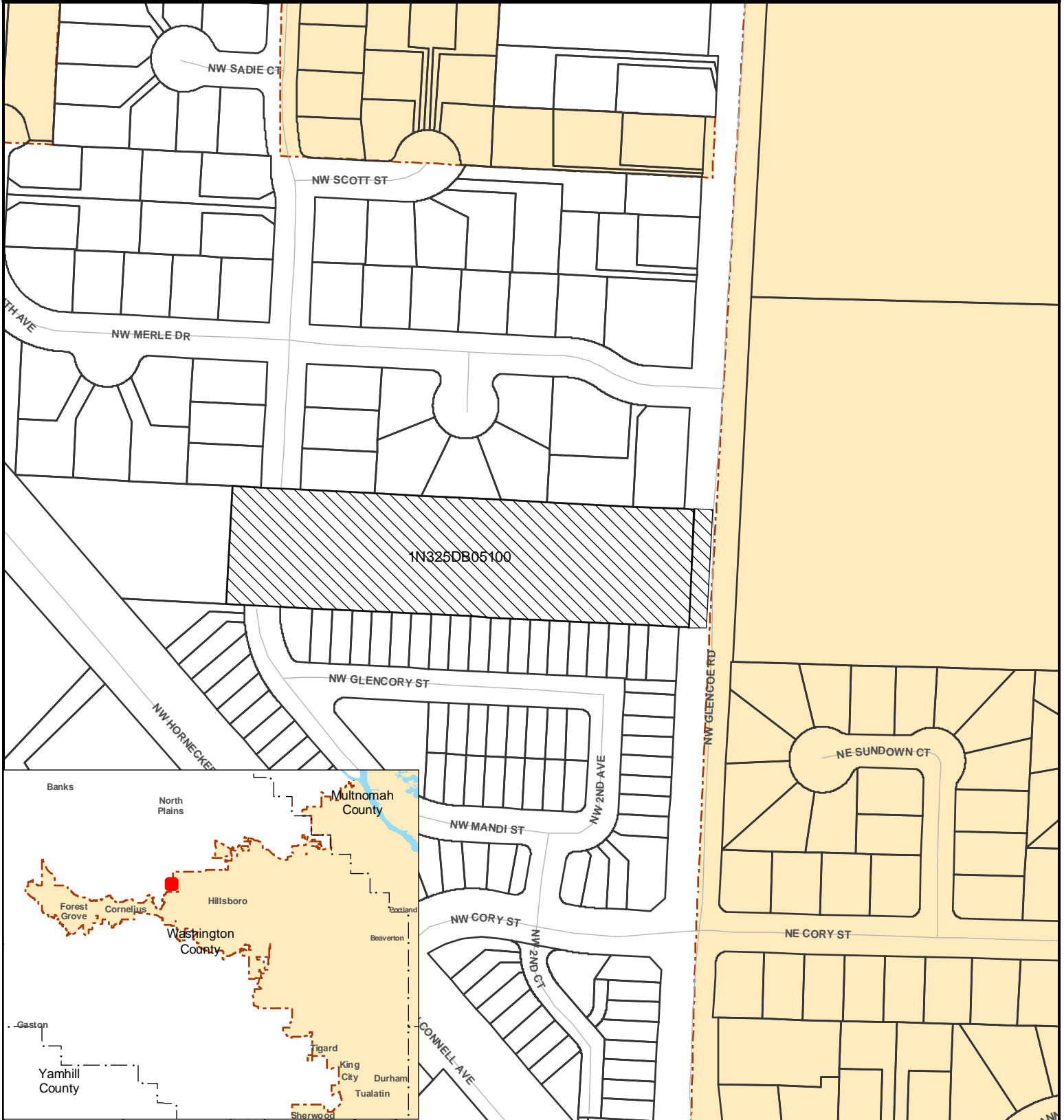
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Map 5

1N3W25

Metro District Boundary




Washington County

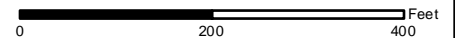


Map 5, Metro District Boundary



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

-  Taxlots Metro tax code & adjacent ROW
-  Taxlots
-  Metro District Boundary



1:2,400



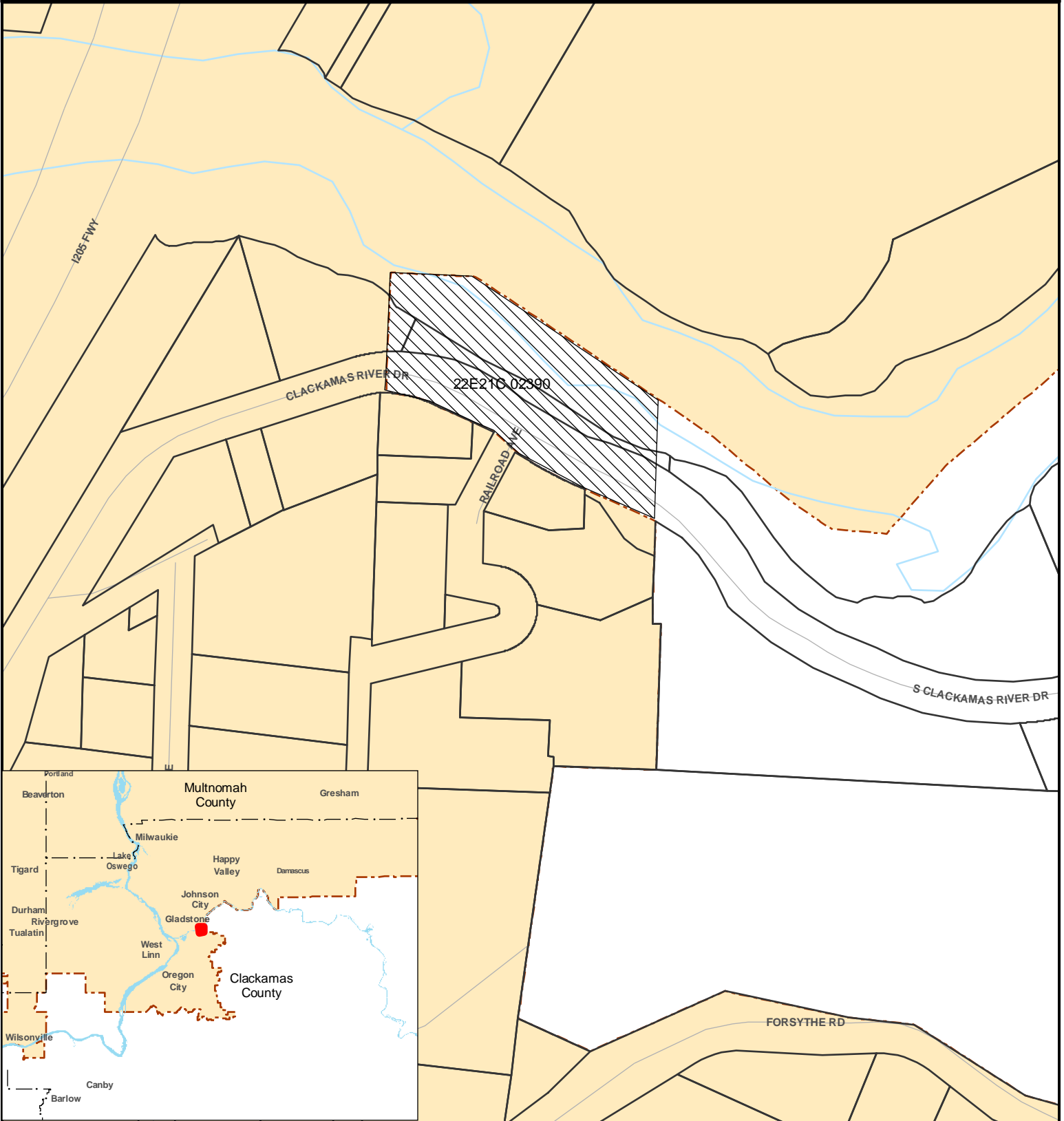
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Map 6

