

# Metro | Agenda

Meeting: Metro Council  
Date: Thursday, October 30, 2014  
Time: 2 p.m.  
Place: Metro, Council Chamber

**REVISED 10/24/14**

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## CALL TO ORDER AND ROLL CALL

### 1. CITIZEN COMMUNICATION

### 2. CONSENT AGENDA

2.1 **Resolution No. 14-4575**, For the Purpose of Confirming the Appointment of Members of the Nature in Neighborhoods Capital Grants Review Committee

2.2 **Resolution No. 14-4577**, For the Purpose of Confirming the Appointment of Chair to the Oregon Zoo Bond Citizens' Oversight Committee

2.3 Consideration of Council Meeting Minutes for October 23, 2014

### 3. ORDINANCES (FIRST READ)

3.1 **Ordinance No. 14-1346**, For the Purpose of Adopting a Preferred Climate Smart Communities Strategy and Amending the Regional Framework Plan to Comply with State Law

#### 3.1.1 **Public Hearing on Ordinance No. 14-1346**

### 4. ORDINANCES (SECOND READ)

4.1 **Ordinance No. 14-1343**, For the Purpose of Amending Metro Code Chapter 2.17 in Order to Comply with Current State Law and Declaring an Emergency **Alison Kean, Metro**

#### 4.1.1 **Public Hearing on Ordinance No. 14-1343**

4.2 **Ordinance No. 14-1347**, For the Purpose of Amending Metro Code Chapter 2.09 (Contractor's Business License Program) **Alison Kean, Metro**

#### 4.2.1 **Public Hearing on Ordinance No. 14-1347**

4.3 **Ordinance No. 14-1344**, For the Purpose of Amending Metro Code Title V, Solid Waste, to Revise Chapter 5.06, Solid Waste Community Enhancement Programs **Roy Brower, Metro**

#### 4.3.1 **Public Hearing on Ordinance No. 14-1344**

4.4 **Ordinance No. 14-1348**, For the Purpose of Annexing to **Tim O'Brien, Metro**  
the Metro District Boundary Approximately 14.59 Acres  
Located North of NW Brugger Road and West of NW  
Kaiser Road in the North Bethany Area of Washington  
County

4.4.1 **Public Hearing on Ordinance No. 14-1348**

5. **CHIEF OPERATING OFFICER COMMUNICATION** **Martha Bennett, Metro**

6. **COUNCILOR COMMUNICATION**

**ADJOURN**

**AN EXECUTIVE SESSION WILL BE HELD IMMEDIATELY FOLLOWING THE PUBLIC MEETING  
PURSUANT TO ORS 192.660(2)(i), TO REVIEW AND EVALUATE THE PERFORMANCE OF AN  
OFFICER, EMPLOYEE OR STAFF MEMBER IF THE PERSON DOES NOT REQUEST AN OPEN  
MEETING.**

**Television schedule for October 30, 2014 Metro Council meeting**

<p><b>Clackamas, Multnomah and Washington counties, and Vancouver, WA</b>          Channel 30 – Community Access Network  <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a>  <i>Ph:</i> 503-629-8534  <i>Date:</i> Thursday, October 30, 2:00 p.m.</p>	<p><b>Portland</b>          Channel 30 – Portland Community Media  <i>Web site:</i> <a href="http://www.pcmtv.org">www.pcmtv.org</a>  <i>Ph:</i> 503-288-1515  <i>Date:</i> Sunday, November 2, 7:30 p.m.  <i>Date:</i> Monday, November 3, 9 a.m.</p>
<p><b>Gresham</b>          Channel 30 - MCTV  <i>Web site:</i> <a href="http://www.metroeast.org">www.metroeast.org</a>  <i>Ph:</i> 503-491-7636  <i>Date:</i> Monday, November 3, 2 p.m.</p>	<p><b>Washington County and West Linn</b>          Channel 30– TVC TV  <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a>  <i>Ph:</i> 503-629-8534  <i>Date:</i> Friday, October 31, 12 p.m.  <i>Date:</i> Sunday, November 2, 11 p.m.</p>
<p><b>Oregon City and Gladstone</b>          Channel 28 – Willamette Falls Television  <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a>  <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](http://www.oregonmetro.gov) and click on public comment opportunities.

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## សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានក្បួនលក្ខណ៍រើសអើងសូមចូលទស្សនាការប្រកាស [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។  
បើលោកអ្នកត្រូវការការបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

## إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإبداء شكوى ضد التمييز، يرجى زيارة الموقع الإلكتروني [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

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Agenda Item No. 2.1

**Resolution No. 14-4575**, For the Purpose of Confirming the  
Appointment of Members of the Nature in Neighborhoods  
Capital Grants Review Committee

*Consent Agenda*

Metro Council Meeting  
Thursday, October 30, 2014  
Metro, Council Chambers

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING ) RESOLUTION NO. 14-4575  
APPOINTMENT OF MEMBERS OF THE )  
NATURE IN NEIGHBORHOODS ) Introduced Chief Operating Officer Martha  
CAPITAL GRANTS REVIEW ) Bennett in concurrence with Council President  
COMMITTEE ) Hughes

WHEREAS, Metro Code 2.19.230 establishes the Nature in Neighborhoods Grants Review Committee whose members are to be appointed by the Metro Council President subject to confirmation by the Metro Council; and

WHEREAS, the Metro Council confirmed the appointments of the original committee by Metro Council Resolution No. 07-3879 (“Confirming the Appointment of Members to the Nature in Neighborhoods Capital Grants Review Committee”), adopted Nov. 1, 2007; and

WHEREAS, the Metro Council most recently confirmed the reappointment of one member to the Nature in Neighborhoods Capital Grants Review Committee and added three additional members to the positions of Fish Biologist, Water Quality Specialist and Community Representative by Metro Council Resolution No. 13-4485 (“Confirming the Appointment of Members of the Nature In Neighborhoods Capital Grants Review Committee”), adopted December 19, 2013; and

WHEREAS, three members of the committee have either resigned or reached the end of their ability to serve due to term limits defined in Resolution No. 06-3672B, “For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection;” and

WHEREAS, three new members have been invited to serve on the committee; and

WHEREAS, one current member wishes to be reappointed to the committee; and

WHEREAS, the Council President desires to appoint three new members, and to reappoint one current member to the committee; now, therefore,

BE IT RESOLVED, that the Metro Council confirms the appointments to the Nature in Neighborhoods Capital Grants Review Committee, as set forth in Exhibit “A” attached hereto.

ADOPTED by the Metro Council this 30 day of October 2014.

\_\_\_\_\_  
Tom Hughes, Council President

Approved as to Form:

\_\_\_\_\_  
Alison R. Kean, Metro Attorney

**Exhibit A to Resolution No. 14-4575**

**Nature in Neighborhoods  
Capital Grants Review Committee**

**Committee Member Confirmations**

The following person has served two, two-year terms, and is being appointed for a final two-year term:

Gayle Killam                      Water Quality Specialist

The following persons shall serve one two-year term, and be eligible thereafter to serve one additional two-year term:

Karen Spencer	Community Representative
Chips Janger	Community Representative
Peter Guillozet	Metro Staff Scientist

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 14-4575, FOR THE PURPOSE OF CONFIRMING APPOINTMENT OF MEMBERS OF THE NATURE IN NEIGHBORHOODS CAPITAL GRANTS REVIEW COMMITTEE**

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Date: October 30, 2014

Prepared by: Mary Rose Navarro, 503-797-1781

#### **BACKGROUND**

The Natural Areas Bond Measure provides \$15 million for a Nature in Neighborhoods Capital Grants Program to provide local organizations and public entities with additional funds for land acquisition and projects that protect and enhance natural resources in the urban environment.

The Metro Council created a Nature in Neighborhoods Capital Grants Review Committee in November 2007. The Capital Grants Review Committee consists of members appointed by the Council President and confirmed by the Metro Council.

Members of the committee hail from all areas of the region and a variety of technical and professional disciplines, including water quality specialists, community representatives, a fish biologist, and a landscape architect.

The grant review committee reviews grant applications with the support and due diligence of Metro staff and makes recommendations for funding to the Metro Council. The Metro Council awards all grants under this program.

This Resolution confirms the reappoint of one current committee member. In addition, it confirms the appointment of four new members to the committee who will fill the vacancies for community representative.

#### **ANALYSIS/INFORMATION**

##### **1. Known Opposition**

There is no known opposition to this resolution.

##### **2. Legal Antecedents**

Metro Resolution No. 06-3672B, "For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection," approved by the Metro Council on March 9, 2006.

Metro Code Section 2.19.230, "Nature in Neighborhoods Capital Grants Review Committee," which section establishes the purpose, authority, and member appointment process for the committee.

Metro Resolution No. 07-3879, "Confirming the Appointment of Members to the Nature in Neighborhoods Capital Grants Review Committee," approved by the Metro Council on November 1, 2007.

Metro Resolution No. 07-3874, "Confirming the Appointment of the Chair of the Nature in Neighborhoods Capital Grants Review Committee," approved by the Metro Council on December 6, 2007.

Metro Resolution No. 09-4027, "Confirming the Reappointment of Members to the Nature In Neighborhoods Capital Grants Review Committee, Designating the Chair, and Appointing a New Metro Natural Resources Staff Person," adopted on February 19, 2009.

Metro Resolution No. 09-4096, "Confirming the Reappointment of Members to the Nature In Neighborhoods Capital Grants Review Committee and Appointing a New Person In The Water Quality Specialist Position," approved by the Metro Council on December 10, 2009.



Metro Resolution No. 12-4318, "Confirming the Appointment of Members of the Nature In Neighborhoods Capital Grants Review Committee," adopted on January 12, 2012.

Metro Resolution No. 13-4408, "Confirming the Appointment of Members of the Nature In Neighborhoods Capital Grants Review Committee," adopted on February 14, 2013.

Metro Resolution No. 13-4485, "Confirming the Appointment of Members of the Nature In Neighborhoods Capital Grants Review Committee," adopted on December 19, 2013.

### **3. Anticipated Effects**

By approving resolution 14-4575, the Metro Council will confirm the reappointment of one committee member whose term has expired but who wishes to continue serving, and will appoint a Metro staff member and two new community members to the committee. The expertise of these committee members helps ensure that the Metro Council awards grant funds to projects that best meet the goals and objectives of the Natural Areas Bond Measure.

### **4. Budget Impacts**

There are no budget impacts.

### **RECOMMENDED ACTION**

Staff recommends adoption of Resolution No. 14-4575.

Agenda Item No. 2.2

**Resolution No. 14-4577, For the Purpose of Confirming the  
Appointment of Chair to the Oregon Zoo Bond Citizens'  
Oversight Committee**

*Consent Agenda*

Metro Council Meeting  
Thursday, October 30, 2014  
Metro, Council Chambers

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE	)	RESOLUTION NO. 14-4577
APPOINTMENT OF CHAIR TO THE OREGON	)	
ZOO BOND CITIZENS' OVERSIGHT	)	Introduced by Council President Tom Hughes
COMMITTEE	)	

WHEREAS, Metro Code Chapter 2.19 establishes the Oregon Zoo Bond Citizens' Oversight Committee whose members are to be appointed by the Metro Council President subject to confirmation by the Metro Council;

WHEREAS, the Metro Council President has appointed Bill Kabeiseman as Chair of the Oregon Zoo Bond Citizens' Oversight Committee as set forth in Exhibit "A" attached hereto;

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

BE IT RESOLVED that the Metro Council confirms the appointment of Bill Kabeiseman as Chair of the Oregon Zoo Bond Citizens' Oversight Committee as set forth in Exhibit "A" attached hereto.

ADOPTED by the Metro Council this 30th day of October 2014.

\_\_\_\_\_  
Tom Hughes, Council President

Approved as to Form:

\_\_\_\_\_  
Alison R. Kean, Metro Attorney

# **Biography of Oregon Zoo Bond Citizens' Oversight Committee Chair**

## **Exhibit A to Resolution No. 14-4577**

### **Oregon Zoo Bond Citizens' Oversight Committee**

#### **Committee Chair Appointment**

Bill Kabeiseman, attorney with Garvey Schubert Barer, served an initial member term of two years from Jan. 1, 2012, to Dec. 31, 2013, and is serving a second two-year term from January 1, 2014, to Dec. 31, 2015. Effective October 30, 2014, he will serve as chair of the Committee through the remainder of his term.

#### **Biography**

##### **Bill Kabeiseman**

Bill Kabeiseman is an attorney at Garvey Schubert Barer specializing in land use and municipal law. He graduated from the University of Oregon School of Law and later served as an adjunct professor teaching land use law at the school. Bill chaired the Oregon State Bar Task Force on Sustainability and is on the Multnomah County Planning Commission.

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## STAFF REPORT

### IN CONSIDERATION OF RESOLUTION NO. 14-4577, FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF CHAIR TO THE OREGON ZOO BOND CITIZENS' OVERSIGHT COMMITTEE

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Date: Oct. 10, 2014

Prepared by: Heidi Rahn (503) 220-5709

#### BACKGROUND

Metro Code Chapter 2.19 establishes the Oregon Zoo Bond Citizens' Oversight Committee ("Oversight Committee"). Members and the chair are appointed by the Metro Council President subject to Metro Council confirmation. The Committee currently has 14 members, with the term of the current chair, Deidra Krys-Rusoff, set to expire on Dec. 31, 2014. To allow for a smooth leadership transition, Resolution No. 14-4577 appoints an existing member and vice chair, Bill Kabeiseman, to start serving Oct. 30, 2014, as the new chair.

The purpose and authority of the Oversight Committee is to convene periodically to review progress on the Oregon Zoo Bond Measure 26-96 project improvements, monitor spending ("Program Progress"), and consider and recommend project modifications if inflationary increases in construction costs exceed current budget estimates. The Oversight Committee shall report annually to the Metro Council regarding such Program Progress, which report shall set forth the Oversight Committee's recommendations for project modifications, if any.

The Oversight Committee's members shall primarily be professionals with experience in construction, sustainability, finance, auditing, public budgeting, banking and general business.

#### ANALYSIS/INFORMATION

1. **Known Opposition:** None known
2. **Legal Antecedents:** Metro Code Chapter 2.19
3. **Anticipated Effects:** Appoint new Chair.
4. **Budget Impacts:** None

#### RECOMMENDED ACTION

Adoption of Resolution No. 14-4577.