2S2E21

Metro District Boundary




Clackamas County

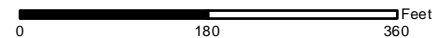


Map 6, Metro District Boundary



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

-  Taxlot Metro tax code & adjacent ROW
-  Taxlots
-  Metro District Boundary



1:2,200



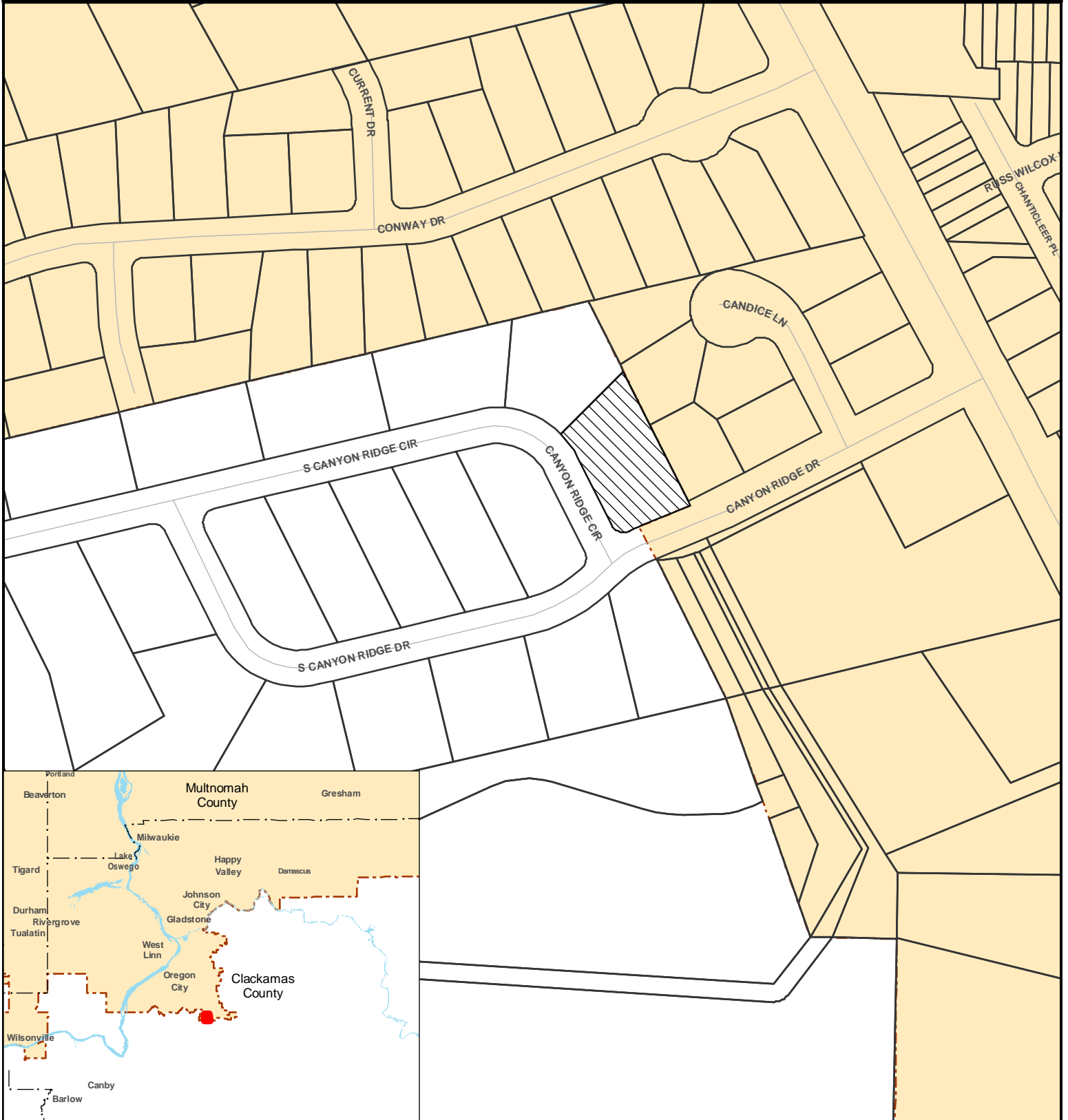
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Map 7

3S2E16

Metro District Boundary




Clackamas County

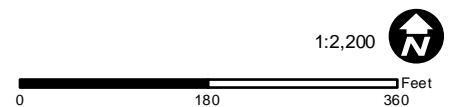


Map 7, Metro District Boundary



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

-  Taxlot Metro tax code
-  Taxlots
-  Metro District Boundary



1:2,200

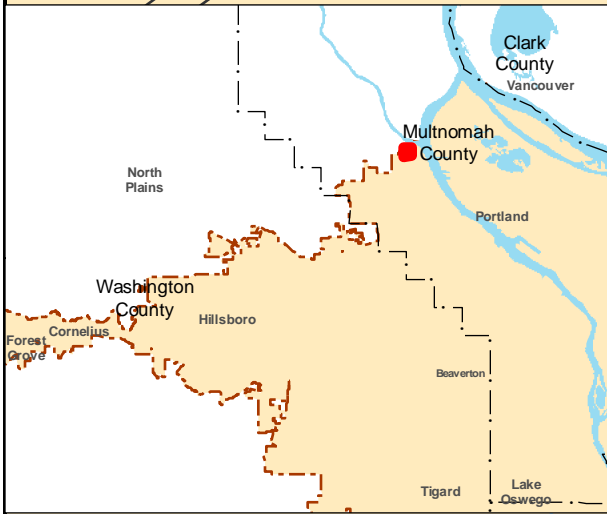
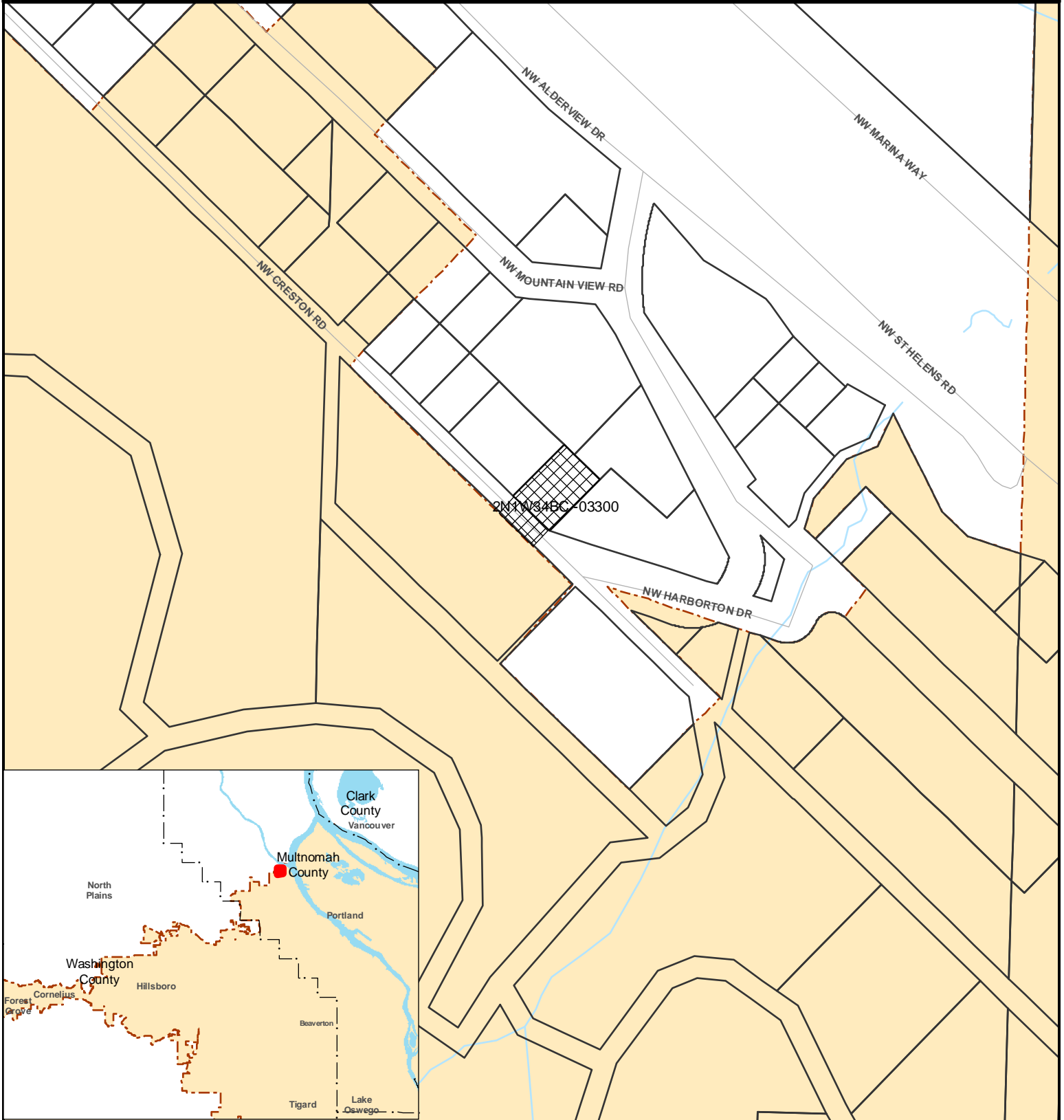
The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or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

Map 8

2N1W34

Metro District Boundary




Multnomah County

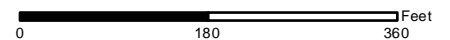


Map 8, Metro District Boundary



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

-  Taxlot Metro tax code & adjacent ROW
-  Taxlots
-  Metro District Boundary



1:2,200



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.

Materials following this page were distributed at the meeting.

LIFT

EXISTING BRIDGES

Double-deck Wsdot JUNK

Bulldozes everything

Concept 'D'

6-ramp

death trap

"The Gemstone Bridge"
SINGLE-DECK - 140' river clearance

Build Southbound bridge first.
Build Northbound bridge later.