Agenda Item No. 2.3

**CONSIDERATION OF COUNCIL MEETING MINUTES FOR  
OCTOBER 23, 2014**

*Consent Agenda*

Metro Council Meeting  
Thursday, October 30, 2014  
Metro, Council Chambers

Agenda Item No. 3.1

**Ordinance No. 14-1346**, For the Purpose of Adopting a Preferred Climate Smart Communities Strategy and Amending the Regional Framework Plan to Comply with State Law

*Ordinances First Read*

Metro Council Meeting  
Thursday, October 30, 2014  
Metro, Council Chambers

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING A	)	ORDINANCE NO. 14-1346
PREFERRED CLIMATE SMART	)	
COMMUNITIES STRATEGY AND AMENDING	)	Introduced by Chief Operating Officer
THE REGIONAL FRAMEWORK PLAN TO	)	Martha Bennett in concurrence with
COMPLY WITH STATE LAW	)	Council President Tom Hughes

WHEREAS, the State of Oregon’s 2007 greenhouse gas emissions reductions goals direct Oregon to stop increases in greenhouse gas emissions by 2010, reduce emissions to at least 10 percent below 1990 levels by 2020, and reduce emissions to at least 75 percent below 1990 levels by 2050; and

WHEREAS, Oregon Legislature passed House Bill 2001, also known as the Jobs and Transportation Act (“JTA”), in 2009; and

WHEREAS, Section 37 of the JTA requires Metro in the Portland metropolitan region to prepare and cooperatively select a preferred land use and transportation scenario for achieving greenhouse gas emission reductions from motor vehicles with a gross vehicle weight rating of 10,000 pounds or less (light vehicles); and

WHEREAS, the Metro Council, with the advice and support of the Metro Policy Advisory Committee (“MPAC”) and the Joint Policy Advisory Committee on Transportation (“JPACT”), adopted the 2035 Regional Transportation Plan (“RTP”) in 2010 and directed staff to conduct greenhouse gas scenario planning; and

WHEREAS, on December 16, 2010, the Metro Council, with the advice and support of MPAC, established six desired outcomes to reflect the region's desire to develop vibrant, prosperous and sustainable communities with safe and reliable transportation choices that minimize greenhouse gas emissions and equitably distribute the benefits and costs of growth and change in the region; and

WHEREAS, in 2011, the Land Conservation and Development Commission (“LCDC”) adopted Oregon Administrative Rules (“OARs”) 660-044-0000 to -0060, which included per capita greenhouse gas emissions reduction targets for each of Oregon’s six metropolitan areas, including the Portland metropolitan region, to help meet statewide goals to reduce greenhouse gas emissions to 75 percent below 1990 levels by the year 2050; and

WHEREAS, the LCDC adopted target calls for the Portland metropolitan region to reduce per capita roadway greenhouse gas emissions from light duty vehicles by 20 percent below 2005 levels by 2035; and

WHEREAS, the target reduction is in addition to significantly greater reductions anticipated to occur from state and federal actions related to advancements in cleaner, low carbon fuels and more fuel-efficient vehicle technologies, including electric and alternative fuel vehicles; and

WHEREAS, in 2012, the LCDC amended OAR 660-044-0040 to direct Metro to evaluate a reference case that reflects implementation of existing adopted comprehensive and transportation plans and at least two alternative land use and transportation scenarios that accommodate planned growth while achieving a reduction in greenhouse gas emissions from light vehicles and guide Metro in the evaluation and selection of a preferred land use and transportation scenario by December 31, 2014; and



WHEREAS, the Portland metropolitan region conducted scenario planning through the Climate Smart Communities Scenarios Project to demonstrate leadership on addressing climate change, maximize achievement of all six of the region's desired outcomes, implement adopted local and regional plans and visions, including the 2040 Growth Concept, local comprehensive and transportation system plans and the regional transportation system plan, and respond to Section 37 of the JTA and OAR 660-044; and

WHEREAS, the Climate Smart Communities Scenarios Project was completed through a 3-phase collaborative effort designed to support communities in the Portland metropolitan region in realizing their aspirations for healthy and equitable communities and a strong economy, and reduce greenhouse gas emissions from light vehicles as required by the State; and

WHEREAS, Phase 1 of the Scenarios Project focused on understanding the region's land use and transportation choices by conducting a review of published research and testing 144 regional scenarios in 2011; and

WHEREAS, Phase 2 of the Scenarios Project, in 2012 and 2013, focused on shaping future choices for the region to advance implementation of community visions by conducting further analysis of the Phase 1 scenarios, confirming local land use visions, preparing eight community case studies and engaging community and business leaders, city and county officials and staff, county coordinating committees, responsible state agencies, a technical work group and Metro's technical and policy advisory committees to develop assumptions for three scenarios to test and a set of evaluation criteria to be used to measure and compare them; and

WHEREAS, Phase 2 of the Scenarios Project found that adopted local and regional plans, if implemented, can meet the state mandated target for reducing greenhouse gas emissions from light vehicles by 2035; and

WHEREAS, Phase 3 of the Scenarios Project, in 2014, considered the results of the Phase 2 evaluation, the region's six desired outcomes, feedback received from public officials, business and community leaders, interested members of the public and other identified audiences from January to April 2014 to shape a draft preferred approach; and

WHEREAS, on June 19, 2014, the Metro Council directed staff to evaluate the draft approach, a product of four years of research, analysis, community engagement and discussion, that was unanimously recommended by MPAC and JPACT for testing on May 30, 2014; and

WHEREAS, the recommended approach as set forth in the draft Climate Smart Communities Strategy reflects adopted local and regional land use plans and local and regional investment priorities adopted in the 2014 Regional Transportation Plan (RTP) on July 17, 2014; and

WHEREAS, the recommended approach, as set forth in the draft Climate Smart Communities Strategy, reflects assumptions used by the state when adopting the region's reduction target for state and federal actions related to advancements in cleaner, low carbon fuels and more fuel-efficient vehicle technologies, including electric and alternative fuel vehicles; and

WHEREAS, the recommended approach reflects the financially constrained 2014 RTP level of investment for streets, highways and active transportation, and higher levels of investment for (1) transit service and related capital improvements needed to support increased service levels, (2) transportation system management technologies, and (3) travel information and incentive programs; and

WHEREAS, while the recommended level of investment for transit service and related capital, transportation system management technologies and travel information and incentive programs is more than what is adopted in the financially constrained 2014 RTP, the estimated costs fall within the full 2014 RTP funding assumptions the region has agreed to work toward as part of meeting statewide planning goals; and

WHEREAS, analysis shows, if implemented, the recommended approach achieves a 29 percent reduction in per capita greenhouse gas emissions from light duty vehicles and provides significant community, public health, environmental and economic benefits to communities and the region; and

WHEREAS, the recommended approach reduces air pollution, improves safety, helps people live healthier lives, manages congestion, reduces freight truck travel costs due to delay, expands travel options, improves access to jobs and essential destinations, and makes the most of investments already made in the region's transportation system – all of which help save businesses and households money and support job creation and economic development; and

WHEREAS, on September 15, 2014, Metro staff launched an online survey and released the preferred land use and transportation scenario under OAR 660-044-0040 for review and comment through October 30, 2014, as set forth in the draft Climate Smart Communities Strategy, draft Regional Framework Plan Amendments, draft Toolbox of Possible Actions (2015-2020) and draft Performance Monitoring Approach; and

WHEREAS, the draft Climate Smart Communities Strategy reflects the approach unanimously recommended for study by MPAC and JPACT on May 30, 2014; and

WHEREAS, the Regional Framework Plan guides Metro land use and transportation planning and other activities and does not mandate local government adoption of any particular policy or action; and

WHEREAS, the draft Regional Framework Plan Amendments identify refinements to existing regional policies that integrate the key components of the Climate Smart Communities Strategy, including performance measures for tracking the region's progress on implementing the strategy; and

WHEREAS, the draft Toolbox of Possible Actions identifies possible near-term (within the next 5 years) actions that the Oregon Legislature, state agencies and commissions, Metro, local governments and special districts can take to begin implementation of the Climate Smart Communities Strategy; and

WHEREAS, while the toolbox does not mandate adoption of any particular policy or action, MPAC and JPACT agree updates to local comprehensive plans and development regulations, transit agency plans, port district plans and regional growth management and transportation plans present continuing opportunities to implement the Toolbox of Possible Actions in ways that can be locally tailored; and

WHEREAS, the draft Performance Monitoring Approach identifies measures and aspirational targets for tracking the region's progress on implementing the key components of the Climate Smart Communities Strategy adopted by the Metro Council that build on the existing land use and transportation performance monitoring Metro is already responsible for as a result of state and federal requirements; and

WHEREAS, the 2018 Regional Transportation Plan update will serve as a major vehicle for implementing the preferred scenario under OAR 660-044-0040; and

WHEREAS, Metro sought and received comments on the draft Climate Smart Strategy, draft Regional Framework Plan Amendments, draft Toolbox of Possible Actions (2015-2020) and draft Performance Monitoring Approach from MPAC, JPACT, its Metro Technical Advisory Committee (“MTAC”), its Transportation Policy Alternatives Committee (“TPAC”), state agencies and commissions, including the Oregon Department of Transportation, the Oregon Department of Environmental Quality, the Oregon Department of Land Conservation and Development, and the Land Conservation and Development Commission, local governments in the region, the Port of Portland, public, private and non-profit organizations and the public; and

WHEREAS, the Metro Council held public hearings on October 30 and December 18, 2014; and

WHEREAS, Metro identified amendments in response to comments received on the draft Climate Smart Strategy, draft Regional Framework Plan Amendments, draft Toolbox of Possible Actions (2015-2020) and draft Performance Monitoring Approach for consideration by MTAC, TPAC, MPAC and JPACT as set forth in the Summary of Recommended Changes; and

WHEREAS, MTAC, TPAC, MPAC and JPACT have considered the results of the evaluation, materials released for public review on September 15, 2014, subsequent public and stakeholder input received and amendments identified to address input received prior to recommending a preferred scenario for the Metro Council to adopt by December 31, 2014; and

WHEREAS, adoption of the Climate Smart Communities Strategy and supporting implementation recommendations presents an opportunity for the region to act together to demonstrate leadership on climate change and address challenges related to transportation funding and implementing adopted local and regional plans, including transit service plans; and

WHEREAS, MPAC and JPACT acknowledge that implementation of adopted local and regional plans, including transit service plans, as called for in the Climate Smart Communities Strategy and supporting implementation recommendations, will require new resources and active participation from a full range of partners over the long-term; and

WHEREAS, MPAC and JPACT have agreed to work together with the Metro Council and other public and private partners to begin implementation in 2015 and recommend three priority actions as a starting point; and

WHEREAS, MPAC, on December 10, 2014, and JPACT, on December 11, 2014, recommended Council adoption of the preferred scenario under OAR 660-044-0040, as reflected in the Climate Smart Communities Strategy and supporting implementation recommendations, to achieve state and regional climate goals and support many other state, regional and local goals, including expanded transportation choices, clean air, healthy and equitable communities, and a strong economy; now, therefore,

BE IT ORDAINED THAT:

1. The Climate Smart Communities Strategy, attached to this ordinance as Exhibit A, is hereby adopted as part of the preferred land use and transportation scenario under OAR 660-044-0040.
2. The amendments to the Regional Framework Plan, attached to this ordinance as Exhibit B, are hereby adopted as part of the preferred land use and transportation scenario under OAR 660-044-0040 to provide policy direction on efforts to reduce per capita greenhouse gas emissions from light duty vehicles and identify performance measures to evaluate and report on the region’s progress toward implementing key components of the Climate Smart Communities Strategy.

3. The amendments to Chapter 2 of the Regional Framework Plan, attached to this ordinance as Exhibit B, are also incorporated into Chapter 2 of the Regional Transportation Plan.
4. The Toolbox of Possible Actions (2015-2020), attached to this ordinance as Exhibit C, is hereby adopted as part of the preferred land use and transportation scenario under OAR 660-044-0040 and will be incorporated into the technical appendix for the Regional Transportation Plan as part of the next update.
5. The Performance Monitoring Approach, attached to this ordinance as Exhibit D, is hereby adopted as part of the preferred land use and transportation scenario under OAR 660-044-0040 and will be incorporated into the Regional Transportation Plan.
6. Metro's on-going regional performance monitoring program will evaluate and report on the region's progress over time toward implementing key components of the Climate Smart Communities Strategy through regularly-scheduled updates to the Regional Transportation Plan and Urban Growth Report, and in response to Oregon State Statutes ORS 197.301 and ORS 197.296.
7. The Summary of Recommended Changes, attached to this ordinance as Exhibit E, is hereby adopted to amend Exhibits A through D.
8. The Findings of Fact and Conclusions of Law in Exhibit F, attached and incorporated into this ordinance, explain how adoption of Exhibits A through E by the Council satisfies Metro's responsibility under state law to prepare and cooperatively select a preferred land use and transportation scenario that achieves the adopted LCDC target for greenhouse gas emission reductions from light vehicles in the Portland metropolitan region by 2035 pursuant to OAR 660-044.
9. Metro staff is directed to prepare a final report that consolidates Exhibits A, C and D, as amended by Exhibit E, and transmit the report and decision record, including this ordinance and exhibits to the ordinance, to the LCDC in the manner of periodic review.
10. The preferred scenario under OAR 660-044-0040, adopted by this ordinance and reflected in the Climate Smart Communities Strategy and supporting implementation recommendations, will be further implemented through the next scheduled update to the Regional Transportation Plan by December 31, 2018. Metro staff is directed to begin scoping the work plan for the next update to the Regional Transportation Plan, and identify a schedule and outline of policy decisions and resources needed.

ADOPTED by the Metro Council this 18th day of December, 2014.

---

Tom Hughes, Council President

Approved as to Form:

---

Alison Kean, Metro Attorney

**CLIMATE  
SMART  
COMMUNITIES**  
SCENARIOS PROJECT

A full version of Exhibit A is available by [clicking here](#).

# Draft Climate Smart Strategy

Public Review Draft

September 15, 2014

**MAKING A  
GREAT  
PLACE**



**CLIMATE  
SMART  
COMMUNITIES**  
SCENARIOS PROJECT

**1**

# Draft Regional Framework Plan Amendments

Public Review Draft

September 15, 2014

**MAKING A  
GREAT  
PLACE**



## About Metro

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

A regional approach simply makes sense when it comes to 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/climatescenarios](http://www.oregonmetro.gov/climatescenarios)**

### **Metro Council President**

Tom Hughes

### **Metro Councilors**

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

**PART 1. DRAFT REGIONAL FRAMEWORK PLAN AMENDMENTS**

*This is one of three parts of the draft implementation recommendations being presented for public review and comment from Sept. 15 to Oct. 30, 2014*

This document includes proposed policy amendments that are limited to Chapter 1 (Land Use) and Chapter 2 (Transportation) of the Regional Framework Plan and reflect policy changes that will guide how Metro will implement the draft approach. The proposed amendments are detailed in the attached strikethrough/underscore versions of the chapters.

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**BACKGROUND**

The Climate Smart Communities Scenarios Project responds to a 2009 mandate from the Oregon Legislature for our region to develop a strategy to reduce per capita greenhouse gas emissions from cars and small trucks by 2035. Metro is the regional government and federally-designated metropolitan planning organization for the Portland metropolitan area, serving a population of 1.5 million people. In that role, Metro has been working together with community, business and elected leaders across our region to shape a draft Climate Smart Strategy that meets the state mandate while supporting economic prosperity, community livability and protection of our environment.

After a four-year collaborative process informed by research, analysis, community engagement and deliberation, a draft Climate Smart Strategy that meets the state target is being presented for your review and comment. The draft strategy relies on policies and investments that have already been identified as local priorities in communities across the region and in the region’s long-range transportation plan.

**HOW TO PROVIDE YOUR INPUT**

- Take an on-line survey at [www.makeagreatplace.org](http://www.makeagreatplace.org).
- Submit comments by mail to Metro Planning, 600 NE Grand Ave., Portland, OR 97232, by email to [climatescenarios@oregonmetro.gov](mailto:climatescenarios@oregonmetro.gov), or by phone at 503-797-1750 or TDD 503-797-1804 from Sept. 15 through Oct. 30, 2014.
- Testify at a Metro Council hearing on Oct. 30 at 600 NE Grand Ave., Portland, OR 97232 in the Council Chamber.



## WHAT'S NEXT?

The Metro Policy Advisory Committee and the Joint Policy Advisory Committee on Transportation are working to finalize their recommendation to the Metro Council on the draft approach and draft implementation recommendations.

**Sept. 15 to Oct. 30** Public comment period on draft approach and draft implementation recommendations

**Nov. 7** MPAC and JPACT meet to discuss public comments and shape recommendation to the Metro Council

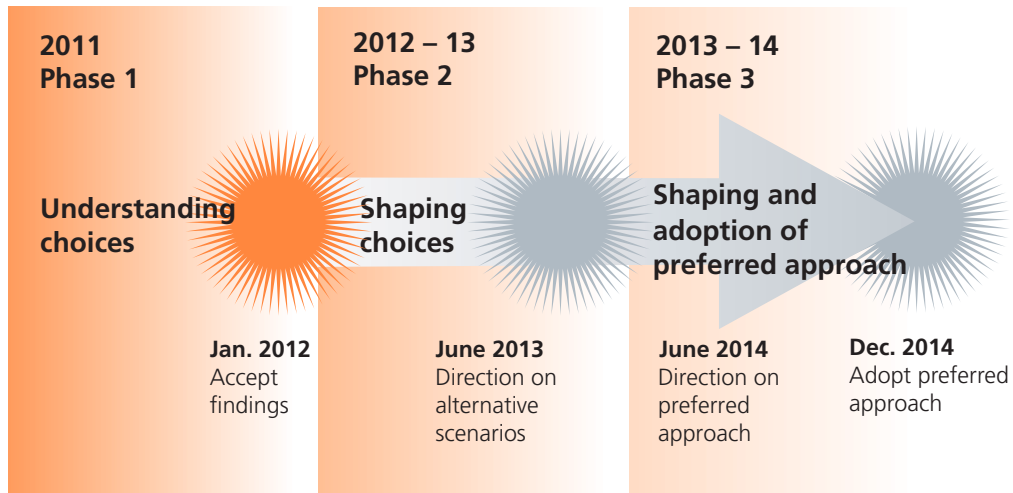
**December 10 and 11** MPAC and JPACT make recommendation to Metro Council

**December 18** Metro Council considers adoption of preferred approach

**January 2015** Metro submits adopted approach to Land Conservation and Development Commission for approval

**2015 and beyond** Ongoing implementation and monitoring

## Climate Smart Communities Scenarios Project timeline



## WHERE CAN I FIND MORE INFORMATION?

Public review materials and other publications and reports can be found at [oregonmetro.gov/climatescenarios](http://oregonmetro.gov/climatescenarios). For email updates, send a message to [climatescenarios@oregonmetro.gov](mailto:climatescenarios@oregonmetro.gov).