Concept #1

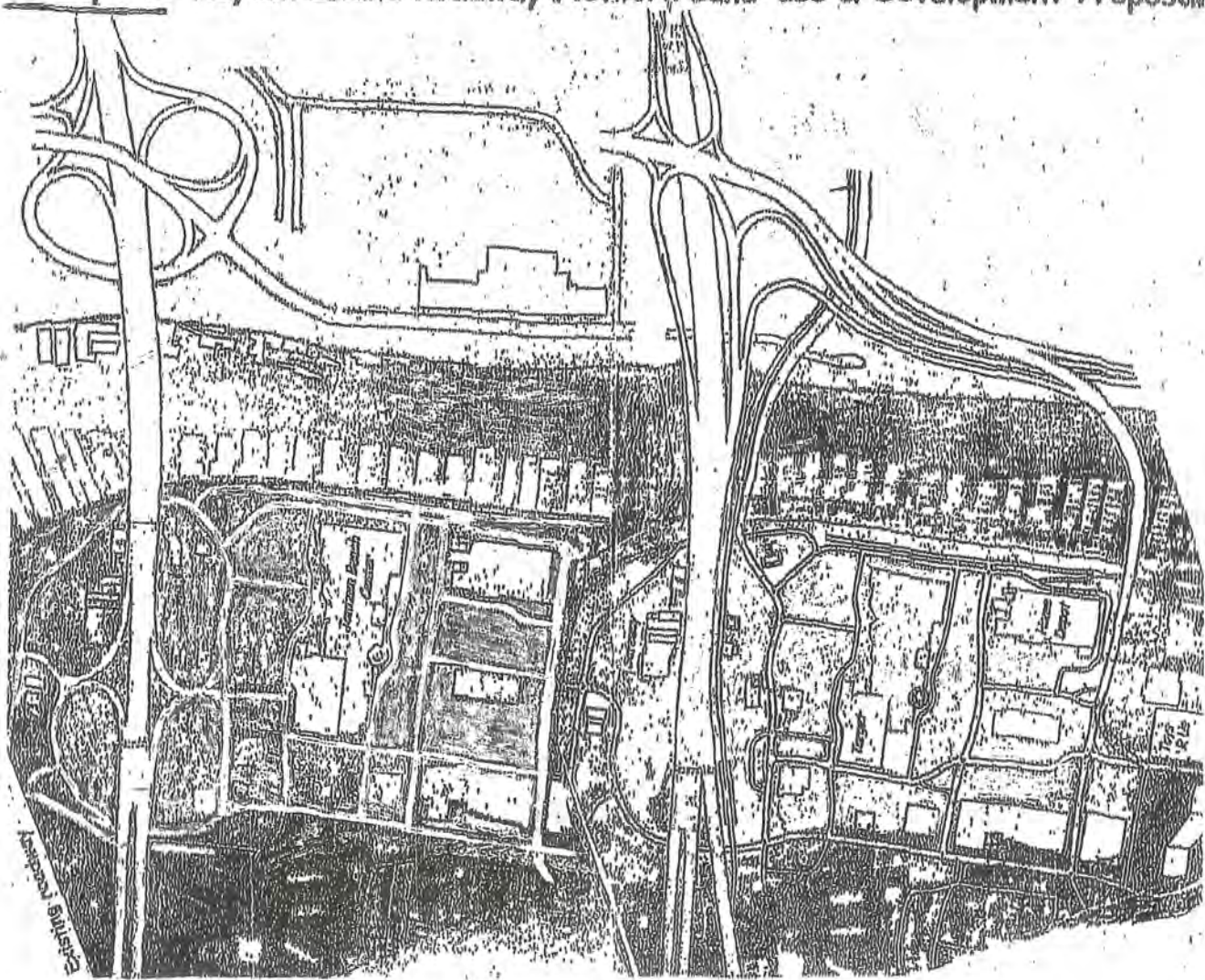
4-
MAX - CARS
Ped - BIKE

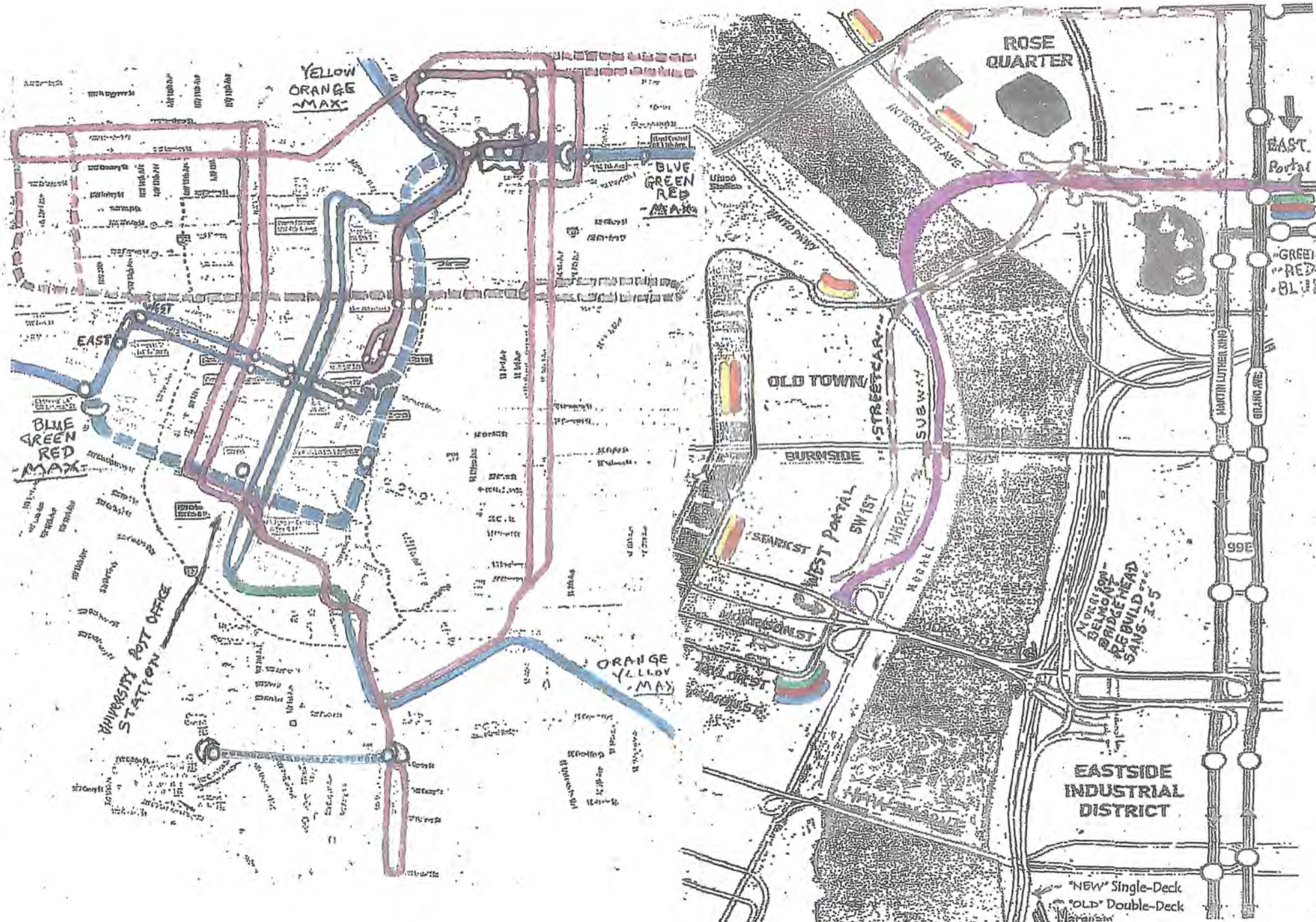
#1
"One
Bridge"

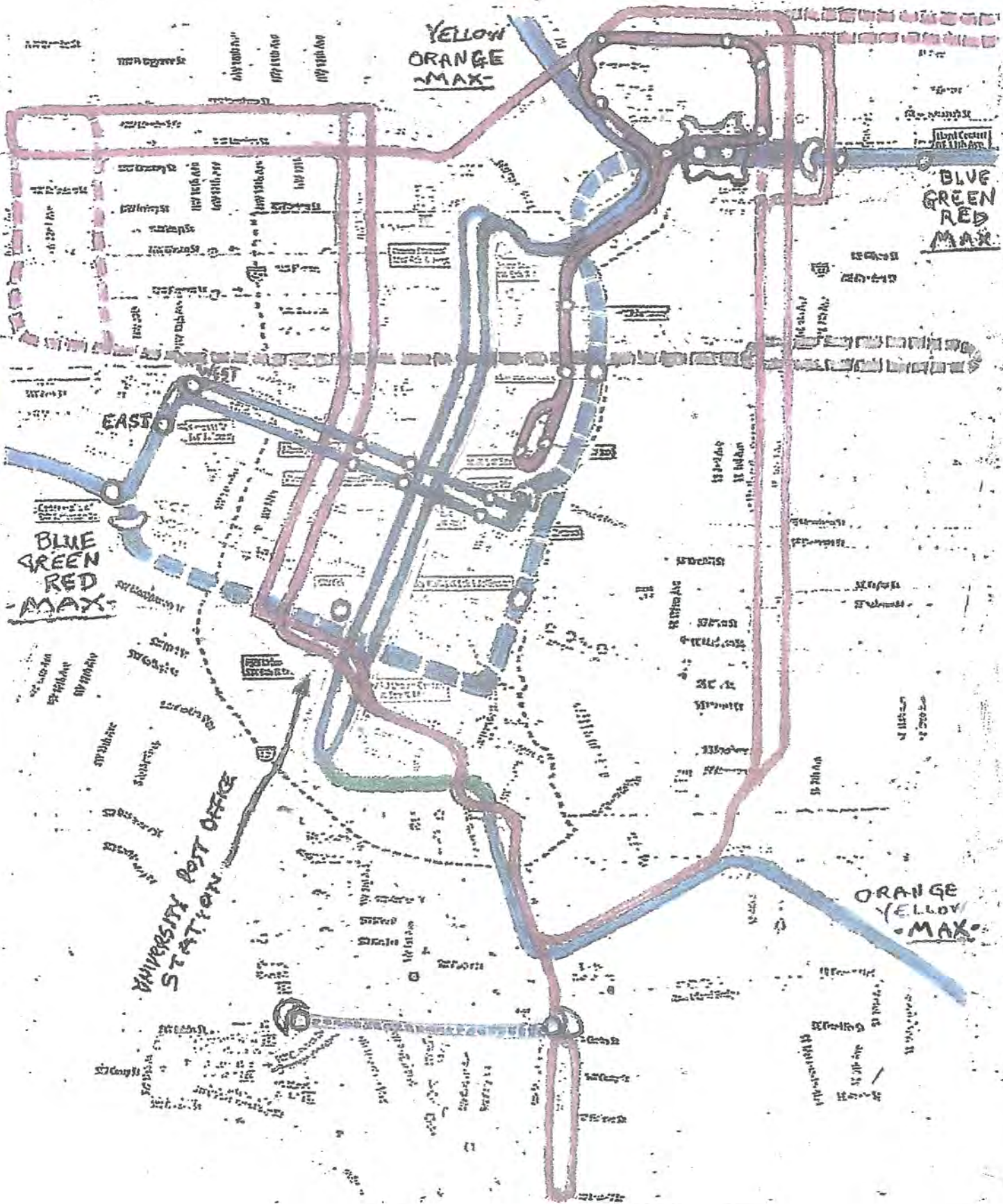
Concept

Innovations in Rail & Land-use planning
THE LOTI PROJECT
THE SEATTLE CIRCULATOR PLAN
Art Lovell
Portland
Lotliro@gmail.com

Concept #1 Hayden Island Roadway Network Land-use & Development Proposal







KEEPING THE WATER OUT

As of its remediation project, 15 site and city officials chose the tunnel option to pump water deep to the ground may over-rebuilding the existing, which will be used to pump toward and discharge to excavation area.

With Flood Day to be over, water damage down through the soil from the east and perimeter foundation. The plan is to keep the area stable during the excavation and construction project.

PROJECT TUNNEL

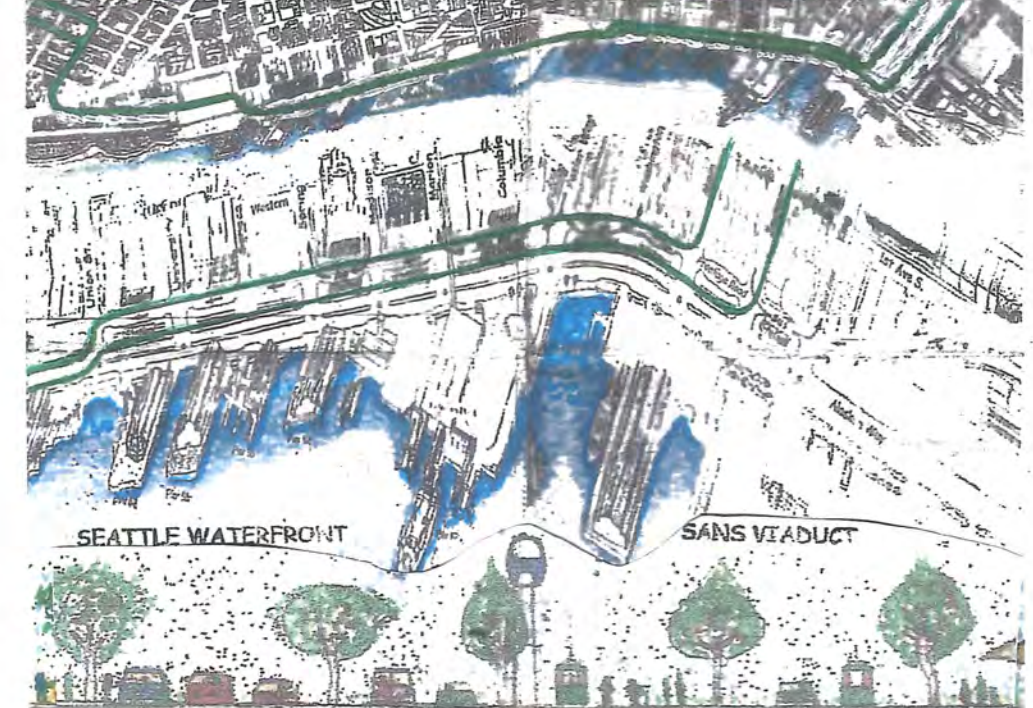
The tunnel would be built to the ground, east of the building. The tunnel would be about 100 feet deep and 10 feet wide.

BUILDING THE TUNNEL

STEP 1
 Alaskan Way's excavation begins. West wall of tunnel is started.

Alaskan Way's excavation is started. The tunnel is built to the ground, east of the building. The tunnel would be about 100 feet deep and 10 feet wide.

Competent Soils?

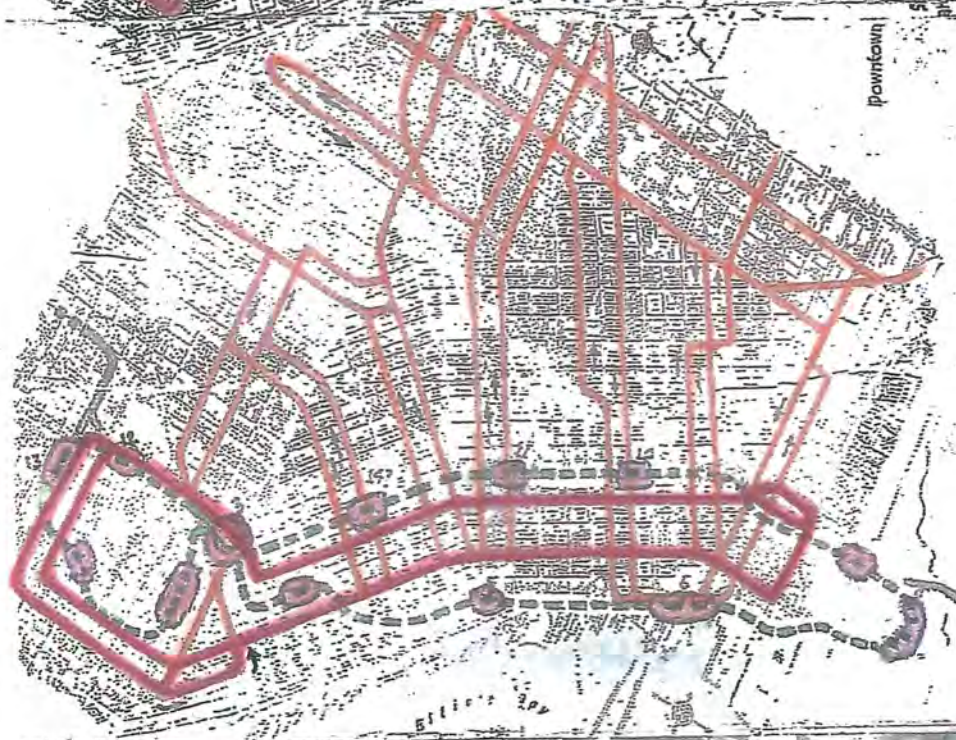


Design your own Seattle Center



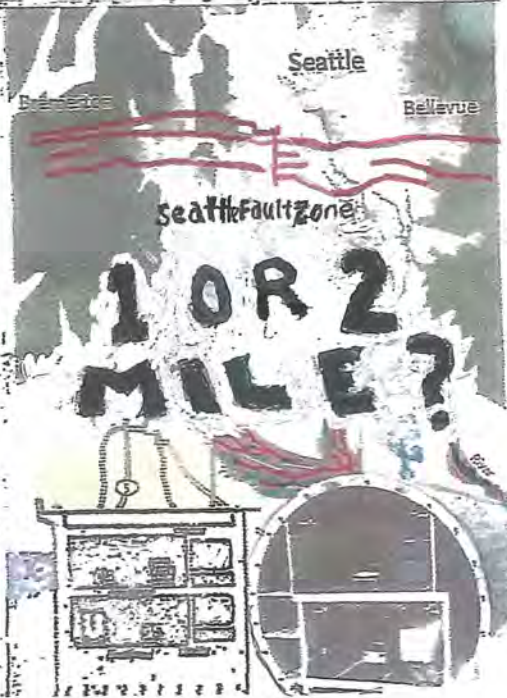
Seattle Trolleybus Network
with the "Trolleybus Reconfiguration"

downtown



Design your own Seattle Center

Urban center and other uses and functions, or real construction in the Center Design Project, at the Seattle Center, 400 East Pike Street, Seattle, WA 98101, or City Center of the Center, 400 East Pike Street.



• **Blue** - The blue alternative generally follows the existing Amtrak Cascades route. The blue alternative could use existing stations. One option would include adding new track south of Salem to shorten the route. A second option would provide a new station near Portland's Rose Quarter, and then continue on new track east of through northeast and north Portland to Vancouver, Wash.

• **Purple** - The purple alternative uses portions of the existing Oregon Electric line. It also includes portions of the blue alignment from the Eugene station to the Eugene rail yard; from south of Albany to Keizer; and from Aurora to Vancouver, Wash. Two new connections to the blue alternative would be built: one connection south of Albany and one connection from just south of Donald to south of Aurora. This alternative could use existing stations.