## EXCERPT FROM

### Regional Framework Plan Chapter 1 Land Use

#### Introduction

The Metro Charter requires that Metro address growth management and land use planning matters of metropolitan concern. This chapter contains the policies that guide Metro in such areas as development of centers, corridors, station communities, and main streets; housing choices; employment choices and opportunities; economic vitality; urban and rural reserves; management of the Urban Growth Boundary (UGB); urban design and local plan and policy coordination.

This chapter also addresses land use planning matters that the Metro Council, with the consultation and advice of the Metro Policy Advisory Committee (MPAC), determines will benefit from regional planning, such as affordable housing.

A livable region is an economically strong region. This chapter contains policies that supports a strong economic climate through encouraging the development of a diverse and sufficient supply of jobs, especially family wage jobs, in appropriate locations throughout the region.

#### Six Outcomes, Characteristics of a Successful Region

It is the policy of the Metro Council to exercise its powers to achieve the following six outcomes, characteristics of a successful region:

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

(Added 12/16/10, Metro Ord. 10-1244B.)

#### Performance Measures and Performance Targets

It is also the policy of the Metro Council to use performance measures and performance targets to:

- a. Evaluate the effectiveness of proposed policies, strategies and actions to achieve the desired Outcomes;

- b. Inform the people of the region about progress toward achieving the Outcomes;
- c. Evaluate the effectiveness of adopted policies, strategies and actions and guide the consideration of revision or replacement of the policies, strategies and actions; and
- d. Publish a report on progress toward achieving the desired Outcomes on a periodic basis.

(Added 12/16/10, Metro Ord. 10-1244B.)

The Metro Code provisions, the Urban Growth Management Functional Plan, a background discussion and policy analysis for this chapter are included in the Appendices of this plan.

## **Policies**

The following section contains the policies for land use. These policies are implemented in several ways. The Metro Council implements the policies through its investments in planning, transportation and other services. The Council also implements the policies by adopting and occasionally revising Metro's functional plans for local governments. The functional plans themselves are implemented by the region's cities and counties through their comprehensive plans and land use regulations.

### **1.1 Compact Urban Form**

It is the policy of the Metro Council to:

- 1.1.1. Ensure and maintain a compact urban form within the UGB.
- 1.1.2. Adopt and implement a strategy of investments and incentives to use land within the UGB more efficiently and to create a compact urban form.
- 1.1.3. Facilitate infill and re-development, particularly within Centers, Corridors, Station Communities, Main Streets and Employment Areas, to use land and urban services efficiently, to support public transit, to promote successful, walkable communities and to create equitable and vibrant communities.
- 1.1.4. Encourage elimination of unnecessary barriers to compact, mixed-use, pedestrian-friendly and transit-supportive development within Centers, Corridors, Station Communities and Main Streets.
- 1.1.5. Promote the distinctiveness of the region's cities and the stability of its neighborhoods.
- 1.1.6. Enhance compact urban form by developing the Intertwine, an interconnected system of parks, greenspaces and trails readily accessible to people of the region.
- 1.1.7. Promote excellence in community design.

1.1.8 Promote a compact urban form as a key climate action strategy to reduce greenhouse gas emissions.

(RFP Policy 1.1 amended 12/16/10, Metro Ord. 10-1244B.)

## 1.10 Urban Design

It is the policy of the Metro Council to:

1.10.1 Support the identity and functioning of communities in the region through:

- a. Recognizing and protecting critical open space features in the region.
- b. Developing public policies that encourage diversity and excellence in the design and development of settlement patterns, landscapes and structures.
- c. Ensuring that incentives and regulations guiding the development and redevelopment of the urban area promote a settlement pattern that:
  - i) Links any public incentives to a commensurate public benefit received or expected and evidence of private needs.
  - ii) ~~Is pedestrian “friendly,”~~ Makes biking and walking safe and convenient, encourages transit use and reduces auto dependence and related greenhouse gas emissions.
  - iii) Provides access to neighborhood and community parks, trails and walkways, and other recreation and cultural areas and public facilities.
  - iv) Reinforces nodal, mixed-use, neighborhood-oriented design.
  - v) Includes concentrated, high-density, mixed-use urban centers developed in relation to the region’s transit system.
  - vi) Is responsive to needs for privacy, community, sense of place and personal safety in an urban setting.
  - vii) Facilitates the development and preservation of affordable mixed-income neighborhoods.
  - viii) Avoids and minimizes conflicts between urbanization and the protection of regionally significant fish and wildlife habitat.

1.10.2 Encourage pedestrian-, bicycle- and transit-supportive building patterns in order to minimize the need for auto trips, reduce greenhouse gas emissions and to create a development pattern conducive to face-to-face community interaction.

(RFP Policy 1.10.1 (c)(viii) added 9/29/05, Metro Ord. 05-1077C, Exb. B, Amend. 4.)



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## Chapter 2 Transportation

### Introduction

In 1992, the region's voters approved a charter for Metro that formally gave responsibility for regional land use planning to the agency, and requires adoption of a Regional Framework Plan that integrates land use, transportation and other regional planning mandates. The combined policies of this framework plan establish a new framework for planning in the region by linking land use and transportation plans. Fundamental to this plan is a transportation system that integrates goods and people movement with the surrounding land uses.

This chapter of the Regional Framework Plan presents the overall policy framework for the specific transportation goals, objectives and actions contained in the Regional Transportation Plan (RTP). It also sets a direction for future transportation planning and decision-making by the Metro Council and the implementing agencies, counties and cities.

The policies aim to implement the 2040 Growth Concept and:

- Protect the economic health and livability of the region.
- Improve the safety of the transportation system.
- Provide a transportation system that is efficient and cost-effective, investing our limited resources wisely.
- [Make the most of the investments the region has already made in our transportation system by expanding the use of technology to actively manage the transportation system, providing traveler information and incentives to expand the use of travel options.](#)
- [Make transit more convenient, frequent, accessible and affordable.](#)
- Provide access to more and better choices for travel in this region and serve special access needs for all people, including youth, elderly and disabled.
- Provide adequate levels of mobility for people and goods within the region.
- Protect air and water quality ~~and~~, promote energy conservation, [and reduce greenhouse gas emissions.](#)
- Provide transportation facilities that support a balance of jobs and housing.
- [Make walking and biking safe and convenient.](#)
- Limit dependence on any single mode of travel and increase the use of transit, bicycling, walking and carpooling and vanpooling.
- [Make streets and highways safe, reliable and connected; pProvide](#) for the movement of people and goods through an interconnected system of highway, air, marine and rail systems, including passenger and freight intermodal facilities and air and water terminals.
- Integrate land use, automobile, bicycle, pedestrian, freight and public transportation needs in regional and local street designs.
- ~~[Use transportation demand management and system management strategies.](#)~~
- ~~[Limit the impact of urban travel on rural land through use of green corridors.](#)~~



- [Manage parking to make efficient use of land and parking spaces.](#)
- [Demonstrate leadership on climate change.](#)

**Goal 1: Foster Vibrant Communities and Efficient Urban Form**

Land use and transportation decisions are linked to optimize public investments, [reduce greenhouse gas emissions](#) and support active transportation options and jobs, schools, shopping, services, recreational opportunities and housing proximity.

**Objective 1.1 Compact Urban Form and Design**

Use transportation investments to ~~reinforce-focus~~ growth in and [provide](#) multi-modal access to 2040 Target Areas and ensure that development in 2040 Target Areas is consistent with and supports the transportation investments.

**Objective 1.2 Parking Management**

Minimize the amount and promote the efficient use of land dedicated to vehicle parking.

**Objective 1.3 Affordable Housing**

Support the preservation and production of affordable housing in the region.

**Goal 2: Sustain Economic Competitiveness and Prosperity**

Multi-modal transportation infrastructure and services support the region's well-being and a diverse, innovative, sustainable and growing regional and state economy.

**Objective 2.1 Reliable and Efficient Travel and Market Area Access**

Provide for reliable and efficient multi-modal regional, interstate and intrastate travel and market area access through a seamless and well-connected system of throughways, arterial streets, freight services, transit services and bicycle and pedestrian facilities.

**Objective 2.2 Regional Passenger Connectivity**

Ensure reliable and efficient connections between passenger intermodal facilities and destinations in and beyond the region to improve non-auto access to and from the region and promote the region's function as a gateway for tourism.

**Objective 2.3 Metropolitan Mobility**

Maintain sufficient total person-trip and freight capacity among the various modes operating in the Regional Mobility Corridors to allow reasonable and reliable travel times through those corridors.

**Objective 2.4 Freight Reliability**

Maintain reasonable and reliable travel times and access through the region as well as between freight intermodal facilities and destinations within and beyond the region to promote the region's function as a gateway for commerce.

**Objective 2.5 Job Retention and Creation**

Attract new businesses and family-wage jobs and retain those that are already located in the region.

**Goal 3: Expand Transportation Choices**

Multi-modal transportation infrastructure and services provide all residents of the region with affordable and equitable options for accessing housing, jobs, services, shopping, educational, cultural and recreational opportunities, and facilitate competitive choices for goods movement for all businesses in the region.

**Objective 3.1 Travel Choices**

Achieve modal targets for increased walking, bicycling, use of transit and shared ride and reduced reliance on the automobile and drive alone trips.

**Objective 3.2 Vehicle Miles of Travel**

Reduce vehicle miles traveled per capita.

**Objective 3.3 Equitable Access and Barrier Free Transportation**

Provide affordable and equitable access to travel choices and serve the needs of all people and businesses, including people with low income, children, elders and people with disabilities, to connect with jobs, education, services, recreation, social and cultural activities.

**Objective 3.4 Shipping Choices**

Support multi-modal freight transportation system that includes air cargo, pipeline, trucking, rail, and marine services to facilitate competitive choices for goods movement for businesses in the region.

**Goal 4: Emphasize Effective and Efficient Management of the Transportation System**

Existing and future multi-modal transportation infrastructure and services are well-managed to optimize capacity, improve travel conditions [for all users](#) and address air quality [and greenhouse gas emissions reduction](#) goals.

**Objective 4.1 Traffic Management**

Apply technology solutions to actively manage the transportation system.

**Objective 4.2 Traveler Information**

Provide comprehensive real-time traveler information to people and businesses in the region.

**Objective 4.3 Incident Management**

Improve traffic incident detection and clearance times on the region's transit, arterial and throughways networks.

**Objective 4.4 Demand Management**

Implement services, incentives and supportive infrastructure to increase telecommuting, walking, biking, taking transit, and carpooling, and shift travel to off-peak periods.

**Objective 4.5 Value Pricing**

Consider a wide range of value pricing strategies and techniques as a management tool, including but not limited to parking management to encourage walking, biking and transit ridership and selectively promote short-term and long-term strategies as appropriate.

**Goal 5: Enhance Safety and Security**

Multi-modal transportation infrastructure and services are safe and secure for the public and goods movement.

Objective 5.1 Operational and Public Safety

Reduce fatal and severe injuries and crashes for all modes of travel.

Objective 5.2 Crime

Reduce vulnerability of the public, goods movement and critical transportation infrastructure to crime.

Objective 5.3 Terrorism, Natural Disasters and Hazardous Material Incidents

Reduce vulnerability of the public, goods movement and critical transportation infrastructure to acts of terrorism, natural disasters, [climate change](#), hazardous material spills or other hazardous incidents.

**Goal 6: Promote Environmental Stewardship**

Promote responsible stewardship of the region's natural, community, and cultural resources.

Objective 6.1 Natural Environment

Avoid or minimize undesirable impacts on fish and wildlife habitat conservation areas, wildlife corridors, significant flora and open spaces.

Objective 6.2 Clean Air

Reduce transportation-related vehicle emissions to improve air quality so that as growth occurs, the view of the Cascades and the Coast Range from within the region are maintained.

Objective 6.3 Water Quality and Quantity

Protect the region's water quality and natural stream flows.

Objective 6.4 Energy and Land Consumption

Reduce transportation-related energy and land consumption and the region's dependence on unstable energy sources.

Objective 6.5 Climate Change

Reduce transportation-related greenhouse gas emissions [and meet adopted targets for reducing greenhouse gas emissions from light vehicle travel](#).

**Goal 7: Enhance Human Health**

Multi-modal transportation infrastructure and services provide safe, comfortable and convenient options that support active living and physical activity, and minimize transportation-related pollution that negatively impacts human health.

Objective 7.1 Active Living

Provide safe, comfortable and convenient transportation options that support active living and physical activity to meet daily needs and access services.

Objective 7.2 Pollution Impacts

Minimize noise, impervious surface and other transportation-related pollution impacts on residents in the region to reduce negative health effects.

**Goal 8: Ensure Equity**

The benefits and adverse impacts of regional transportation planning, programs and investment decisions are equitably distributed among population demographics and geography, considering different parts of the region and census block groups with different incomes, races and ethnicities.

**Objective 8.1 Environmental Justice**

Ensure benefits and impacts of investments are equitably distributed by population demographics and geography.

**Objective 8.2 Coordinated Human Services Transportation Needs**

Ensure investments in the transportation system provide a full range of affordable options for people with low income, elders and people with disabilities consistent with the Tri-County Coordinated Human Services Transportation Plan (CHSTP).

**Objective 8.3 Housing Diversity**

Use transportation investments to achieve greater diversity of housing opportunities by linking investments to measures taken by the local governments to increase housing diversity.

**Objective 8.4 Transportation and Housing Costs**

Reduce the share of households in the region spending more than 50 percent of household income on housing and transportation combined.

**Goal 9: Ensure Fiscal Stewardship**

Regional transportation planning and investment decisions ensure the best return on public investments in infrastructure and programs and are guided by data and analyses.

**Objective 9.1 Asset Management**

Adequately update, repair and maintain transportation facilities and services to preserve their function, maintain their useful life and eliminate maintenance backlogs.

**Objective 9.2 Maximize Return on Public Investment**

Make transportation investment decisions that use public resources effectively and efficiently, using performance-based planning approach supported by data and analyses that include all transportation modes.

**Objective 9.3 Stable and Innovative Funding**

Stabilize existing transportation revenue while securing new and innovative long-term sources of funding adequate to build, operate and maintain the regional transportation system for all modes of travel at the federal, state, regional and local level.

**Goal 10: Deliver Accountability**

The region's government, business, institutional and community leaders work together in an open and transparent manner so the public has meaningful opportunities for input on transportation decisions and experiences an integrated, comprehensive system of transportation facilities and services that bridge governance, institutional and fiscal barriers.

**Objective 10.1 Meaningful Input Opportunities**

Provide meaningful input opportunities for interested and affected stakeholders, including people who have traditionally been underrepresented, resource agencies, business, institutional

and community stakeholders, and local, regional and state jurisdictions that own and operate the region's transportation system in plan development and review.

#### Objective 10.2 Coordination and Cooperation

Ensure representation in regional transportation decision-making is equitable from among all affected jurisdictions and stakeholders and improve coordination and cooperation among the public and private owners and operators of the region's transportation system so the system can function in a coordinated manner and better provide for state and regional transportation needs.

### **Goal 11: Demonstrate leadership on climate change**

It is the policy of the Metro Council to:

- 11.1 Adopt and implement a regional climate strategy to meet adopted targets for reducing greenhouse gas emissions from light vehicle travel while creating healthy and equitable communities and a strong economy. The strategy shall include:
- Implementing the 2040 Growth Concept through regional plans and functional plans adopted by the Metro Council for local governments;
  - Making the most of investments the region has already made in the transportation system by using technology to actively manage the transportation system and providing information and incentives to expand the use of travel options;
  - Expanding the use of low carbon transportation options across the region by:
    - investing in new transit connections and expanding and improving existing transit services to make transit convenient, frequent, accessible and affordable; and
    - making biking and walking safe and convenient by completing gaps in the region's network of sidewalks and bike paths that connect people to their jobs, schools and other destinations;
  - Investing strategically in streets and highways to make them safe, reliable and connected and to support the movement of people and goods;
  - Managing parking to make efficient use of land dedicated to parking and parking spaces;
  - Supporting and building upon Oregon's transition to cleaner, low carbon fuels and more fuel-efficient vehicles;
  - Securing adequate funding for transportation investments; and
  - Demonstrating leadership on climate change.
- 11.2 Take actions recommended in the regional climate strategy to help meet adopted targets for reducing greenhouse gas emissions from light vehicle travel, including:
- Implement the 2040 Growth Concept through regional plans and functional plans;

- Work with local, state and federal governments, community and business leaders and organizations, and special districts to implement the strategy;
- Build a diverse coalition that includes elected official and business and community leaders at local, regional and state levels to secure adequate funding for transportation investments in the region;
- Provide technical assistance, best practices and grant funding to local governments and other business and community partners to support implementation of the strategy; and
- Through the Oregon Modeling Steering Committee, collaborate on appropriate tools and methods to support greenhouse gas reduction planning and monitoring.
- Report on the potential light vehicle greenhouse gas emissions impacts of policy, program and investment decisions.

11.3 Encourage local, state and federal governments and special districts to take actions recommended in the regional climate strategy to help meet adopted targets for reducing greenhouse gas emissions from light vehicle travel, including:

- implement plans and zoning that focus higher density, mixed-use zoning and development near transit;
- implement capital improvements in frequent bus corridors (including dedicated bus lanes, stop/shelter improvements, and intersection priority treatments) to increase service performance;
- complete gaps in pedestrian and bicycle access to transit;
- build infrastructure and urban design elements that facilitate and support bicycling and walking (e.g., completing gaps, crosswalks and other crossing treatments, wayfinding signs, bicycle parking, bicycle sharing programs, lighting, separated facilities);
- link active transportation investments to providing transit and travel information and incentives;
- adopt “complete streets” policies and designs to support all users;
- invest in making new and existing streets “complete” and connected to support all users;
- integrate multi-modal designs in road improvement and maintenance projects to support all users;
- expand use of intelligent transportation systems (ITS), including active traffic management, incident management and travel information programs and coordinate with capital projects;
- partner with transit providers to expand deployment of transit signal priority along corridors with 15-minute or better transit service;
- partner with businesses and/or business associations and transportation management associations to implement demand management programs in

employment areas and centers served with active transportation options, 15-minute or better transit service, and parking management;

- expand local travel options program delivery through new coordinator positions and partnerships with business associations, transportation management associations, and other non-profit and community-based organizations;
- prepare community inventory of public parking spaces and usage;
- adopt shared and unbundled parking policies;
- provide preferential parking for electric vehicles, vehicles using alternative fuels and carpools;
- adopt policies and update development codes to support private adoption of alternative fuel vehicles (AFVs), such as streamlining permitting for fueling stations, planning for access to charging and compressed natural gas (CNG) stations, allowing charging and CNG stations in residences, work places and public places, providing preferential parking for AFVs, and encouraging new construction to include necessary infrastructure to support use of AFVs;
- prepare and periodically update a community-wide greenhouse gas emissions inventory;
- adopt greenhouse gas emissions reduction policies and performance targets; and
- develop and implement local climate action plans.

11.4 Monitor and measure the progress of local and regional efforts in meeting adopted targets for reducing greenhouse gas emissions from light vehicle travel, report the results to the region and state on a periodic basis, and guide the consideration of revision or replacement of the policies and actions, if performance so indicates, as part of updates to the Regional Transportation Plan.

**CLIMATE  
SMART**  
COMMUNITIES  
SCENARIOS PROJECT

**2**

# **Draft Toolbox of Possible Actions (2015-20)**

Public Review Draft

September 15, 2014

**MAKING A  
GREAT  
PLACE**





## About Metro

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

A regional approach simply makes sense when it comes to 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/climatescenarios](http://www.oregonmetro.gov/climatescenarios)

### **Metro Council President**

Tom Hughes

### **Metro Councilors**

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

## PART 2. DRAFT TOOLBOX OF POSSIBLE ACTIONS (2015-20)

*This is one of three parts of the draft implementation recommendations being presented for public review and comment from Sept. 15 to Oct. 30, 2014*

This document includes a draft toolbox of actions with meaningful implementation steps that can be taken in the next five years to reduce greenhouse gas emissions and minimize the region's contribution to climate change. Building on existing local, regional and statewide activities and priorities, the toolbox is a comprehensive menu of voluntary policy, program and funding actions that can be tailored to best support local, regional and state plans and visions.

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### BACKGROUND

The Climate Smart Communities Scenarios Project responds to a 2009 mandate from the Oregon Legislature for our region to develop a strategy to reduce per capita greenhouse gas emissions from cars and small trucks by 2035. Metro is the regional government and federally-designated metropolitan planning organization for the Portland metropolitan area, serving a population of 1.5 million people. In that role, Metro has been working together with community, business and elected leaders across our region to shape a draft Climate Smart Strategy that meets the state mandate while supporting economic prosperity, community livability and protection of our environment.

After a four-year collaborative process informed by research, analysis, community engagement and deliberation, a draft Climate Smart Strategy that meets the state target is being presented for your review and comment. The draft strategy relies on policies and investments that have already been identified as local priorities in communities across the region and in the region's long-range transportation plan.

### HOW TO PROVIDE YOUR INPUT

- Take an on-line survey at [www.makeagreatplace.org](http://www.makeagreatplace.org).
- Submit comments by mail to Metro Planning, 600 NE Grand Ave., Portland, OR 97232, by email to [climatescenarios@oregonmetro.gov](mailto:climatescenarios@oregonmetro.gov), or by phone at 503-797-1750 or TDD 503-797-1804 from Sept. 15 through Oct. 30, 2014.
- Testify at a Metro Council hearing on Oct. 30 at 600 NE Grand Ave., Portland, OR 97232 in the Council Chamber.

## WHAT'S NEXT?

The Metro Policy Advisory Committee and the Joint Policy Advisory Committee on Transportation are working to finalize their recommendation to the Metro Council on the draft approach and draft implementation recommendations.

**Sept. 15 to Oct. 30** Public comment period on draft approach and draft implementation recommendations

**Nov. 7** MPAC and JPACT meet to discuss public comments and shape recommendation to the Metro Council

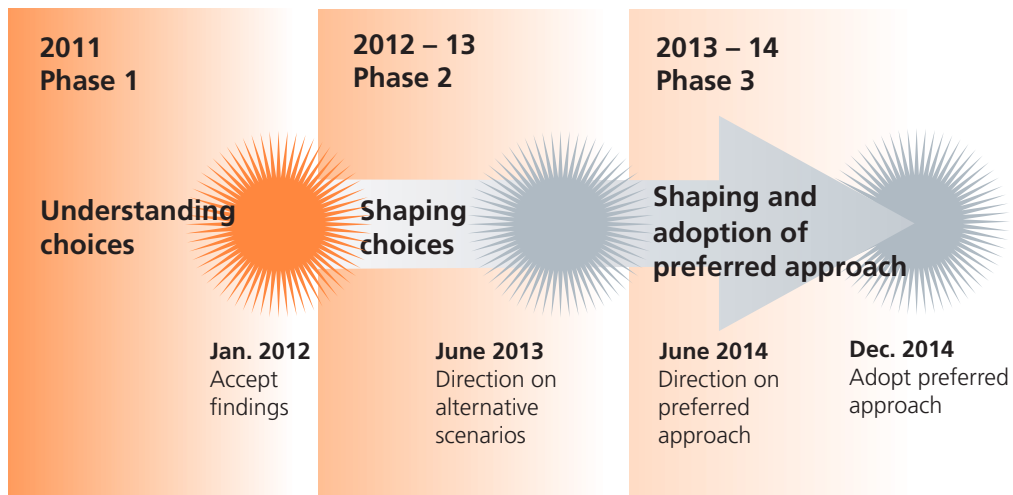
**December 10 and 11** MPAC and JPACT make recommendation to Metro Council

**December 18** Metro Council considers adoption of preferred approach

**January 2015** Metro submits adopted approach to Land Conservation and Development Commission for approval

**2015 and beyond** Ongoing implementation and monitoring

## Climate Smart Communities Scenarios Project timeline



## WHERE CAN I FIND MORE INFORMATION?

Public review materials and other publications and reports can be found at [oregonmetro.gov/climatescenarios](http://oregonmetro.gov/climatescenarios). For email updates, send a message to [climatescenarios@oregonmetro.gov](mailto:climatescenarios@oregonmetro.gov).

PUBLIC REVIEW DRAFT



**DRAFT TOOLBOX OF POSSIBLE ACTIONS (2015-2020)**

**BACKGROUND |** The Climate Smart Communities Scenarios Project responds to a state mandate to reduce greenhouse gas emissions from cars and small trucks by 2035. Working together, community, business and elected leaders are shaping a strategy that meets the goal while creating healthy and equitable communities and a strong economy. After considering prior public input and other information, on May 30, 2014, the Metro Policy Advisory Committee (MPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) unanimously recommended a draft approach for testing that relies on policies and investments that have already been identified as local priorities in communities across the region. Analysis shows the region can meet the 2035 target if we make the investments needed to build the plans and visions that have already been adopted by communities and the region. The draft Climate Smart Strategy does more than just meet the target. It supports many other local, regional and state goals, including clean air and water, transportation choices, healthy and equitable communities, and a strong regional economy.

Building on existing local, regional and statewide activities and priorities, the project partners have developed a draft toolbox of actions with meaningful steps that can be taken in the next five years to reduce greenhouse gas emissions and minimize the region’s contribution to climate change. The policies and actions are the result of a four-year collaborative process informed by research, analysis, community engagement, and deliberation. They will be subject to public review from Sept. 15 to Oct. 30, 2014 before being considered by MPAC, JPACT, and the Metro Council in December 2014.

**HOW TO USE THE TOOLBOX |** The toolbox is a comprehensive menu of policy, program and funding actions that can be tailored to best support local, regional and state plans and visions. Local, state and regional partners are encouraged to review the toolbox and identify actions they have already taken and any new actions they are willing to consider or commit to as we move into 2015. Medium and longer-term actions will be identified during the next update to the Regional Transportation Plan (scheduled for 2016-18).

POLICY	TOOLBOX OF POSSIBLE ACTIONS (2015-2020)			
	WHAT CAN THE STATE DO?	WHAT CAN METRO DO?	WHAT CAN CITIES AND COUNTIES DO?	WHAT CAN SPECIAL DISTRICTS DO? <small>(e.g., transit providers, Port districts, parks providers, etc.)</small>
<b>Implement the 2040 Growth Concept and local adopted land use and transportation plans</b>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reauthorize Oregon Brownfield Redevelopment Fund</li> <li><input type="checkbox"/> Support brownfield redevelopment-related legislative proposals</li> <li><input type="checkbox"/> Restore local control of housing policies and programs to ensure local communities have a full range of tools available to meet the housing needs of all residents to expand opportunities for households of modest means to live closer to work, services and transit</li> <li><input type="checkbox"/> Begin implementation of the Statewide Transportation Strategy Vision and short-term implementation plan to support regional and community visions</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek opportunities to leverage local, regional, state and federal funding to achieve local visions and the region's desired outcomes</li> <li><input type="checkbox"/> Provide increased funding and incentives to local governments, developers and non-profits to encourage brownfield redevelopment and transit-oriented development to help keep urban areas compact</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Implement policies and investments that align with regional and community visions to focus growth in designated centers, corridors and employment areas</li> <li><input type="checkbox"/> Support restoring local control of housing policies and programs through Legislative agenda, testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Support reauthorization of Oregon Brownfield Redevelopment Fund through Legislative agenda, testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Facilitate regional brownfield coalition to develop legislative proposals and increase resources available in the region for brownfield redevelopment</li> <li><input type="checkbox"/> Maintain a compact urban growth boundary</li> <li><input type="checkbox"/> Review functional plans and amend as needed to implement Climate Smart Strategy</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek opportunities to leverage local, regional, state and federal funding to achieve local visions and the region's desired outcomes</li> <li><input type="checkbox"/> Expand on-going technical assistance and grant funding to local governments, developers and others to incorporate travel information and incentives, transportation system management and operations strategies, parking management</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Implement policies and investments that align with community visions, focus growth in designated centers, corridors and employment areas</li> <li><input type="checkbox"/> Support restoring local control of housing policies and programs through Legislative agenda, testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Support reauthorization of Oregon Brownfield Redevelopment Fund through Legislative agenda, testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Participate in regional brownfield coalition to develop legislative proposals and increase resources available in the region for brownfield redevelopment</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Pursue opportunities to locate higher-density residential development near activity centers such as parks and recreational facilities, commercial areas, employment centers, and transit</li> <li><input type="checkbox"/> Locate new schools, services, shopping, and other health promoting resources and community destinations in activity centers</li> <li><input type="checkbox"/> Seek opportunities to leverage local, regional, state and federal funding to achieve local visions and the region's desired outcomes</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Implement policies and investments that align with community visions, focus growth in designated centers, corridors and employment areas</li> <li><input type="checkbox"/> Support restoring local control of housing policies and programs through Legislative agenda, testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Support reauthorization of Oregon Brownfield Redevelopment Fund through Legislative agenda, testimony, endorsement letters or similar means</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek opportunities to leverage local, regional, state and federal funding to achieve local visions and the region's desired outcomes</li> <li><input type="checkbox"/> Share brownfield redevelopment expertise with local governments and expand leadership role in making brownfield sites development ready</li> </ul>

**PUBLIC REVIEW DRAFT**

POLICY	TOOLBOX OF POSSIBLE ACTIONS (2015-2020)			
	WHAT CAN THE STATE DO?	WHAT CAN METRO DO?	WHAT CAN CITIES AND COUNTIES DO?	WHAT CAN SPECIAL DISTRICTS DO? (e.g., transit providers, Port districts, parks providers, etc.)
		<p>approaches and transit-oriented development in local plans and projects</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Convene regional brownfield coalition and strengthen regional brownfields program by providing increased funding and technical assistance to local governments to leverage the investment of private and non-profit developers</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Develop brownfield redevelopment plans and leverage local funding to seek state and federal funding and create partnerships that leverage the investment of private and non-profit developers</li> </ul>	
<p><b>Make transit more convenient, frequent, accessible and affordable</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Begin update to Oregon Public Transportation Plan</li> <li><input type="checkbox"/> Increase state funding for transit service</li> <li><input type="checkbox"/> Maintain existing intercity passenger rail service and develop proposals for improvement of speed, frequency and reliability</li> <li><input type="checkbox"/> Provide technical assistance and funding to help establish local transit service</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adopt Oregon Public Transportation Plan with funding strategy to implement</li> <li><input type="checkbox"/> Begin implementation of incremental improvements to intercity passenger rail service</li> <li><input type="checkbox"/> Make funding for access to transit a priority</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Build a diverse coalition that includes elected officials and community and business leaders at local, regional and state levels working together to: <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek and advocate for new, dedicated funding mechanism(s)</li> <li><input type="checkbox"/> Seek transit funding from Oregon Legislature</li> <li><input type="checkbox"/> Consider local funding mechanism(s) for local and regional transit service</li> <li><input type="checkbox"/> Support state efforts to consider carbon pricing</li> <li><input type="checkbox"/> Fund reduced fare programs and service improvements for youth, older adults, people with disabilities and low-income families</li> </ul> </li> <li><input type="checkbox"/> Consider local funding mechanism(s) for local and regional transit service</li> <li><input type="checkbox"/> Update Regional High Capacity Transit System Plan</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support reduced fares and service improvements for low-income families and individuals, youth, older adults and people with disabilities through testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Make funding for access to transit a priority</li> <li><input type="checkbox"/> Research and develop best practices that support equitable growth and development near transit without displacement, including strategies that provide for the retention and creation of businesses and affordable housing near transit</li> <li><input type="checkbox"/> Update Regional Transportation Plan by 2018</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support and/or participate in efforts to build transportation funding coalition</li> <li><input type="checkbox"/> Participate in development of TriMet Service Enhancement Plans (SEPs): <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide more community to community transit connections</li> <li><input type="checkbox"/> Identify community-based public and private shuttles that link to regional transit service</li> <li><input type="checkbox"/> Link service enhancements to areas with transit-supportive development, communities of concern<sup>1</sup>, and other locations with high ridership potential</li> <li><input type="checkbox"/> Consider ridership demographics in service planning</li> </ul> </li> <li><input type="checkbox"/> Consider local funding mechanism(s) for local and regional transit service</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Make funding for access to transit a priority</li> <li><input type="checkbox"/> Complete gaps in pedestrian and bicycle access to transit</li> <li><input type="checkbox"/> Expand partnerships with transit agencies to implement capital improvements in frequent bus corridors (including dedicated bus lanes, stop/shelter improvements, and intersection priority treatments) to increase service performance</li> <li><input type="checkbox"/> Implement plans and zoning that focus higher density, mixed-use zoning and development near transit</li> <li><input type="checkbox"/> Partner with transit providers and school districts to seek resources to support youth pass program and expand reduced fare program to low-income families and individuals</li> <li><input type="checkbox"/> Support reduced fares and service improvements for low-income families and individuals, youth, older adults and people with disabilities through testimony, endorsement letters or similar means</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support and/or participate in efforts to build transportation funding coalition</li> <li><input type="checkbox"/> Expand transit payment options (e.g., electronic e-fare cards) to increase affordability, convenience and flexibility</li> <li><input type="checkbox"/> Seek state funding sources for transit and alternative local funding mechanisms</li> <li><input type="checkbox"/> Complete development of TriMet Service Enhancement Plans (SEPs): <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide more community to community transit connections</li> <li><input type="checkbox"/> Identify community-based public and private shuttles that link to regional transit service</li> <li><input type="checkbox"/> Link service enhancements to areas with transit-supportive development, communities of concern, and other locations with potential high ridership potential</li> <li><input type="checkbox"/> Consider ridership demographics in service planning</li> </ul> </li> <li><input type="checkbox"/> Consider local funding mechanism(s) for local and regional transit service</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Expand partnerships with cities, counties and ODOT to implement capital improvements in frequent bus corridors (including dedicated bus lanes, stop/shelter improvements, and intersection priority treatments) to increase service performance</li> <li><input type="checkbox"/> Partner with local governments and school districts to seek resources to support youth pass program and expanding reduced fare program to low-income families and individuals</li> <li><input type="checkbox"/> Expand transit service to serve communities of concern, transit-supportive development and other potential high ridership locations, etc.</li> <li><input type="checkbox"/> Improve and increase the availability of transit</li> </ul>