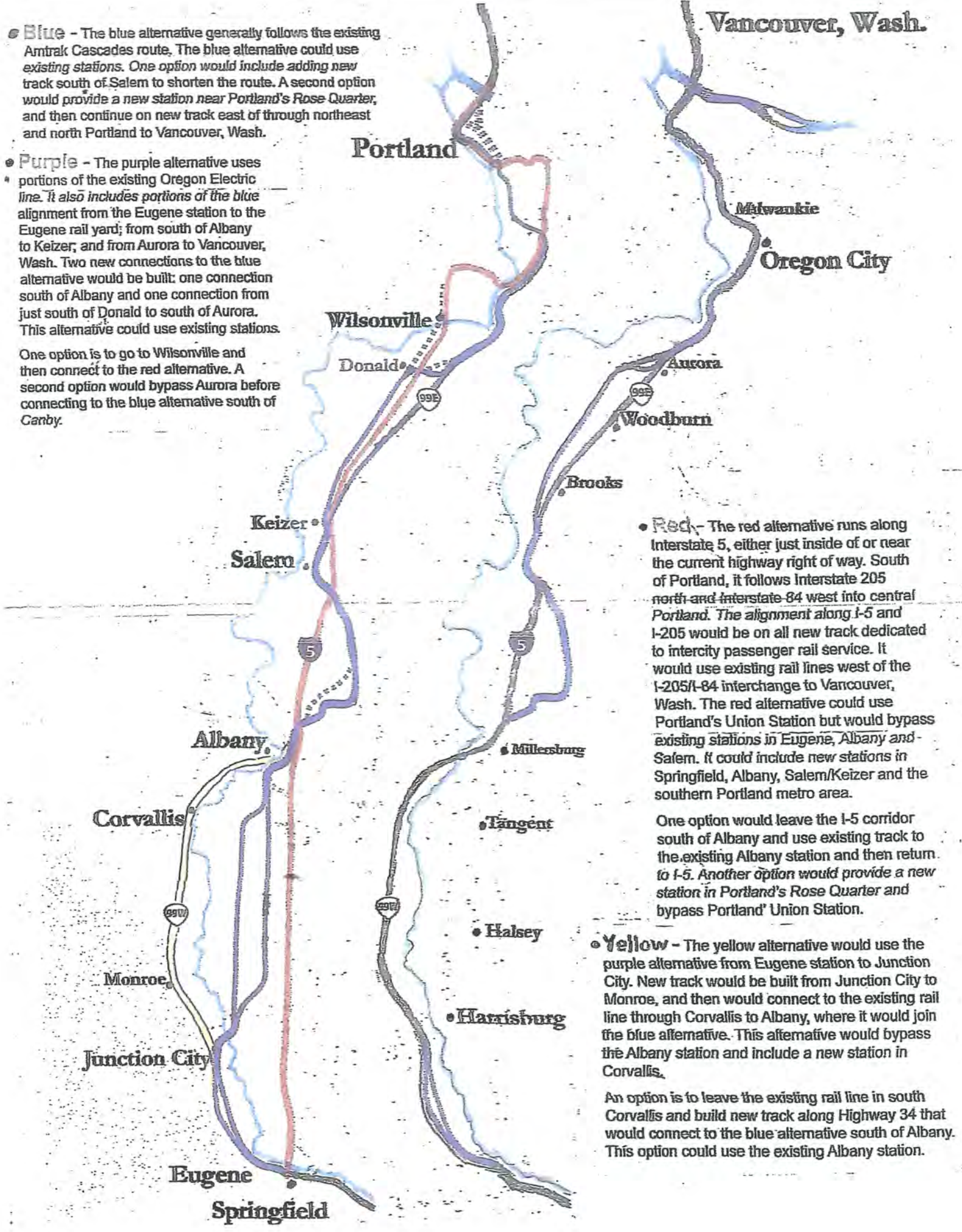
One option is to go to Wilsonville and then connect to the red alternative. A second option would bypass Aurora before connecting to the blue alternative south of Canby.

• **Red** - The red alternative runs along Interstate 5, either just inside of or near the current highway right of way. South of Portland, it follows Interstate 205 north and Interstate 84 west into central Portland. The alignment along I-5 and I-205 would be on all new track dedicated to intercity passenger rail service. It would use existing rail lines west of the I-205/I-84 interchange to Vancouver, Wash. The red alternative could use Portland's Union Station but would bypass existing stations in Eugene, Albany and Salem. It could include new stations in Springfield, Albany, Salem/Keizer and the southern Portland metro area.

One option would leave the I-5 corridor south of Albany and use existing track to the existing Albany station and then return to I-5. Another option would provide a new station in Portland's Rose Quarter and bypass Portland's Union Station.

• **Yellow** - The yellow alternative would use the purple alternative from Eugene station to Junction City. New track would be built from Junction City to Monroe, and then would connect to the existing rail line through Corvallis to Albany, where it would join the blue alternative. This alternative would bypass the Albany station and include a new station in Corvallis.

An option is to leave the existing rail line in south Corvallis and build new track along Highway 34 that would connect to the blue alternative south of Albany. This option could use the existing Albany station.



"THE GEMSTONE BRIDGE"

ONE BRIDGE

CONCEPT # ONE

ODOT 2010 off-Island Access alternative

=MAX LRT/BRT C-TRAN JUNCTION=
(and industrial warehouse trucking center)

ONE BRIDGE

ONE Built SOUTH-only first now.
(stipulate '5' lanes) **SINGLE-DECK**
Build NORTH in 2030-something.
(stipulate '6' lanes)

The 6th lane eventually-dedicated pedestrian design is better than current stupid notions of Ped/Bike Infrastructure outta Wsdot & Ports.
ODOTs and BOTs still merit and receive national award mentions & public approval.

West Hayden Island is WRONG for Rail & Oval Track facility and operation. Longview should get the Panamax Class contracts.

The SEATTLE DBT BORE TUNNEL:



A mistake of horrendous proportions!!!

Underground water pressure released too suddenly.

Settling neither controllable nor stoppable!

ALL BUILDINGS WEST of 1st AVE

-GONE-
by 2030!

Replacements limited!
BNSF tunnel severed!

However?

At Jackson, the Bore can 'swerve & Stop' as a traffic redirect to the BOX Cut/cover Tunnel/Seawall which, according to most engineering perspectives, IS, the right option. Jackson is reached Oct31st. Act. Stop Bertha and give her a new name, so she may forget what we almost did.

MAKING A GREAT PLACE



www.oregonmetro.gov

600 NE Grand Ave.
Portland, Oregon
97232-2736



POPULAR ANNUAL FINANCIAL REPORT

For the fiscal year ended June 30, 2013

MAKING A GREAT PLACE



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 providing services, operating venues and 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 Council

Shirley Craddick, District 1
Carlotta Collette, District 2
Craig Dirksen, District 3
Kathryn Harrington, District 4
Sam Chase, District 5
Bob Stacey, District 6

Auditor

Suzanne Flynn



FY 2012-13 Popular Annual Financial Report

Letter from the Chief Operation Officer	2
Metro Council and Leadership	3
Overview of Audited Results	4
What is Metro	5
Major Council Priorities	6
Balance Sheet	7
Income Statement	8
Metro's Budget	9
Financial Policies	10
Revenue Overview	11
Expenditure Overview	12
Debt Overview	13

The information in this report is drawn from Metro's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2013. Please review the CAFR online at www.oregonmetro.gov/budget or email finance@oregonmetro.gov.



**Letter
from
Metro's
Chief
Operating
Officer**



Metro | *Making a great place*

Dear citizens of the Metro region,

I am pleased to present the Popular Annual Financial Report for the fiscal year ending June 30, 2013. This report is our first attempt to increase transparency and accountability of Metro's financial information and give some insight into how we make decisions and set priorities.

While this report gives a layman's overview of Metro's expenditures and revenues for the fiscal year, a more comprehensive report of all Metro funds and financial statements is in our Comprehensive Annual Financial Report, which can be found at www.oregonmetro.gov/budget or by emailing finance@oregonmetro.gov.

The 2012-13 fiscal year saw some great accomplishments for Metro and its citizens. Voters approved the Parks and Natural Areas Local Option Levy in May, Metro's continuing acquisitions under the 2006 Natural Areas bond measure totaled 4,586 acres and the Metro Council approved \$1.17 million in Nature in Neighborhood grants around the region. The Oregon Convention Center posted record yearly revenues and saw through an updated Visitors Development Agreement to help fund the construction of a convention center hotel. The Oregon Zoo broke annual attendance records and moved forward with its Elephant Lands, Remote Elephant Center and Condors of the Columbia projects. Metro regional parks saw a yearly increase in visitors, upgraded the M. James Gleason boat ramp and signed a new contract for the operations of Glendoveer Golf Course. Long-term planning efforts included a community-oriented approach to solutions for the Southwest Corridor project, updating our Regional Transportation Plan, moving forward with an Active Transportation plan and creating scenarios for a clean climate. These programs and projects continue to show the good work of the employees of Metro and their commitment to Making a Great Place.

The 2012-13 year marked the beginning of a recovery out of several years of recession. Metro's decisions in prior years to make tough budget choices has allowed us to weather financial challenges and prepared us with a healthier outlook for FY 2014-15.

I am very proud of our efforts to increase transparency through this new report format and better tell the story of Metro. If you have any questions about the report please contact Tim Collier at tim.collier@oregonmetro.gov or Don Cox at don.cox@oregonmetro.gov.

Sincerely,

A handwritten signature in black ink that reads "Martha Bennett".

Martha Bennett, Chief Operating Officer

Metro Council and leadership

Metro is the only regional government agency in the U.S. whose governing body is directly elected by the region's voters. The Metro Council consists of a president who is elected region wide and six councilors who are elected by district every four years in nonpartisan races.

The Metro Council provides regional governance and leadership by fulfilling Metro's mission of crossing city limits and county lines to work with communities to create a vibrant and sustainable region for all. As the governing body of Metro, the Council develops long range plans for existing and future Metro activities, and assures the financial integrity of the agency.

The Metro Auditor is elected by the region and is responsible for engaging the external independent financial auditing firm while focusing staff efforts on performance audits.

The Chief Operating Officer (COO) serves at the pleasure of the Council and provides leadership and management authority to agency staff by implementing the Council's policy directives, goals and objectives. The COO and Deputy COO enforce Metro ordinances, provide day-to-day management of Metro's resources, programs, enterprise businesses, facilities and workforce and prepare the budget for Council consideration.



Metro Councilors from left to right: Chase, Stacey, Harrington, Hughes, Collette, Dirksen, Craddick.

Elected officials	Position	Service began	Current term expires
Tom Hughes	Metro Council President	January 2011	January 2015
Shirley Craddick	Councilor- District 1	January 2011	January 2015
Carlotta Collette	Councilor- District 2	November 2007	January 2015
Craig Dirksen	Councilor- District 3	January 2013	January 2017
Kathryn Harrington	Councilor- District 4	January 2007	January 2015
Sam Chase	Councilor- District 5	January 2013	January 2017
Bob Stacey	Councilor- District 6	January 2013	January 2017
Suzanne Flynn	Metro Auditor	January 2007	January 2015

Appointed officials	Position
Martha Bennett	Chief Operating Officer
Alison Kean	Metro Attorney

Overview of Audited Results

The following summary highlights are taken directly from the Management Discussion and Analysis section of the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2013.

- Metro's assets and deferred outflows of resources exceed its liabilities (also defined as net position) by \$537,031,738 at June 30, 2013, which reflects an increase of 5.4 percent or \$27,570,244 over the prior fiscal year. Of this amount, \$36,734,730 represents unrestricted net assets, which may be used to meet Metro's ongoing obligations to citizens and creditors
- Metro completed the fiscal year with its governmental funds reporting combined fund balances of \$206,354,642. This is down considerably from the prior fiscal year, due mainly to capital spending on Natural Areas and Oregon Zoo Infrastructure and Animal Welfare bond projects. In addition, with the retirement of the Oregon Convention Center 2001 Series and Open Spaces Parks and Streams 2002 series debt, only one issue still has obligations due early in the fiscal year before property taxes are received resulting in a significantly smaller fund balance restricted for debt service at June 30, 2013. Of the total amount of governmental combined fund balance, \$25,530,229 or 12.4 percent, is considered available for spending at Metro's discretion (unassigned fund balance).
- At the end of fiscal year 2013, unrestricted fund balance (the total of the committed, assigned and unassigned components of fund balance) in the general fund totaled \$30,957,876 and represents approximately 42.1 percent of total general fund expenditures.
- Metro's total outstanding long-term liabilities decreased \$43,320,666 or 11.6 percent during the current fiscal year as a result of the payment of regularly scheduled maturities of principal on outstanding bonds payable and the refunding of Full Faith and Credit Refunding Bonds, 2003 Series. This refunding defeased the bonds and resulted in a reduction in debt service of \$889,376 over 10 years and a present value savings of \$1,284,311. The amount of outstanding long-term debt is after restating fiscal year 2012 and 2011 for the amount of the deferred charge on refunding that is now reflected as a deferred outflow of resources on the Statement of Net Position, and for the amount of previously deferred bond issuance costs which were recognized as an expense in accordance with GASB Statement No. 65, Items Previously Reported as Assets and Liabilities. Metro implemented this statement in fiscal year 2013 as discussed in detail in note IV to the financial statements.
- Metro acquired ownership of 471 acres of additional natural areas from willing sellers from the proceeds of the Natural Areas general obligation bonds bringing the overall bond acquisition total to 4,586 acres. The total capitalized cost for the property and easements acquired and stabilized in the current fiscal year under this program was \$11,083,544.
- The Oregon Zoo began construction for the Elephant Lands major capital project work under the Oregon Zoo Infrastructure and Animal Welfare Bond program during fiscal year 2013. The Tiger Plaza was demolished and converted into a catering area and picnic space, and the new Wild Life Live building renovation and a new service road were underway as additional projects during the fiscal year. These and other related projects are all funded by bond proceeds with total capitalized costs in fiscal year 2013 of \$8,432,868.

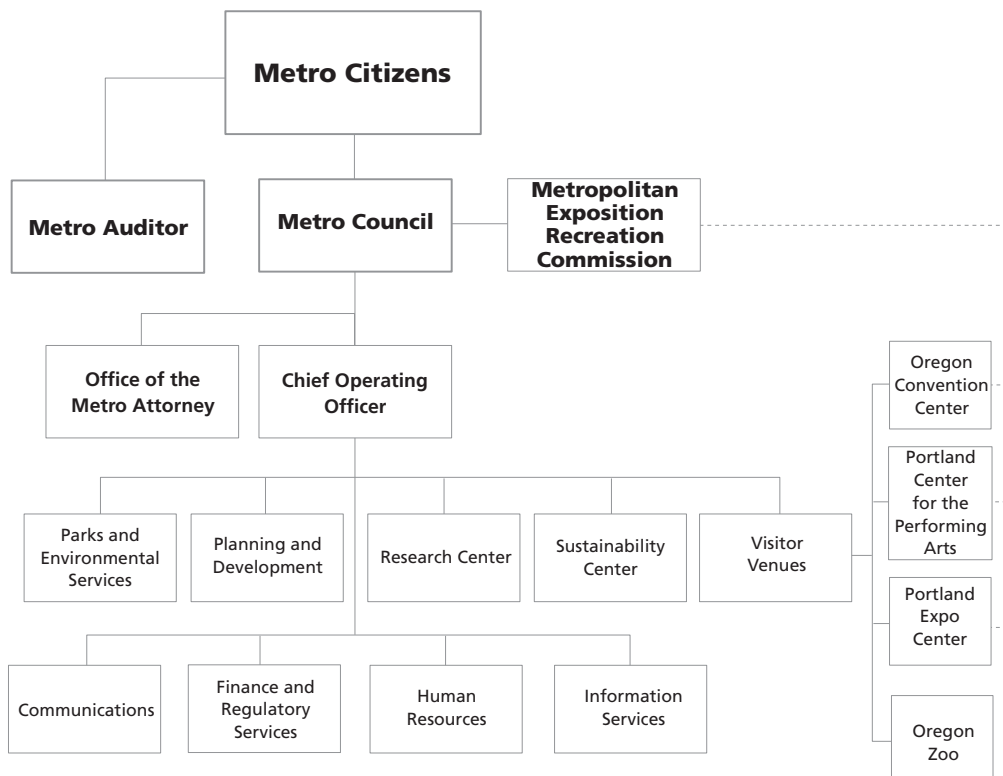
What is Metro

Few metropolitan areas can boast the combined advantages found in the Portland metropolitan area. Thriving communities, cultural amenities, economic vitality, scenic beauty and healthy natural ecosystems make this a great place to live, work and play.

For the region’s leaders and citizens alike, nurturing this livability is a constant quest. Metro plays a unique and leading role in that effort. Metro crosses city limits and county lines to make our communities safe, livable and ready for tomorrow. From protecting our region’s air, water and natural beauty to supporting neighborhoods, businesses and farms that thrive, Metro makes this a great place. Metro serves more than 1.6 million residents in Clackamas, Multnomah and Washington counties, and the 25 cities in the Portland, Oregon metropolitan area. Metro, the only directly elected regional governing body in the United States, is governed by a president, elected region wide, and six councilors elected by district.

Its home rule charter, approved by the voters in 1992 and amended in 2000, grants broad powers, primarily for regional land use and transportation planning, but also for issues of metropolitan concern. The charter also insists that the Metro Council be elected, visible and accountable.

Metro embodies the region’s commitment to maintain and enhance the livability and sustainability of the region. A regional approach simply makes sense when it comes to protecting natural areas, caring for parks, planning for the future of our neighborhoods, managing garbage disposal and increasing recycling. Metro manages world-class facilities such as the Oregon Zoo, which contributes to conservation and education, and the Oregon Convention Center, which benefits the region’s economy.



Metro Council Priorities

Metro’s budgets are anchored by the region’s six desired outcomes. Developed by the region and adopted by the Metro Council in 2010 as part of the region’s growth management policies, the six outcomes help all leaders and their communities focus on what makes this region a great place. The Metro Council has directed Metro to use the outcomes to guide its strategic decision-making.



As Metro looks toward the future, we remain organized around four principles:

- Footprint* – How big is Metro and are we organized in the best possible way?
- Focus* – Are we focusing on our priorities, applying our expertise in a way that Metro can make the most significant contribution?
- Employee Compact* – What is Metro’s strategy as an employer?
- Resources* – Is Metro moving the resource dial?

Metro uses its Compass (shown in the diagram below) to assess how its efforts and limited resources align with and support the regional outcomes. Each budget proposal is tested against the compass with Metro’s values clearly in mind.



Balance Sheet

The government-wide Statement of Net Position reflects a healthy financial condition as of June 30, 2013.

The assets of Metro exceeded its liabilities by \$537 million at the close of the fiscal year. This statement is presented as a high level summary overview of net position. For greater detail, please see the complete CAFR, available for download at www.oregonmetro.gov/budget.

Assets: Resources with present service capacity that Metro presently controls.

Deferred Outflow of Resources: Consumption of net position by Metro that is applicable to a future reporting period.

Liabilities: Present obligations to sacrifice resources that Metro has little or no discretion to avoid.

Deferred Inflow of Resources: Acquisition of net position by Metro that is applicable to a future reporting period.

Net position: The residual of all other elements (defined above) presented in a statement of financial position.