<sup>1</sup> The 2014 Regional Transportation Plan defines communities of concern as people of color, people with limited English proficiency, people with low-income, older adults, and young people.

**PUBLIC REVIEW DRAFT**

POLICY	TOOLBOX OF POSSIBLE ACTIONS (2015-2020)			
	WHAT CAN THE STATE DO?	WHAT CAN METRO DO?	WHAT CAN CITIES AND COUNTIES DO?	WHAT CAN SPECIAL DISTRICTS DO? (e.g., transit providers, Port districts, parks providers, etc.)
<p><b>Make biking and walking safe and convenient</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adopt Oregon Bicycle and Pedestrian Plan with funding strategy</li> <li><input type="checkbox"/> Adopt a Vision Zero strategy for eliminating traffic fatalities</li> <li><input type="checkbox"/> Seek and advocate for new, dedicated funding mechanism(s) for active transportation projects</li> <li><input type="checkbox"/> Advocate for use of Connect Oregon funding for active transportation projects</li> <li><input type="checkbox"/> Review driver's education training materials and certification programs and make changes to increase awareness of bicycle and pedestrian safety</li> <li><input type="checkbox"/> Complete Region 1 Active Transportation Needs inventory</li> <li><input type="checkbox"/> Maintain commitment to funding Safe Routes to School programs statewide</li> <li><input type="checkbox"/> Fund Safe Routes to Transit programs</li> <li><input type="checkbox"/> Adopt a complete streets policy</li> <li><input type="checkbox"/> Partner with local governments to conduct site-specific evaluations from priority locations identified in the ODOT Pedestrian and Bicycle Safety Implementation Plan</li> <li><input type="checkbox"/> Improve bicycle and pedestrian crash data collection</li> <li><input type="checkbox"/> Support local and regional health impact assessments</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide technical assistance and expand grant funding to support development and adoption of complete streets policies and designs</li> <li><input type="checkbox"/> Expand existing funding for active transportation investments</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adopt a Vision Zero strategy for eliminating traffic fatalities</li> <li><input type="checkbox"/> Fund construction of active transportation projects as called for in air quality transportation control measures</li> <li><input type="checkbox"/> Advocate for use of Connect Oregon funding for active transportation projects</li> <li><input type="checkbox"/> Build a diverse coalition that includes elected officials and community and business leaders at local, regional and state levels working together to: <ul style="list-style-type: none"> <li><input type="checkbox"/> Build local and state commitment to implement Active Transportation Plan, and Safe Routes to Schools and Safe Routes to Transit programs</li> <li><input type="checkbox"/> Seek and advocate for new, dedicated funding mechanism(s)</li> <li><input type="checkbox"/> Advocate to maintain eligibility in federal formula programs (i.e., NHPP, STP, CMAQ) and discretionary programs (New Starts, Small Starts, TIFIA, TIGER)</li> </ul> </li> <li><input type="checkbox"/> Seek opportunities to implement Regional Transportation Safety Plan recommendations in planning, project development and development review activities</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide technical assistance and planning grants to support development and adoption of complete streets policies</li> <li><input type="checkbox"/> Provide technical assistance and funding to support complete street designs in local planning and project development activities</li> <li><input type="checkbox"/> Review the regional transportation functional plan and make amendments needed to implement the Regional Active Transportation Plan</li> <li><input type="checkbox"/> Update and fully implement the Regional Transportation Safety Plan</li> <li><input type="checkbox"/> Update best practices in street design and complete streets, including: <ul style="list-style-type: none"> <li><input type="checkbox"/> develop a complete streets checklist</li> <li><input type="checkbox"/> provide design guidance to minimize air pollution exposure for bicyclists and pedestrians</li> <li><input type="checkbox"/> use of green street designs that include tree</li> </ul> </li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adopt a Vision Zero strategy for eliminating traffic fatalities</li> <li><input type="checkbox"/> Support and/or participate in efforts to build transportation funding coalition</li> <li><input type="checkbox"/> Advocate for use of Connect Oregon funding for active transportation projects</li> <li><input type="checkbox"/> Leverage local funding with development for active transportation projects</li> <li><input type="checkbox"/> Seek opportunities to coordinate local investments with investments being made by special districts, park providers and other transportation providers</li> <li><input type="checkbox"/> Seek and advocate for new, dedicated funding mechanism(s)</li> <li><input type="checkbox"/> Seek opportunities to implement Regional Transportation Safety Plan recommendations in planning, project development and development review activities</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Develop and maintain a city/county-wide active transportation network of sidewalks, on- and off-street bikeways, and trails to provide connections between neighborhoods, schools, civic center/facilities, recreational facilities, transit centers, bus stops, employment areas and major activity centers</li> <li><input type="checkbox"/> Build infrastructure and urban design elements that facilitate and support bicycling and walking (e.g., completing gaps, crosswalks and other crossing treatments, wayfinding signs, bicycle parking, bicycle sharing programs, lighting, separated facilities)</li> <li><input type="checkbox"/> Invest to equitably complete active transportation network gaps in centers and along streets that provide access to transit stops, schools and other community destinations</li> <li><input type="checkbox"/> Link active transportation investments to providing transit and travel information and incentives</li> <li><input type="checkbox"/> Partner with ODOT to conduct site-specific evaluations from priority locations identified in the ODOT Pedestrian and Bicycle Safety Implementation Plan</li> <li><input type="checkbox"/> Expand Safe Routes to Schools programs to include high schools and Safe Routes to Transit</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adopt a Vision Zero strategy for eliminating traffic fatalities</li> <li><input type="checkbox"/> Support and/or participate in efforts to build transportation funding coalition</li> <li><input type="checkbox"/> Advocate for use of Connect Oregon funding for active transportation projects</li> <li><input type="checkbox"/> Complete Port of Portland 2014 Active Transportation Plan for Portland International Airport</li> <li><input type="checkbox"/> Prepare a TriMet Bicycle Plan</li> </ul> <p><b>Near-term (2017-20)</b></p> <p>Invest in trails that increase equitable access to transit, services and community destinations</p>



**PUBLIC REVIEW DRAFT**

POLICY	TOOLBOX OF POSSIBLE ACTIONS (2015-2020)			
	WHAT CAN THE STATE DO?	WHAT CAN METRO DO?	WHAT CAN CITIES AND COUNTIES DO?	WHAT CAN SPECIAL DISTRICTS DO? (e.g., transit providers, Port districts, parks providers, etc.)
<p><b>Make streets and highways safe, reliable and connected</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maintain existing highway network to improve traffic flow</li> <li><input type="checkbox"/> Increase state gas tax (indexed to inflation and fuel efficiency)</li> <li><input type="checkbox"/> Update the Oregon Transportation Safety Action Plan</li> <li><input type="checkbox"/> Review driver’s education training materials and certification programs and make changes to increase awareness of safety for all system users</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Work with Metro and local governments to consider alternative performance measures</li> <li><input type="checkbox"/> Integrate multi-modal designs in road improvement and maintenance projects to support all users</li> <li><input type="checkbox"/> Pilot new pavement and hard surface materials proven to help reduce infrastructure-related heat gain</li> <li><input type="checkbox"/> Use green street designs that include tree plantings to support carbon sequestration</li> </ul>	<p>plantings to support carbon sequestration</p> <ul style="list-style-type: none"> <li>o identify new pavement and hard surface materials proven to help reduce infrastructure-related heat gain</li> </ul> <p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Build a diverse coalition that includes elected officials and community and business leaders at local, regional and state levels working together to: <ul style="list-style-type: none"> <li>o Ensure adequate funding of local maintenance and support city and county efforts to fund maintenance and preservation needs locally</li> <li>o Support state and federal efforts to increase gas tax (indexed to inflation and fuel efficiency)</li> <li>o Support state and federal efforts to implement mileage-based road usage charge program</li> </ul> </li> <li><input type="checkbox"/> Seek opportunities to implement Regional Transportation Safety Plan recommendations in planning, project development and development review activities</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Work with ODOT and local governments to consider alternative performance measures</li> <li><input type="checkbox"/> Provide technical assistance and grant funding to support integrated transportation system management operations strategies in local plans, projects and project development activities</li> <li><input type="checkbox"/> Update and fully implement Regional Transportation Safety Plan</li> <li><input type="checkbox"/> Update best practices in street design and complete streets, including: <ul style="list-style-type: none"> <li>o Develop a complete streets checklist</li> <li>o Provide design guidance to minimize air pollution exposure for bicyclists and pedestrians</li> <li>o Use of green street designs that include tree plantings to support carbon sequestration</li> <li>o Identify new pavement and hard surface materials proven to help reduce infrastructure-related heat gain</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Adopt “complete streets” policies and designs to support all users</li> <li><input type="checkbox"/> Establish local funding pool to leverage state and federal funds</li> </ul> <p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maintain existing street network to improve traffic flow</li> <li><input type="checkbox"/> Support and/or participate in efforts to build transportation funding coalition</li> <li><input type="checkbox"/> Seek opportunities to implement Regional Transportation Safety Plan recommendations in planning, project development and development review activities</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Work with ODOT and Metro to consider alternative performance measures</li> <li><input type="checkbox"/> Support railroad grade separation projects in corridors to allow for longer trains and less delay/disruption to other users of the system</li> <li><input type="checkbox"/> Invest in making new and existing streets complete and connected to support all users</li> <li><input type="checkbox"/> Integrate multi-modal designs in road improvement and maintenance projects to support all users</li> <li><input type="checkbox"/> Pilot new pavement and hard surface materials proven to help reduce infrastructure-related heat gain</li> <li><input type="checkbox"/> Use green street designs that include tree plantings to support carbon sequestration</li> </ul>	<p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support and/or participate in efforts to build transportation funding coalition</li> <li><input type="checkbox"/> Support railroad grade separation projects in corridors to allow for longer trains and less delay/disruption to other users of the system</li> </ul>

**PUBLIC REVIEW DRAFT**

POLICY	TOOLBOX OF POSSIBLE ACTIONS (2015-2020)			
	WHAT CAN THE STATE DO?	WHAT CAN METRO DO?	WHAT CAN CITIES AND COUNTIES DO?	WHAT CAN SPECIAL DISTRICTS DO? (e.g., transit providers, Port districts, parks providers, etc.)
<p><b>Use technology to actively manage the transportation system</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Integrate transportation system management and operations strategies into project development activities</li> <li><input type="checkbox"/> Expand deployment of intelligent transportation systems (ITS), including active traffic management, incident management and traveler information programs</li> <li><input type="checkbox"/> Partner with cities, counties and TriMet to expand deployment of transit signal priority along corridors with 15-minute or better transit service</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek Metro Council/JPACT commitment to invest more in transportation system management and operations (TSMO) projects using regional flexible funds</li> <li><input type="checkbox"/> Advocate for increased state commitment to invest more in TSMO projects using state funds</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Build capacity and strengthen interagency coordination</li> <li><input type="checkbox"/> Provide technical assistance and grant funding to integrate transportation system management operations strategies in local plans, project development, and development review activities</li> <li><input type="checkbox"/> Update Regional TSMO Strategic Plan by 2018</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Advocate for increased regional and state commitment to invest more in TSMO projects using regional and state funds</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Expand deployment of intelligent transportation systems (ITS), including active traffic management, incident management and travel information programs and coordinate with capital projects</li> <li><input type="checkbox"/> Partner with TriMet to expand deployment of transit signal priority along corridors with 15-minute or better transit service</li> </ul>	<p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Partner with cities, counties and ODOT to expand deployment of transit signal priority along corridors with 15-minute or better transit service</li> </ul>
<p><b>Provide information and incentives to expand the use of travel options</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adopt Statewide Transportation Options Plan with funding strategy to implement</li> <li><input type="checkbox"/> Deploy statewide eco-driving educational effort, including integration of eco-driving information in driver's education training courses, Oregon Driver's education manual and certification programs</li> <li><input type="checkbox"/> Review EcoRule to identify opportunities to improve effectiveness</li> <li><input type="checkbox"/> Increase state capacity and staffing to support on-going EcoRule implementation and monitoring</li> <li><input type="checkbox"/> Deploy video conferencing, virtual meeting technologies and other communication technologies to reduce business travel needs</li> <li><input type="checkbox"/> Partner with TriMet, SMART and media partners to link the Air Quality Index to transportation system information outlets</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Promote and provide information, recognition, funding and incentives to encourage commuter programs and individualized marketing to provide employers, employees and residents information and incentives to use travel options</li> <li><input type="checkbox"/> Integrate transportation demand management practices into planning, project development, and development review activities</li> <li><input type="checkbox"/> Establish a state vanpool strategy that addresses urban and rural transportation needs</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek Metro Council/JPACT commitment to invest more regional flexible funds to expand direct services and funding provided to local partners (e.g., local governments, transportation management associations, and other non-profit and community-based organizations) to implement expanded education, recognition and outreach efforts in coordination with other capital investments</li> <li><input type="checkbox"/> Provide funding and partner with community-based organizations to develop culturally relevant information materials</li> <li><input type="checkbox"/> Develop best practices on how to integrate transportation demand management in local planning, project development, and development review activities</li> <li><input type="checkbox"/> Integrate transportation demand management practices into planning, project development and development review activities</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Expand on-going technical assistance and grant funding to local governments, transportation management associations, business associations and other non-profit organizations to incorporate travel information and incentives in local planning and project development activities and at worksites</li> <li><input type="checkbox"/> Establish an on-going individualized marketing program that targets deployment in conjunction with capital investments being made in the region</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Advocate for increased state and regional funding to expand direct services provided to local partners (e.g., local governments, transportation management associations, and other non-profit organizations) to support expanded education, recognition and outreach efforts in coordination with other capital investments</li> <li><input type="checkbox"/> Host citywide and community events like Bike to Work Day and Sunday Parkways</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Integrate transportation demand management practices into planning, project development, and development review activities</li> <li><input type="checkbox"/> Provide incentives for new development over a specific trip generation threshold to provide travel information and incentives to support achievement of EcoRule and mode share targets adopted in local and regional plans</li> <li><input type="checkbox"/> Partner with businesses and/or business associations and transportation management associations to implement demand management programs in employment areas and centers served with active transportation options, 15-minute or better transit service, and parking management</li> <li><input type="checkbox"/> Expand local travel options program delivery through new coordinator positions and partnerships with business associations, transportation management associations, and other non-profit and community-based</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Expand employer program capacity and staffing to support expanded education, recognition and outreach efforts</li> </ul>