Metro - Statement of Net Position

	As of June 30, 2013	As of June 30, 2012 (restated)	As of June 30, 2011 (restated)
Assets			
Current and other assets	\$328,044,772	\$359,740,797	\$226,619,875
Capital assets	566,326,777	550,176,892	533,076,808
Total assets	894,371,549	909,917,689	759,696,683
Total deferred outflows of resources	2,310,882	2,825,423	4,475,214
Liabilities			
Current liabilities	31,020,314	29,964,656	45,238,622
Long-Term liabilities	328,630,379	371,951,045	217,560,964
Total liabilities	359,650,693	401,915,701	262,799,586
Net Position	\$537,031,738	\$509,461,494	\$501,372,311



Income Statement

The government-wide Statement of Activities reports all financial activity for the past three fiscal years.

This statement presents high level summary information about how Metro's net position changed during the fiscal year as a result of all financial activity (i.e. revenues and expenses). For greater detail, please see the complete CAFR, available for download at www.oregonmetro.gov/budget.

Metro - Statement of Activities

	FY 2012-13	FY 2011-12	FY 2010-11
Revenues	\$225,498,400	\$201,110,673	\$201,054,779
Expenses	197,928,156	191,655,573	186,333,180
Increase in Net Assets	27,570,244	9,455,100	14,721,599
Net Position, Beginning of year	509,461,494	500,006,394	485,284,795
Net Position, End of Year	\$537,031,738	\$509,461,494	\$500,006,394



The Metro Council unanimously adopted the annual budget for FY 2013-14 on June 20, 2013. To best illustrate trends, below are the fiscal year budget amounts for the most recently adopted budget along with previous fiscal years to compare.

For more information on Metro's annual budget, please visit www.oregonmetro.gov/budget.

Metro - Budget Information

	FY 2013-14	FY 2012-13	FY 2011-12
Personnel Services	\$83,751,779	\$79,683,638	\$80,137,372
Materials and Services	121,872,363	120,819,885	118,358,697
Debt Service	40,937,068	54,769,223	35,261,700
Transfers	23,629,196	23,337,538	22,398,354
Annual Operating Budget	270,190,406	278,610,284	256,156,123
Capital Outlay	66,398,950	67,946,194	39,431,052
Reserves	60,244,356	56,421,152	27,227,184
TOTAL	\$490,635,507	\$542,201,400	\$388,742,551



Financial Policies

These financial policies establish basic principles to guide Metro's elected officials and staff in carrying out their financial duties and fiduciary responsibilities. Metro's financial policies shall be reviewed annually by the Council and shall be published in the adopted budget. The Chief Financial Officer shall establish procedures to implement the policies established in this document.

Accounting, auditing and financial reporting

Metro shall annually prepare and publish a Comprehensive Annual Financial Report including financial statements and notes prepared in conformity with generally accepted accounting principles as promulgated by the Governmental Accounting Standards Board. An independent financial and grant compliance audit shall be performed annually in accordance with generally accepted auditing standards.

Budgeting and financial planning

Metro shall maintain fund balance reserves that are appropriate to the needs of each fund. Targeted reserve levels shall be established and reviewed annually as part of the budget process. Use of fund balance to support budgeted operations in the General Fund, an operating fund, or a central service fund shall be explained in the annual budget document; such explanation shall describe the nature of the budgeted reduction in fund balance and its expected future impact. Fund balances in excess of future needs shall be evaluated for alternative uses. Metro shall prepare, present and adopt its annual budget in accordance with Oregon Budget Law.

Metro staff shall regularly monitor actual revenues and expenditures and report to Council at least quarterly on how they compare to budgeted amounts, to ensure compliance with the adopted budget. Any significant changes in financial status shall be timely reported to the Council.

Capital asset management

Metro shall budget for the adequate maintenance of capital equipment and facilities and for their orderly replacement, consistent with longer-term planning for the management of capital assets.

Cash management and investments

Metro shall manage its investment portfolio with the objectives of safety of principal as the highest priority, liquidity adequate to needs as the second highest priority and yield from investments as its third highest priority.

Debt management

Metro shall issue long-term debt only to finance capital improvements, including land acquisition, that cannot be readily financed from current revenues, or to reduce the cost of long-term financial obligations.

Metro shall strive to obtain the highest credit ratings to ensure that borrowing costs are minimized and Metro's access to credit is preserved.

Revenues

Metro shall estimate revenues through an objective, analytical process. Metro shall also strive to maintain a diversified and balanced revenue system to protect it from short-term fluctuations in any one revenue source.

For Metro's full financial policies, please refer to page C-47 in the Budget Summary volume of Metro's Budget document, which is available for download at www.oregonmetro.gov/budget.

Revenue Overview

Metro's revenues come from a variety of sources.

Charges for services: The largest part of Metro's revenues comes from fees and charges for goods and services established to recoup from its customers the cost of providing those goods and services to them.

Grants and Donations: The primary planning functions of the agency — Planning and Development and the Research Center — receive grant funding from federal, state and local grants to fund most of the transportation planning and modeling programs. Both the zoo and Metro's Parks and Environmental Services also receive grants for capital projects, ongoing work and operations. Metro also receives donations for the zoo, parks and cemeteries.

Property Taxes: Metro has a permanent property tax rate of \$0.0966 per \$1,000 of assessed value. This rate cannot even be changed by the voters. Metro also receives property tax revenues from voter-approved levies. The recently approved five-year Parks and Natural Areas Local Option Levy is \$0.096 per \$1,000 and the outstanding debt levies assess another \$0.28 per \$1,000. The average homeowner with \$200,000 assessed value/\$250,000 market value spends approximately \$95 annually in property taxes assessed by Metro.

Excise Tax: This tax is paid by users of Metro facilities and services in accordance with Metro Charter and Metro Code. It supports the costs of general government activities, such as the Council Office and elections expense. It also supports various planning, parks and venue activities.

Local government shared revenues: Metro receives revenue from both state and local agencies. Among these are transient lodging tax receipts from Multnomah County, funds from the City of Portland to support the Portland Center for the Performing Arts, state marine fuel tax revenues and a portion of the recreational vehicle registration fees passed through Multnomah County from the State of Oregon to support the regional parks.

Investment earnings: Metro receives interest earnings on invested cash balances.

Other Revenues: Any other revenue Metro receives that doesn't fall into the above categories.

Metro - Revenue Overview

	FY 2012-13	FY 2011-12	FY 2010-11
Charges for services	\$120,090,179	\$110,200,570	\$116,145,985
Grants and Donations	17,569,710	17,923,954	13,761,790
Property Taxes	51,517,060	39,333,293	49,747,025
Excise Taxes	17,706,748	16,177,938	15,508,750
Local Government Shared Revenues	15,019,185	13,048,121	12,027,737
Investment Earnings	985,975	898,372	1,297,719
Other Revenues	560,545	497,303	140,940
TOTAL	\$223,449,402	\$198,079,551	\$208,629,946

Expenditure Overview

Metro's CAFR appropriates for expenditures at a very high level, however there are a number of categories that roll up into those appropriations. The major categories are listed and defined below.

Personnel Services: These are expenditures for salaries, wages and related expenses for Metro employees. These expenses include employee-related benefit costs such as health and welfare, pension contributions, as well as fringe benefits.

Materials and Services: These expenses are for contractual and other services, materials, supplies and other charges.

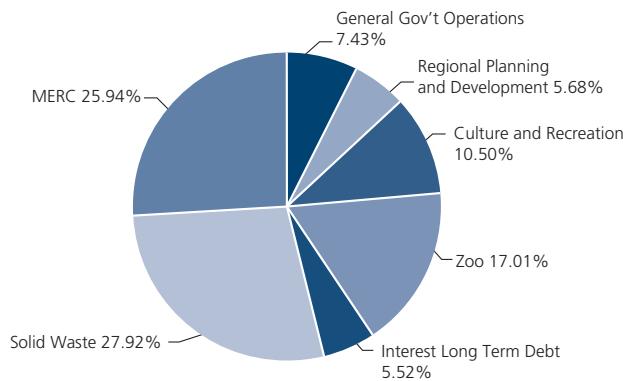
Capital outlay: These funds are for land acquisitions and major capital improvement projects at various facilities.

Debt service: This category is for payment on general obligation and full faith and credit bonds sold for the Oregon Convention Center, Metro Regional Center, the Open Spaces Acquisition program, the Natural Areas program, the Portland Expo Center and the Oregon Zoo.

Metro - Expenditure Overview

	FY 2012-13	FY 2011-12	FY 2010-11
Personal Services	\$75,457,497	\$76,388,508	\$73,984,489
Materials and Services	99,065,663	96,023,267	99,375,899
Debt Service	67,285,032	64,941,026	41,950,078
Capital Outlay	25,753,073	28,293,891	24,477,935
TOTAL	\$267,561,265	\$265,646,692	\$239,788,400

Metro Function/Program Expenses, Fiscal Year 2013



Debt Overview

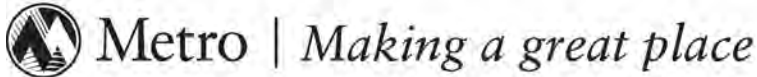
Metro uses long and short-term debt to finance capital projects and some capital equipment. Metro maintains a Aaa/AAA (“double triple A”) underlying general obligation bond rating, the highest available. Metro was one of only two local governments to receive that rating in 2007 and maintain it through the recession.

Metro has a relatively low level of outstanding debt. Currently, there are only eight outstanding debt issues, totaling \$282,845,000. Metro has authorized but unissued debt remaining from both the 2006 Natural Areas bond measure and the 2008 Oregon Zoo Infrastructure and Animal Welfare bond measure.