**PUBLIC REVIEW DRAFT**

POLICY	TOOLBOX OF POSSIBLE ACTIONS (2015-2020)			
	WHAT CAN THE STATE DO?	WHAT CAN METRO DO?	WHAT CAN CITIES AND COUNTIES DO?	WHAT CAN SPECIAL DISTRICTS DO? (e.g., transit providers, Port districts, parks providers, etc.)
<p><b>Manage parking to make efficient use of parking spaces</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide technical assistance and grant funding to support development of parking management plans at the local and regional level</li> <li><input type="checkbox"/> Distribute “Parking Made Easy” handbook and provide technical assistance, planning grants, model code language, education and outreach</li> <li><input type="checkbox"/> Increase safe, secure and convenient bicycle parking</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide preferential parking for electric vehicles, vehicles using alternative fuels and carpools</li> <li><input type="checkbox"/> Prepare inventory of state-owned public parking spaces and usage</li> <li><input type="checkbox"/> Provide monetary incentives such as parking cash-out and employer buy-back programs</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Begin update to Regional Travel Options Strategic Plan in 2018</li> </ul> <p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Build a diverse coalition that includes elected officials and community and business leaders at local, regional and state levels working together to: <ul style="list-style-type: none"> <li><input type="checkbox"/> Discuss priced parking as a revenue source to help fund travel information and incentives programs, active transportation projects and transit service</li> </ul> </li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Expand on-going technical assistance to local governments, developers and others to incorporate parking management approaches in local plans and projects</li> <li><input type="checkbox"/> Pilot projects to develop model parking management plans and model ordinances for different development types</li> <li><input type="checkbox"/> Research and update regional parking policies to more comprehensively reflect the range of parking approaches available for different development types and to incorporate goals beyond customer access, such as linking parking approaches to the level of transit service and active transportation options provided</li> <li><input type="checkbox"/> Amend Title 6 of Regional Transportation Functional Plan to update regional parking map and reflect updated regional parking policies</li> </ul>	<p>organizations</p> <p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Consider charging for parking in high usage areas served by 15-minute or better transit service and active transportation options</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Prepare community inventory of public parking spaces and usage</li> <li><input type="checkbox"/> Adopt shared and unbundled parking policies</li> <li><input type="checkbox"/> Require or provide development incentives for developers to separate parking from commercial space and residential units in lease and sale agreements</li> <li><input type="checkbox"/> Provide preferential parking for electric vehicles, vehicles using alternative fuels and carpools</li> <li><input type="checkbox"/> Require or provide development incentives for large employers to offer employees a parking cash-out option where the employee can choose a parking benefit, a transit pass or the cash equivalent of the benefit</li> <li><input type="checkbox"/> Increase safe, secure and convenient bicycle parking</li> <li><input type="checkbox"/> Reduce requirements for off-street parking and establish off-street parking supply maximums, as appropriate, enacting and adjusting policies to minimize spillover impacts in adjacent areas</li> <li><input type="checkbox"/> Prepare parking management plans tailored to 2040 centers served by high capacity transit (existing and planned)</li> </ul>	<p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide preferential parking for electric vehicles, vehicles using alternative fuels and carpools</li> <li><input type="checkbox"/> Increase safe, secure and convenient bicycle parking</li> </ul>
<p><b>Secure adequate funding for transportation investments</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Preserve local options for raising revenue to ensure local communities have a full range of financing tools available to adequately fund current and future transportation needs</li> <li><input type="checkbox"/> Seek and advocate for new, dedicated funding mechanism(s) for active transportation and transit</li> <li><input type="checkbox"/> Research and consider carbon pricing models to generate new funding for clean energy, transit and active transportation, alleviating regressive impacts to businesses and communities of concern</li> <li><input type="checkbox"/> Increase state gas tax (indexed to inflation and fuel efficiency)</li> <li><input type="checkbox"/> Implement a mileage-based road usage charge program as called for in Senate Bill 810</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Update research on regional infrastructure gaps and potential funding mechanisms to inform communication materials that support engagement activities and development of a funding strategy to meet current and future transportation needs</li> <li><input type="checkbox"/> Build a diverse coalition that includes elected officials and community and business leaders at local, regional and state levels working together to: <ul style="list-style-type: none"> <li><input type="checkbox"/> Advocate for local revenue raising options</li> <li><input type="checkbox"/> Seek and advocate for new, dedicated funding mechanism(s) for transit and active transportation</li> <li><input type="checkbox"/> Seek transit and active transportation funding from Oregon Legislature</li> </ul> </li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support and/or participate in efforts to build transportation funding coalition</li> <li><input type="checkbox"/> Advocate for local revenue raising options</li> <li><input type="checkbox"/> Support state efforts to implement a mileage-based road usage charge program</li> <li><input type="checkbox"/> Support state efforts to research and consider carbon pricing models</li> <li><input type="checkbox"/> Consider local funding mechanism(s) for local and regional transportation needs, including transit service and active transportation</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Work with local, regional and state partners, including elected officials and business and community leaders, to develop a funding strategy to meet current and future transportation needs</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support and/or participate in efforts to build transportation funding coalition</li> <li><input type="checkbox"/> Advocate for local revenue raising options</li> <li><input type="checkbox"/> Seek and advocate for new, dedicated funding mechanism(s) for active transportation and transit</li> <li><input type="checkbox"/> Support state efforts to research and consider carbon pricing models</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Work with local, regional and state partners, including elected officials and business and community leaders, to develop a funding strategy to meet current and future transportation needs</li> </ul>

**PUBLIC REVIEW DRAFT**

POLICY	TOOLBOX OF POSSIBLE ACTIONS (2015-2020)			
	WHAT CAN THE STATE DO?	WHAT CAN METRO DO?	WHAT CAN CITIES AND COUNTIES DO?	WHAT CAN SPECIAL DISTRICTS DO? (e.g., transit providers, Port districts, parks providers, etc.)
	<p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Expand funding available for active transportation and transit investments</li> <li><input type="checkbox"/> Broaden implementation of the mileage-based road usage charge</li> </ul>	<ul style="list-style-type: none"> <li>o Consider local funding mechanism(s) for local and regional transit service</li> <li>o Support state efforts to research and consider carbon pricing models</li> <li>o Build local and state commitment to implement Active Transportation Plan, and Safe Routes to Schools (including high schools) and Safe Routes to Transit programs</li> <li>o Ensure adequate funding of local maintenance and safety needs and support city and county efforts to fund safety, maintenance and preservation needs locally</li> <li>o Support state and federal efforts to increase gas tax (indexed to inflation and fuel efficiency)</li> <li>o Support state and federal efforts to implement road usage charge program</li> <li>o Discuss priced parking as a revenue source for travel information and incentives programs, active transportation projects and transit service</li> </ul>		
<p><b>Support Oregon’s transition to cleaner, low carbon fuels, more fuel-efficient vehicles and pay-as-you-drive insurance</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reauthorize Oregon Clean Fuels Program</li> <li><input type="checkbox"/> Implement Oregon Zero Emission Vehicle Program and Multi-State Zero Emission Vehicle Action Plan in collaboration with California and other states</li> <li><input type="checkbox"/> Lead by example by increasing the public alternative fuel vehicle (AFV) fleet</li> <li><input type="checkbox"/> Provide funding to Drive Oregon to advance electric mobility, and to other endeavors that advance alternative fuels</li> <li><input type="checkbox"/> Work with insurance companies to offer and encourage pay-as-you-drive insurance</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide consumer and business incentives to purchase new AFVs</li> <li><input type="checkbox"/> Expand communication efforts about the cost savings of driving more fuel-efficient vehicles</li> <li><input type="checkbox"/> Promote and provide information, funding and incentives to encourage the provision of electric vehicle charging and compressed natural gas (CNG) stations and infrastructure in residences, work places and public places</li> <li><input type="checkbox"/> Encourage private fleets to purchase, lease or rent AFVs</li> <li><input type="checkbox"/> Develop model code for electric and CNG vehicle</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support reauthorization of the Oregon Clean Fuels Program through Legislative agenda, testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Support the Oregon Zero Emission Vehicle Program through Legislative agenda, testimony, endorsement letters or similar means</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Lead by example by increasing public AFV fleet</li> <li><input type="checkbox"/> Support state efforts to build public acceptance of pay-as-you-drive insurance</li> <li><input type="checkbox"/> Expand communication efforts about the cost savings of driving more fuel-efficient vehicles</li> <li><input type="checkbox"/> Partner with state agencies to hold regional planning workshops to educate local governments on AFV opportunities</li> </ul> <p>Develop AFV readiness strategy for region in partnership with local governments, state agencies, electric and natural gas utilities, non-profits and others</p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support reauthorization of the Oregon Clean Fuels Program through Legislative agenda, testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Support the Oregon Zero Emission Vehicle Program through Legislative agenda, testimony, endorsement letters or similar means</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Lead by example by increasing public AFV fleet</li> <li><input type="checkbox"/> Expand communication efforts about the cost savings of driving more fuel-efficient vehicles</li> <li><input type="checkbox"/> Pursue grant funding and partners to expand the growing network of electric vehicle fast charging stations and publicly accessible CNG stations</li> <li><input type="checkbox"/> Partner with local dealerships, Department of Energy (DOE) Clean Cities programs, non-profit organizations, businesses and others to incorporate AFV outreach and education events for consumers in conjunction with such events as Earth Day celebrations, National Plug-In Day and the DOE/Drive Oregon Workplace Charging Challenge</li> <li><input type="checkbox"/> Adopt policies and update development codes to support private adoption of AFVs, such as streamlining permitting for alternative fueling stations, planning for access to charging and CNG</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Support reauthorization of the Oregon Clean Fuels Program through Legislative agenda, testimony, endorsement letters or similar means</li> <li><input type="checkbox"/> Support the Oregon Zero Emission Vehicle Program through Legislative agenda, testimony, endorsement letters or similar means</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide electric vehicle charging and CNG stations in public places (e.g., park-and-rides, parking garages)</li> <li><input type="checkbox"/> Provide preferential parking for AFVs</li> </ul>

**PUBLIC REVIEW DRAFT**

POLICY	TOOLBOX OF POSSIBLE ACTIONS (2015-2020)			
	WHAT CAN THE STATE DO?	WHAT CAN METRO DO?	WHAT CAN CITIES AND COUNTIES DO?	WHAT CAN SPECIAL DISTRICTS DO? (e.g., transit providers, Port districts, parks providers, etc.)
	<p>infrastructure and partnerships with businesses</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Remove barriers to electric and CNG vehicle charging and fueling station installations</li> <li><input type="checkbox"/> Promote AFV infrastructure planning and investment by public and private entities</li> <li><input type="checkbox"/> Provide clear and accurate signage to direct AFV users to charging and fueling stations and parking</li> <li><input type="checkbox"/> Expand communication efforts to promote AFV tourism activities</li> <li><input type="checkbox"/> Continue participation in the Pacific Coast Collaborative, Western Climate Initiative, and West Coast Green Highway Initiative and partner with members of Energize Oregon coalition</li> <li><input type="checkbox"/> Track and report progress toward adopted state goals related to greenhouse gas emissions reductions and AFV deployment</li> <li><input type="checkbox"/> Provide incentives and information to expand use of pay-as-you-drive insurance and report on progress</li> </ul>		<p>stations, allowing charging and CNG stations in residences, work places and public places, and providing preferential parking for AFVs</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Update development codes and encourage new construction to include necessary infrastructure to support use of AFVs</li> </ul>	
<p><b>Demonstrate leadership on climate change</b></p>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Update the 2017-20 Statewide Transportation Improvement Program (STIP) allocation process to address the Statewide Transportation Strategy (STS) Vision and STS Short-Term Implementation Plan actions</li> <li><input type="checkbox"/> Support local government and regional planning for climate change mitigation</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Amend the Oregon Transportation Plan to address the Statewide Transportation Strategy Vision</li> <li><input type="checkbox"/> Update statewide greenhouse gas emissions inventory and track progress toward adopted greenhouse gas emissions reduction goals</li> <li><input type="checkbox"/> Through the Oregon Modeling Steering Committee, collaborate on appropriate tools to support greenhouse gas reduction planning</li> <li><input type="checkbox"/> Report on the potential greenhouse gas emissions impacts of policy, program and investment decisions</li> </ul>	<p><b>Immediate (2015-16)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek Metro Council/JPACT commitment to address the Climate Smart Strategy in the policy update for the 2018-21 Metropolitan Transportation Improvement Program (MTIP) and the 2019-21 Regional Flexible Fund Allocation (RFFA) process</li> </ul> <p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Assess potential risks and identify strategies to address potential climate impacts to transportation infrastructure and operations as part of 2018 RTP update</li> <li><input type="checkbox"/> Update regional greenhouse gas emissions inventory and track progress toward adopted greenhouse gas emissions reduction target</li> <li><input type="checkbox"/> Through the Oregon Modeling Steering Committee, collaborate on appropriate tools and methods to support greenhouse gas reduction planning and monitoring</li> <li><input type="checkbox"/> Report on the potential greenhouse gas emissions impacts of policy, program and investment decisions</li> <li><input type="checkbox"/> Encourage development and implementation of local climate action plans</li> </ul>	<p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Sign U.S. Conference of Mayors Climate Protection Agreement</li> <li><input type="checkbox"/> Prepare and periodically update community-wide greenhouse gas emissions inventory</li> <li><input type="checkbox"/> Report on the potential greenhouse gas emissions impacts of policy, program and investment decisions</li> <li><input type="checkbox"/> Adopt greenhouse gas emissions reduction policies and performance targets</li> <li><input type="checkbox"/> Develop and implement local climate action plans</li> </ul>	<p><b>Near-term (2017-20)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Prepare and periodically update greenhouse gas emissions inventory of transportation operations</li> <li><input type="checkbox"/> Report on the potential greenhouse gas emissions impacts of policy, program and investment decisions</li> <li><input type="checkbox"/> Adopt greenhouse gas emissions reduction policies and performance targets</li> </ul>

**CLIMATE  
SMART**  
COMMUNITIES  
SCENARIOS PROJECT

**3**

# Draft Performance Monitoring Approach

Public Review Draft

September 15, 2014

**MAKING A  
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PLACE**



## About Metro

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

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### **Auditor**

Suzanne Flynn

### PART 3. DRAFT PERFORMANCE MONITORING APPROACH

*This is one of three parts of the draft implementation recommendations being presented for public review and comment from Sept. 15 to Oct. 30, 2014.*

This document includes a draft approach to monitor and measure the progress of local and regional efforts with implementing the draft Climate Smart Strategy and meeting adopted targets for reducing greenhouse gas emissions from light vehicle travel as directed by OAR 660-044-0040(3)(e). The approach relies on observed data sources and existing regional performance monitoring processes to the extent possible, including future RTP updates, Urban Growth Report updates and reporting in response to Oregon State Statutes ORS 197.301 and ORS 197.296.

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<b>Draft Performance Monitoring Approach</b>	

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#### BACKGROUND

The Climate Smart Communities Scenarios Project responds to a 2009 mandate from the Oregon Legislature for our region to develop a strategy to reduce per capita greenhouse gas emissions from cars and small trucks by 2035. Metro is the regional government and federally-designated metropolitan planning organization for the Portland metropolitan area, serving a population of 1.5 million people. In that role, Metro has been working together with community, business and elected leaders across the region to shape a draft Climate Smart Strategy that meets the state mandate while supporting economic prosperity, community livability and protection of our environment.

After a four-year collaborative process informed by research, analysis, community engagement and deliberation, a draft Climate Smart Strategy that meets the state target is being presented for your review and comment. The draft strategy relies on policies and investments that have already been identified as local priorities in communities across the region and in the region's long-range transportation plan.