	Original Amount	Original Issue Date	Principal Outstanding	Final Maturity
GENERAL OBLIGATION BONDS (Property taxes funded)				
General Obligation Refunding Bonds				
Metro Washington Park Zoo Oregon Project 2005 Series	18,085,000	5/12/05	8,190,000	1/15/2017
Open Spaces, Parks, and Streams 2012B Series	27,575,000	5/23/12	18,685,000	6/1/2015
General Obligation Bonds				
Natural Areas 2007 Series	124,295,000	4/3/07	77,715,000	6/1/2026
Natural Areas 2012A Series	75,000,000	5/23/12	70,920,000	6/1/2026
Oregon Zoo Infrastructure 2012A Series	65,000,000	5/23/12	60,165,000	6/1/2028
TOTAL GENERAL OBLIGATION BONDS OUTSTANDING			\$235,675,000	
FULL FAITH AND CREDIT BONDS (General revenues funded)				
Full Faith and Credit Refunding Bonds				
2003 Series	24,435,000	10/16/03	1,385,000	8/1/2013
2006 Series	14,700,000	4/20/06	10,885,000	12/1/2024
2013 Series	12,600,000	2/26/13	12,600,000	8/1/2022
TOTAL FULL FAITH & CREDIT BONDS OUTSTANDING			\$24,870,000	
PENSION OBLIGATION BONDS (Department assessments funded)				
Limited Tax Pension Obligation Bonds				
Series 2005	\$24,290,000	9/23/05	\$22,300,000	6/1/2028
TOTAL PENSION OBLIGATION BONDS OUTSTANDING			\$22,300,000	
GRAND TOTAL – METRO DEBT OUTSTANDING			\$282,845,000	







METRO COUNCIL MEETING

Meeting Summary

Dec. 5, 2013

Metro, Council Chamber

Councilors Present: Council President Tom Hughes, and Councilors Shirley Craddick, Sam Chase, Kathryn Harrington, Bob Stacey, Carlotta Collette and Craig Dirksen

Councilors Excused: None

Council President Tom Hughes called the regular council meeting to order at 2:03 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. AUDIT OF THE ORGANIC WASTE PROGRAM

Metro Auditor Suzanne Flynn and Mr. Brian Evans of the Office of the Metro Auditor provided a presentation on a recent audit of the effectiveness of the region's organic waste program. The objectives of the audit were to determine the program's impact on the regional recovery rate, and to identify potential actions Metro might take to improve the program. The Auditor's Office overviewed the audit's scope, methodology, and findings. The report provided Metro three recommendations moving forward:

1. Metro should address the commercial and residential organic waste recovery program to determine cost effectiveness in meeting statutory and environmental goals.
2. If Metro determines the program to be cost effective and beneficial, the agency should determine the leadership role it is willing to take to advance the program's goals.
3. Metro should clarify how the agency would meet internal goals and performance measures to ensure the three departments involved are aligned to achieve the program's desired outcome.

The audit, released in October 2013, was included in the FY 2012-13 audit schedule. (Full audit included as part of the meeting record.)

Mr. Matt Korot of Metro thanked the Metro Auditor and her staff for their work, and provided a brief management response. Mr. Korot stated that the audit conveys the complexity of the organics system and makes useful findings and recommendations that will help management moving forward. He stated that the region has made process in recovering food from the waste stream, but

there is more work to be done. He briefly addressed each of the audit’s three recommendations and how staff is responding. For example, in response to the first recommendation, Mr. Korot stated that the agency is currently working on a project, the Solid Waste Roadmap, which is focused on ensuring there is adequate long-term capacity to process the region’s waste. Staff will be reviewing the direct costs and environmental benefits of increasing food waste recovery as part of the project. (See report for full management response.)

Councilor discussion

The Metro Council thanked the Auditor for her report. Councilors asked clarifying questions about the contribution of food waste on the regional recovery rate. Audit staff stated that, despite the increases in food recovery programs such as that at the City of Portland, food waste only contributes approximately 1.4 percent of the total regional recovery rate.

Councilors discussed the different waste programs in the region, and asked the Auditor’s Office for recommendations on possible incentives to encourage local jurisdictions to implement garbage collection and food recovery programs. Audit staff stated that one incentive would be to keep prices low to encourage those producing waste to participate in the program, while collecting sufficient revenue to create a long-term sustainable system for those processing the waste. The Auditor and Councilors emphasized the complexity of the issue, and that the agency’s values must be weighed in addition to the costs and benefits. Councilors stated that the Auditor’s Office should help to define metrics for measuring the costs and benefits of a program, but that the Council – as the agency’s policy leaders – should decide how to balance or match up the costs and benefits. Councilors stated that costs and benefits carry nonmonetary elements that must be considered. Councilors highlighted, as an example, relationships with local governments as a nonmonetary element that would need to be discussed. Additional discussion addressed the Solid Waste Roadmap project.

4. CONSENT AGENDA

Motion:	Councilor Shirley Craddick moved to approve Dec. 5 consent agenda, which consisted of: <ul style="list-style-type: none"> • Consideration of the Council minutes for Nov. 21, 2013; and • Resolution No. 13-4484, For the Purpose Confirming the Appointment of Members to the Oregon Zoo Bond Citizens’ Oversight Committee.
Second:	Councilor Sam Chase seconded the motion.

Vote:	Council President Hughes, and Councilors Craddick, Harrington, Chase, Dirksen, Collette and Stacey voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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5. ORDINANCES – FIRST READING

5.1 **Ordinance No. 13-1313**, For the Purpose of Adopting the Metro Geographic Information System Map of Metro’s District and Jurisdictional Boundaries and Making Technical Corrections.

Second read, public hearing and Council consideration and vote scheduled for December 12.

6. ORDINANCES – SECOND READING

6.1 Ordinance No. 13-1322, For the Purpose of Amending the FY 2013-14 Budget and Appropriations Schedule and the FY 2013-14 through 2017-18 Capital Improvement Plan.

Motion:	Councilor Carlotta Collette moved to approve Ordinance No. 13-1322.
Second:	Councilor Bob Stacey seconded the motion.

Mr. Tim Collier of Metro provided staff's report on Ordinance No. 13-1322, the first of four quarterly scheduled consolidated budget amendments. Mr. Collier summarize the ordinance and stated that if approved, it would amend the FY 13-14 budget and 2017-18 capital improvement plan for seven projects, add or recognize 1.7 FTE to the adopted budget, transfer \$210,000 from the General fund contingencies, \$75,000 from the General Asset Management Fund Contingency and Approximately \$577,00 from the MERC fund contingency.

Of the eleven requests outlined in Ordinance No. 13-1322:

- Seven requests were related to capitals projects, such as construction of a gender-neutral bathroom at the Metro Regional Center (MRC), and installation of a technology cooling system at the Oregon Convention Center.
- Two requests addressed staffing needs at Metro venues. The first request included one, three-year limited duration Metro venues policy coordinator position at the MRC, and the second request included one 0.5 FTE Security Officer position, and one 0.2 FTE increase to an existing 0.6 FTE Farm Mentor position at the Oregon Zoo.
- One request was for funds to review and update Metro's First Opportunity Target Area program.
- One request was for funds to purchase licenses for the agency's new budget management software.

Council President Hughes gaveled and opened a public hearing on Ordinance No. 13-1322. Seeing no members of the public who wished to testify, the public hearing was closed.

Council discussion

Councilors asked clarifying questions about the number of budget requests in the first quarter, and competition of Metro's central data center. Staff stated that the current budget was fairly set in April 2013. It is common for changes or requests to occur. Staff did not believe the number or the amount of the first quarter consolidated budget amendments were a lot, but stated that they would continue to monitor staff requests. In addition, staff noted that setting a schedule for consolidated amendments prevents the Council from having to consider one off amendments throughout the fiscal year.

In addition, staff addressed the completion of Metro's central data center. Metro is consolidating three technology data centers into a single enterprise call center at the OCC to serve all Metro properties. Funds requested, \$100,00 from the General Fund Reserve, would be used to install a dedicated, energy efficient cooling system. Staff stated that Metro is pursuing a new technology configuration that needs less physical space, and therefore creates less heat and requires less cooling. That said, staff stated that the agency's Information Services Department was mindful of

the of the OCC's LEED certification standards, and selected a cooling system consistent with the building's accreditation. The funds for the project were proposed from the General Fund Reserve because the project would serve multiple Metro properties.

Vote:

Council President Hughes, and Councilors Craddick, Harrington, Chase, Dirksen, Collette and Stacey voted in support of the motion. The vote was 7 ayes, the motion passed.

7. CHIEF OPERATING OFFICER COMMUNICATION

Ms. Martha Bennett provided updates on the following items:

- A status up on how inclement weather is affecting Metro properties and facilities.
- The City of Portland held a press conference about Washington Park's new parking management plan. The new rules will take effect in January 2014. Direct questions and public inquiries to Teri Dresler of Metro.

8. COUNCILOR COMMUNICATION

Councilors provided updates on the following meetings or events: Oregon Zoo Art Committee and Metropolitan Exposition and Recreation Commission meetings. Additional updates addressed the former Blue Heron site's new buyer, the Langley Company. Councilors stated that Langley wants to partner with the project moving forward.

9. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 2:54 p.m. The Metro Council will convene the next regular council meeting on Thursday, Dec. 12 at 2 p.m. at Metro's Council Chamber.

Respectfully submitted,



Kelsey Newell, Regional Engagement & Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF NOV. 21, 2013

Item	Topic	Doc. Date	Document Description	Doc. Number
3.1	Minutes	11/7/13	Council minutes for Nov. 7, 2013	112113c-01
5.2	PowerPoint	11/21/13	Orengo Woods Nature Park	112113c-02