#### HOW TO PROVIDE YOUR INPUT

- Take an on-line survey at [www.makeagreatplace.org](http://www.makeagreatplace.org).
- Submit comments by mail to Metro Planning, 600 NE Grand Ave., Portland, OR 97232, by email to [climatescenarios@oregonmetro.gov](mailto:climatescenarios@oregonmetro.gov), or by phone at 503-797-1750 or TDD 503-797-1804 from Sept. 15 through Oct. 30, 2014.
- Testify at a Metro Council hearing on Oct. 30 at 600 NE Grand Ave., Portland, OR 97232 in the Council Chamber.



## WHAT'S NEXT?

The Metro Policy Advisory Committee and the Joint Policy Advisory Committee on Transportation are working to finalize their recommendation to the Metro Council on the draft approach and draft implementation recommendations.

**Sept. 15 to Oct. 30** Public comment period on draft approach and draft implementation recommendations

**Nov. 7** MPAC and JPACT meet to discuss public comments and shape recommendation to the Metro Council

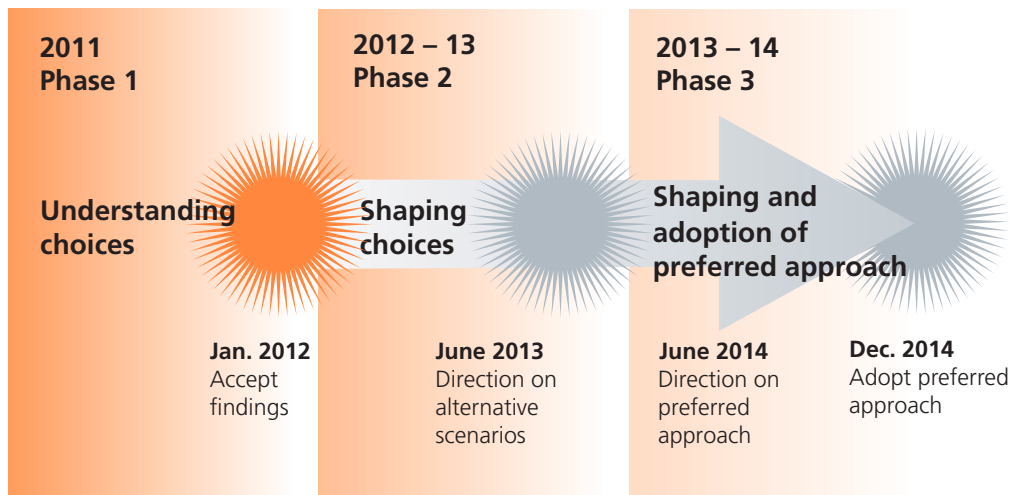
**December 10 and 11** MPAC and JPACT make recommendation to Metro Council

**December 18** Metro Council considers adoption of preferred approach

**January 2015** Metro submits adopted approach to Land Conservation and Development Commission for approval

**2015 and beyond** Ongoing implementation and monitoring

## Climate Smart Communities Scenarios Project timeline



## WHERE CAN I FIND MORE INFORMATION?

Public review materials and other publications and reports can be found at [oregonmetro.gov/climatescenarios](http://oregonmetro.gov/climatescenarios). For email updates, send a message to [climatescenarios@oregonmetro.gov](mailto:climatescenarios@oregonmetro.gov).

**PUBLIC REVIEW DRAFT**

September 15, 2014



**DRAFT CLIMATE SMART STRATEGY  
DRAFT PERFORMANCE MONITORING APPROACH**

**BACKGROUND |** The 2009 Oregon Legislature required the Portland metropolitan region to reduce per capita greenhouse gas emissions from cars and small trucks by 20 percent below 2005 levels by 2035. The region has identified an approach that meets the target while also substantially contributing to many other state, regional and local goals, including clean air and water, transportation choices, healthy and vibrant communities and a strong economy.

OAR 660-044-0040(3)(e) directs Metro to identify performance measures and targets to monitor and guide implementation of the preferred approach selected by the Metro Council. The purpose of performance measures and targets is to enable Metro and local governments to monitor and assess whether key elements or actions that make up the preferred approach are being implemented, and whether the preferred approach is achieving the expected outcomes.

**PERFORMANCE MONITORING AND REPORTING APPROACH |** Use observed data sources and rely on existing regional performance monitoring and reporting processes to the extent possible, including future RTP updates, Urban Growth Report updates and reporting in response to Oregon State Statutes ORS 197.301 and ORS 197.296. When observed data is not available, data from regional models may be reported.

POLICY	MEASURE	HOW WILL PROGRESS BE MEASURED?	
		2010 <small>(unless otherwise noted)</small>	2035 TARGET <small>(unless otherwise noted)</small>
<b>Implement the 2040 Growth Concept and local adopted land use and transportation plans</b>	a. New residential units built through infill and redevelopment in the urban growth boundary (UGB) <sup>1</sup> <i>(existing)</i>	a. Data being finalized	a. Track; no target proposed
	b. New residential units built on vacant land in the UGB <sup>2</sup> <i>(existing)</i>	b. Data being finalized	b. Track; no target proposed
	c. Acres of urban reserves added to the UGB <sup>3</sup> <i>(existing)</i>	c. Data being finalized	c. Track; no target proposed
	d. Daily vehicle miles traveled per capita <sup>4</sup> <i>(existing)</i>	d. 19	d. 17
<b>Make transit convenient, frequent, accessible and affordable</b>	a. Daily transit service revenue hours <i>(new)</i>	a. 4,900	a. 9,400
	b. Share of households within ¼-mile frequent bus service and ½-mile of high capacity transit <i>(existing)</i>	b. Data being finalized	b. Track; no target proposed



## PUBLIC REVIEW DRAFT

September 15, 2014

POLICY	MEASURE	HOW WILL PROGRESS BE MEASURED?	
		2010 (unless otherwise noted)	2035 TARGET (unless otherwise noted)
<b>Make biking and walking safe and convenient</b>	a. Share of daily trips made by biking and walking <sup>5</sup> ( <i>existing</i> )	a. Data being finalized	a. Data being finalized
	b. Daily miles of bicycle and pedestrian travel	b. A methodology for establishing a baseline for this measure and tracking progress will be developed in 2018 RTP update	b. Track; no target proposed
	c. Bike and pedestrian fatal and severe injury crashes <sup>6</sup> ( <i>existing</i> )	c. 63 fatal or severe injury pedestrian crashes 35 fatal or severe injury bike crashes	c. 32 fatal or severe injury pedestrian crashes 17 fatal or severe injury bike crashes
	d. New miles of bikeways, sidewalks and trails <sup>7</sup> ( <i>existing</i> )	d. Data being finalized	d. Track; no target proposed
<b>Make streets and highways safe, reliable and connected</b>	a. Motor vehicle fatal and severe injury crashes <sup>8</sup> ( <i>existing</i> )	a. 398	a. 199
	b. Reliability measure ( <i>new</i> )	b. A methodology for establishing a baseline for this measure and tracking progress for will be developed in 2018 RTP update	
<b>Use technology to actively manage the transportation system</b>	a. Share of regional transportation system covered with transportation system management and operations (TSMO) strategies ( <i>new</i> )	A methodology for establishing a baseline for this measure and tracking progress will be developed in 2018 RTP update	
<b>Provide information and incentives to expand the use of travel options</b>	a. Share of households participating in individualized marketing programs ( <i>existing</i> )	a. 9%	a. 45%
	b. Share of the workforce participating in commuter programs ( <i>existing</i> )	b. 20%	b. 30%

## PUBLIC REVIEW DRAFT

September 15, 2014

POLICY	MEASURE	HOW WILL PROGRESS BE MEASURED?	
		2010 (unless otherwise noted)	2035 TARGET (unless otherwise noted)
<b>Manage parking to make efficient use of land and parking spaces</b>	a. Parking measure TBD in 2018 RTP update ( <i>new</i> )	A methodology for establishing a baseline for this measure and tracking progress will be developed in 2018 RTP update	
<b>Support Oregon's transition to cleaner, low carbon fuels, more fuel-efficient vehicles and pay-as-you-drive private vehicle insurance</b>	a. Share of registered light duty vehicles in Oregon that are electric vehicles (EV) or plug-in hybrid electric vehicles (PHEV) <sup>9</sup> ( <i>new</i> ) b. Share of households using pay-as-you-drive private vehicle insurance <sup>10</sup> ( <i>new</i> )	<u>EV/PHEV</u> a. 1%/0% (auto) 1%/0%(light truck) b. >1%	<u>EV/PHEV</u> a. 23%/8% (auto) 20%/2% (light truck) b. 40%
<b>Secure adequate funding for transportation investments</b>	a. Make progress in addressing local, regional and state transportation funding gap ( <i>new</i> )	A methodology for establishing a baseline for this measure and tracking progress will be developed in 2018 RTP update	
<b>Demonstrate leadership on climate change</b>	a. Region-wide per capita roadway greenhouse gas emissions from light vehicles ( <i>new</i> )	e. 4.05 MTCO <sub>2</sub> e <sup>11</sup>	a. 1.2 MTCO <sub>2</sub> e <sup>12</sup>

**PUBLIC REVIEW DRAFT***September 15, 2014***TABLE NOTES**

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<sup>1</sup> Data is compiled and reported by Metro every two years in response to Oregon State Statutes ORS 197.301 and ORS 197.296. No targets have been adopted for these measures.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Data is from the ODOT Oregon Highway Performance Monitoring System (HPMS) and was the official state submittal to the Federal Highway Administration for tracking nationally. The 2014 Regional Transportation Plan (RTP) target calls for reducing daily vehicle miles traveled per person by 10 percent compared to 2010.

<sup>5</sup> The 2014 Regional Transportation Plan calls for tripling the share of daily trips made by biking and walking compared to 2010.

<sup>6</sup> Data is for the period 2007-2011 and comes from the ODOT Oregon Highway Performance Monitoring System (HPMS). The data was reported in the 2014 RTP adopted by the Metro Council on July 17, 2014. The 2014 RTP target calls for reducing fatal and severe injury crashes by 50 percent compared to the 2007-2011 period.

<sup>7</sup> The 2014 RTP financially constrained system includes completing 663 miles of bikeways, sidewalks and trails; progress toward completion of the system of investments will be tracked.

<sup>8</sup> See note 6.

<sup>9</sup> The Oregon Department of Motor Vehicles will track this data through vehicle registration records.

<sup>10</sup> A data source for this information has not been identified.

<sup>11</sup> Data is a model estimate for the year 2005, using the Metropolitan GreenSTEP model.

<sup>12</sup> The target reflects the state mandated 20 percent reduction per person in roadway greenhouse gas emissions, after accounting for state assumptions for advancements in cleaner, low carbon fuels and more fuel-efficient vehicles. A transition to the Motor Vehicle Emission Simulator (MOVES) model for tracking progress will be made as part of the 2018 Regional Transportation Plan update. The MOVES model is the federally-sanctioned model for demonstrating compliance with federal and state air quality requirements.

**CLIMATE  
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COMMUNITIES  
SCENARIOS PROJECT**

# Summary of recommended changes

To be finalized following the  
Oct. 30 close of comment  
period

XX, XX, 2014

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## About Metro

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

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### **Auditor**

Suzanne Flynn

**CLIMATE  
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SCENARIOS PROJECT

# Findings of Fact and Conclusions of Law

Under development

XX, XX, 2014

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## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 14-1346, FOR THE PURPOSE OF ADOPTING A PREFERRED CLIMATE SMART COMMUNITIES STRATEGY AND AMENDING THE REGIONAL FRAMEWORK PLAN TO COMPLY WITH STATE LAW

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Date: October 20, 2014

Prepared by: Kim Ellis, Principal Transportation Planner  
Planning and Development Department, 503-797-1617

## BACKGROUND

The Climate Smart Communities Scenarios Project responds to a 2009 mandate from the Oregon Legislature for Metro to develop and implement a strategy to reduce per capita greenhouse gas emissions from cars and small trucks by 2035. Metro is the regional government serving a population of 1.5 million people in the Portland metropolitan region. In that role, Metro has been working together with regional technical and policy advisory committees and community, business and elected leaders across the region to shape the Climate Smart Communities Strategy and supporting implementation recommendations in this ordinance. Adoption of this ordinance satisfies the 2009 legislative mandate and subsequent requirements adopted by the Land Conservation and Development Commission (LCDC) in 2011 and 2012 under Oregon Administrative Rule 660-044.

This ordinance forwards recommendations from the Metro Policy Advisory Committee (MPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) to the Metro Council on adopting a preferred land use and transportation scenario under OAR 660-044-0040. The Climate Smart Communities Strategy contained in the ordinance achieves a 29 percent reduction in per capita greenhouse gas emissions from light duty vehicles and provides significant community, public health, environmental and economic benefits to communities and the region. The strategy builds on and supports adopted local and regional plans and visions for healthy and equitable communities and a strong economy.

Metro Council action through Ordinance No. 14-1346 adopts a preferred land use and transportation scenario under OAR-044-0040 and directs staff to develop and submit a final report with the decision record to LCDC in the manner of periodic review. The ordinance also directs staff to begin scoping the work plan for the next update to the Regional Transportation Plan, which will serve as a major vehicle for implementing the preferred scenario under OAR 660-044-0040.

## LEGISLATIVE BACKGROUND

Since 2006, Oregon has initiated a number of actions to respond to mounting scientific evidence that shows the earth's climate is changing, indicating a long-term commitment to significantly reduce GHG emissions in Oregon.

In 2007 the Oregon Legislature established statewide greenhouse gas emissions reduction goals. The goals apply to all emission sectors – energy production, buildings, solid waste and transportation – and direct Oregon to:

- stop increases in GHG emissions by 2010
- reduce GHG emissions to 10 percent below 1990 levels by 2020
- reduce GHG emissions to at least 75 percent below 1990 levels by 2050.



In 2009, the Oregon Legislature passed House Bill 2001, the Jobs and Transportation Act (JTA). Section 37 of the Act requires Metro to develop two or more alternative land use and transportation scenarios designed to accommodate population and job growth anticipated by 2035 and reduce GHG emissions from light vehicles. Section 37 of the Act requires Metro to adopt a preferred scenario after public review and consultation with local governments in the Portland metropolitan region and calls for local governments to implement the adopted scenario.

In 2010, the Metro Council adopted the 2035 Regional Transportation Plan (RTP) and directed staff to conduct greenhouse gas scenario planning consistent with the JTA. In the same year, the Council also adopted six desired outcomes for the region to reflect a shared vision to develop vibrant, prosperous and sustainable communities with safe and reliable transportation choices that minimize greenhouse gas emissions and equitably distribute the benefits and costs of development.

To guide Metro's scenario planning work, the LCDC adopted the Metropolitan Greenhouse Gas Reduction Targets Rule (Oregon Administrative Rule 660-044) in May 2011. As required by section 37 of the JTA, OAR 660-044-0020 identifies GHG emissions reduction targets for 2035 for each of Oregon's six metropolitan areas. The targets identify the percentage reduction in per capita GHG emissions from light vehicle travel that is needed to help Oregon meet its GHG emissions reduction goals for 2050.

The LCDC target-setting process assumed anticipated changes to the vehicle fleet mix, improved fuel economy, and the use of improved vehicle technologies and low carbon fuels that would reduce 2005 emissions levels from 4.05 to 1.5 MT CO<sub>2</sub>e per capita by 2035. The adopted target for the Portland metropolitan area calls for a 20 percent per capita reduction in GHG emissions from light vehicle travel by 2035. This target reduction is in addition to the emissions reductions anticipated from changes to the fleet and technology sectors as identified in the Agencies' Technical Report. Therefore, to meet the target, per capita roadway GHG emissions must be reduced by an additional 20 percent below the 1.5 MT CO<sub>2</sub>e per capita by 2035 to 1.2 MT CO<sub>2</sub>e per capita. The adopted target for the region is the equivalent of 1.2 MT CO<sub>2</sub>e per capita by 2035.

In 2012, the LCDC amended OAR 660-044-0040 to further direct Metro to evaluate a reference case that reflects implementation of existing adopted comprehensive and transportation plans and at least two alternative land use and transportation scenarios that accommodate planned growth while achieving a reduction in greenhouse gas emissions from light vehicles. The amendments also directed Metro on the evaluation and selection of a preferred land use and transportation scenario by December 31, 2014.

## **CLIMATE SMART COMMUNITIES SCENARIOS PROJECT**

Since 1995, Metro and its partners have collaborated to help communities realize their local aspirations while moving the region toward its goals for making a great place: vibrant communities, economic prosperity, transportation choices, equity, clean air and water, and leadership on climate change. Local and regional efforts to implement the 2040 Growth Concept provided a solid foundation for the GHG scenario planning work required of the region.

The Portland metropolitan region conducted scenario planning in three phases through the Climate Smart Communities Scenarios Project (Scenarios Project). The project was designed to implement the 2010 Council actions, demonstrate leadership on climate change, maximize achievement of all six of the region's desired outcomes, support adopted local and regional plans and satisfy requirements in Section 37 of the JTA and OAR 660-044.

**Figure 1** shows the project timeline.

**Figure 1. Climate Smart Communities Project Timeline**



Working together with city, county, state, business and community leaders, Metro researched how land use and transportation policies and investments can be leveraged to create healthy and equitable communities and a strong economy and meet state adopted targets for reducing greenhouse gas emissions. The adopted land use plans and zoning of cities and counties across the region served as the foundation for the scenarios tested throughout the project, with a goal of creating a diverse yet shared vision of how to make this region a great place for all communities today and for generations to come – and meet state greenhouse gas emissions targets.

Metro led this process in consultation and coordination with federal, state and local governments, and engagement of other stakeholders with an interest in or who are affected by this planning effort. Metro facilitated this consultation and coordination through four advisory committee bodies—the Joint Policy Advisory Committee on Transportation (JPACT), the Metro Policy Advisory Committee (MPAC), the Transportation Policy Alternatives Committee (TPAC) and the Metro Technical Advisory Committee (MTAC).

The project relied on this existing regional decision-making structure for development, review and adoption of the plan. MPAC, JPACT and the Metro Council made recommendations at key decision points based on input from TPAC, MTAC and the public participation process. A technical work group of members from MTAC and TPAC was formed to assist Metro staff with the development of work products, provide technical advice and assist with engaging local government officials and senior staff throughout the process.

**PHASE 1: UNDERSTANDING OUR LAND USE AND TRANSPORTATION CHOICES (JAN. 2011 TO JAN. 2012)**

**Phase 1 began in 2011 and concluded in early 2012.** This phase focused on understanding the region’s choices and produced the *Strategy Toolbox*, a comprehensive review of the latest research on greenhouse gas reduction strategies and their potential effectiveness and benefits. Staff also engaged public officials, community and business leaders, community groups and government staff through two regional summits, 31 stakeholder interviews, and public opinion research.

In addition, Metro evaluated a wide range of options for reducing greenhouse gas emissions by testing 144 different combinations of land use and transportation strategies to learn what it would take to meet



**Strategy Toolbox**  
Staff completed a comprehensive review of the latest research on greenhouse gas reduction strategies and their potential effectiveness and benefits.

the region's reduction target by 2035. Strategies we organized into six policy areas:

- Community design
- Pricing
- Marketing and incentives
- Roads
- Fleet
- Technology

Each of these policies areas included individual strategies that national research has shown to affect greenhouse gas emissions. Metro staff used a regionally tailored version of the Oregon Department of Transportation (ODOT) Greenhouse Gas State Transportation Emissions Planning (GreenSTEP) model to conduct the scenario analysis – the same model used by state agencies to set the region's greenhouse gas emissions reduction target and ODOT develop the Statewide Transportation Strategy for reducing greenhouse gas emissions. GreenSTEP accounts for the synergies between the policy areas and other variables, including vehicle miles traveled, fuel consumption, fleet mix, vehicle technology, amount of transit service and road expansion provided and the location of forecasted future growth.

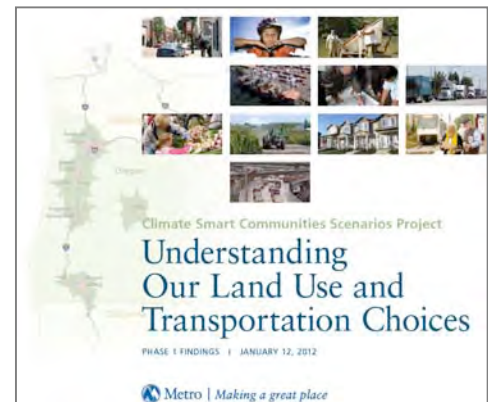
The initial scenario analysis found more than 90 of the 144 scenarios tested met or exceeded the target. The findings are summarized in *Understanding Our Land Use and Transportation Choices: Phase 1 Findings* (January 2012).

The Phase 1 findings indicated that current adopted plans and policies – if realized – along with state assumptions related to advancements in cleaner, low carbon fuels and more fuel-efficient vehicle technologies, including electric and other alternative fuel vehicles, provide a strong foundation for meeting the state target. Although current plans move the region in the right direction, current funding is not sufficient to implement adopted local and regional plans. As a result, the region concluded that a key to meeting the target would be the various governmental agencies working together to develop public and private partnerships to invest in communities in ways that support adopted local and regional plans and reduce greenhouse gas emissions.

## **PHASE 2: SHAPING OUR LAND USE AND TRANSPORTATION CHOICES (JAN. 2012 – OCT. 2013)**

**Phase 2 began in January 2012 and concluded in October 2013.**

This phase focused on shaping and evaluating future choices for supporting community visions and meeting the state GHG emissions reduction target. Staff conducted a sensitivity analysis of the policy areas tested during Phase 1 to better understand the GHG emissions reduction potential of individual strategies within each policy area.<sup>1</sup> The policies tested included pay-as-you-drive insurance, use of technology to actively manage the transportation system, expanded transit service, user-based



### **Understanding Our Land Use and Transportation Choices**

Phase 1 concluded adopted plans provide a strong foundation for reducing greenhouse gas emissions and that a key to meeting state target would be developing public and private partnerships to invest in communities in ways that support local community and economic development goals.

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<sup>1</sup> Memo to TPAC and interested parties on Climate Smart Communities: Phase 1 Metropolitan GreenSTEP scenarios sensitivity analysis (June 21, 2012).

pricing of transportation, transportation demand management programs, increased bicycle travel, carsharing and advancements in clean fuels and vehicle technologies.

Assuming adopted community plans and national fuel economy standards, the most effective individual policies for reducing greenhouse gas emissions were found to be:

- Fleet and technology advancements
- Transit service expansion
- User-based pricing of transportation (e.g., fuel price, pay-as-you-drive insurance, parking fees, mileage-based road use fee, and carbon fee)

The information derived from the sensitivity analysis was used to develop a five-star rating system for communicating the relative climate benefit of different policies. The potential reductions found for each individual policy area, and the star rating assigned, represent the potential effect of individual policy areas in isolation and do not capture greenhouse gas emissions reductions that may occur from synergies between multiple policies if implemented together.

It should be noted that the potential reductions achieved from increased walking and biking are likely underestimated due to known limitations with GreenSTEP.<sup>2</sup> It is also important to note that while some strategies did not individually achieve significant greenhouse gas emissions reductions, such as increasing walking or bicycle mode share or participation in marketing and incentives programs, they remain important elements to complement more effective strategies such as transit service expansion and building walkable downtowns and main streets as called for in adopted community plans and visions.

Metro also undertook an extensive consultation process by sharing the Phase 1 findings with cities, counties, county-level coordinating committees, regional advisory committees and state commissions. Staff also regularly convened a local government staff technical working group throughout 2012. The work group continued to provide technical advice to Metro staff, and assistance with engaging local government officials and senior staff.

In addition, Metro convened workshops with community leaders working to advance public health, social equity, environmental justice and environmental protection in the region. A series of discussion groups were held in partnership with developers and business associations across the region. More than 100 community and business leaders participated in the workshops and discussion groups from summer 2012 to winter 2013.

Eight case studies were produced to spotlight local government success stories related to strategies implemented to achieve their local community visions that also help to reduce greenhouse gas emissions. A video of local elected



More than 100 community and business leaders participated in the workshops and discussion groups that informed development of three scenarios to test and the criteria that would be used to evaluate and compare them.

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<sup>2</sup> Metro staff used a regionally tailored version of ODOT's Greenhouse Gas State Transportation Emissions Planning (GreenSTEP) model to conduct the analysis. ODOT is currently working on enhancements to GreenSTEP to better account for pedestrian travel and address other limitations identified through the Climate Smart Communities Scenarios Project and development of the Statewide Transportation Strategy.

officials and other community and business leaders was produced as another tool for sharing information about the project and the range of strategies being considered.

Through these efforts, the Metro Council and regional advisory committees concluded that the region's 2040 Growth Concept and the locally adopted land use and transportation plans that implement the growth concept should be the starting point for further scenario development and analysis.

**Figure 2** summarizes the three approaches evaluated in summer 2013. Each scenario was distinguished by an assumption of progressively higher levels of investment in adopted local and regional plans.

**Figure 2. Three approaches that were evaluated in 2013**

<b>Scenario</b> <b>A</b>	<b>RECENT TRENDS</b> This scenario shows the results of implementing adopted plans to the extent possible with existing revenue.
<b>Scenario</b> <b>B</b>	<b>ADOPTED PLANS</b> This scenario shows the results of successfully implementing adopted land use and transportation plans and achieving the current RTP, which relies on increased revenue.
<b>Scenario</b> <b>C</b>	<b>NEW PLANS &amp; POLICIES</b> This scenario shows the results of pursuing new policies, more investment and new revenue sources to more fully achieve adopted and emerging plans.

A set of criteria were developed through the Phase 2 engagement process that would be used to evaluate and compare the scenarios considering costs and benefits across public health, environmental, economic and social equity outcomes. As unanimously recommended by MPAC and JPACT, Council approved a resolution on June 6, 2013 directing staff to move forward into the analysis and report back with the results in Fall 2013.

### **PHASE 3: DEVELOPMENT AND SELECTION OF A PREFERRED LAND USE AND TRANSPORTATION SCENARIO (OCT. 2013 – DEC. 2014)**

**Phase 3, the final phase of the process, began in October 2013 with release of the Phase 2 analysis results.** The results demonstrated that implementation of the 2040 Growth Concept and locally-adopted zoning, land use and transportation plans and policies make the state-mandated greenhouse gas emissions reduction target achievable – if the region is able to make the investments and take the actions needed to implement those plans. Scenario A fell short of the state mandated target, achieving a 12 percent reduction in per capita greenhouse gas emissions. Scenario B achieved a 24 percent reduction and Scenario C achieved a 36 percent reduction.

The analysis also demonstrated there are potentially significant long-term benefits that can be realized by implementing adopted plans (Scenario B) and new policies and plans (Scenario C), including cleaner air, improved public health and safety, reduced congestion and delay and travel cost savings that come from driving more fuel efficient vehicles and traveling shorter distances.



Part of the analysis was conducted by the Oregon Health Authority through the Community Climate Choices Health Impact Assessment (HIA). The HIA built on a rapid HIA completed on a representative set of scenarios from Phase 1 and represents groundbreaking work to provide the region’s decision-makers with information about how the three scenarios may affect the health of people in the region before a final decision is made. The HIA found significant public health benefits from investments that increase physical activity, reduce air pollution and improve traffic safety.<sup>3</sup>

The Phase 2 analysis demonstrated that if the region continues investing in transportation at current levels (as reflected in Scenario A) the region will fall short of the state greenhouse gas emissions reduction target and other outcomes the region is working together to achieve – healthy and equitable communities, clean air and water, transportation choices, and a strong economy.

Release of the Phase 2 findings in October 2013 initiated Phase 3 and a regional discussion aimed at identifying which policies, investments and actions should be included in a preferred approach.

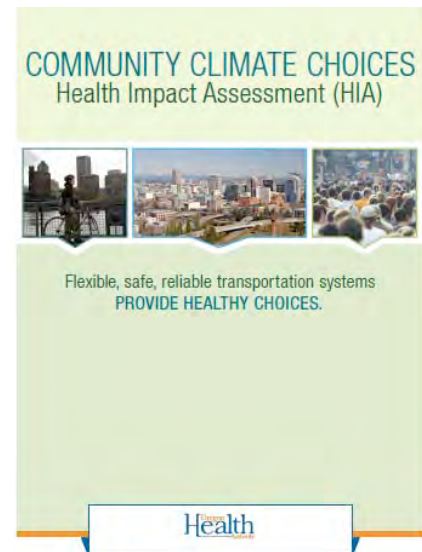
### SHAPING THE PREFERRED APPROACH IN 2014

In February 2014, MPAC and JPACT approved moving forward to shape and recommend a preferred approach for the Metro Council to adopt by the end of 2014. As recommended by both policy committees, development of the key components of the preferred approach began with the adopted 2040 Growth Concept, the 2014 Regional Transportation Plan (RTP) and the adopted plans of the region’s cities and counties including local zoning, capital improvement, comprehensive and transportation system plans. During this time, the RTP was in the process of being updated to reflect changes to local, regional and state investment priorities, which were different from what was studied in Scenario B and Scenario C during Phase 2.

From January to April 2014, Metro facilitated a Community Choices discussion to explore policy priorities and possible trade-offs. The activities built upon earlier public engagement to solicit feedback from public officials, business and community leaders, interested members of the public and other identified audiences. Interviews, discussion groups, and statistically valid public opinion research were used to gather input that was presented at a joint meeting of MPAC and JPACT on April 11, 2014. In addition, more detailed information about the policy areas under consideration was provided in a discussion guide, including estimated costs, potential benefits and impacts, and a comparison of the relative climate benefits and cost of six policy areas.<sup>4</sup>

<sup>3</sup> The Community Choices Health Impact Assessment is available to download at [www.healthoregon.org/hia](http://www.healthoregon.org/hia).

<sup>4</sup> *Shaping the Preferred Approach: A Policymakers Discussion Guide* is available to download from the project website at [www.oregonmetro.gov/climatescenarios](http://www.oregonmetro.gov/climatescenarios)



### Community Choices Health Impact Assessment

The Community Climate Choices HIA was conducted to provide health information and evidence-based recommendations to inform the selection of a final scenario.



### Discussion guide for policymakers

The guide summarized the results of the Phase 2 analysis and public input received through the Community Choices engagement activities.

The six policy areas discussed at the joint meeting are:

- Make transit convenient, frequent, accessible and affordable
- Use technology to actively manage the transportation system
- Provide information and incentives to expand the use of travel options
- Make biking and walking safe and convenient
- Make streets and highways safe, reliable and connected
- Manage parking to make efficient use of land and parking spaces

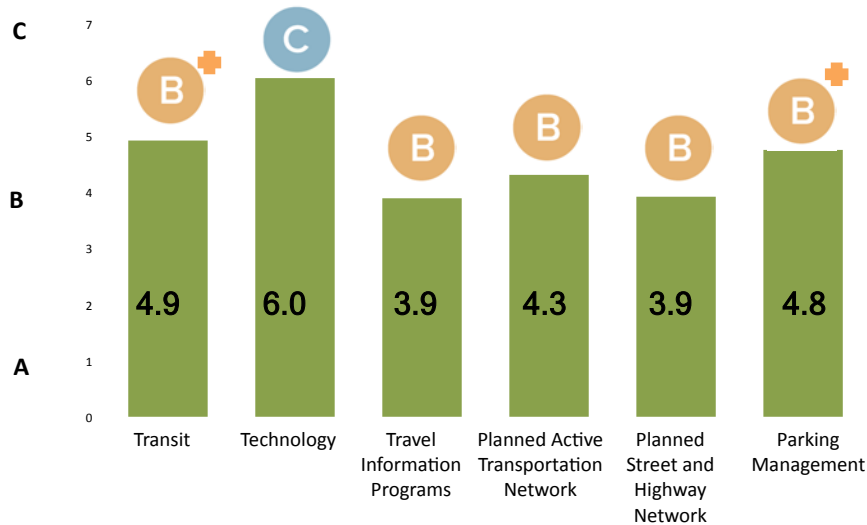
After receiving additional information about the policy options and previous engagement activities, MPAC and JPACT discussed the six policy areas contained within the Scenarios A, B and C. The April 11 meeting concluded with a straw poll conducted of members to identify the desired levels of investment to assume in the region’s draft approach using a scale of 1 to 7, with 1 representing the level of investment in Scenario A and 7 representing the level of investment in Scenario C. **Figure 3** summarizes the results of the straw poll.

**Figure 3. April 11 MPAC/JPACT Straw Poll Results**

## April 11 JPACT/MPAC Straw poll results

Preferences for Scenarios A, B, C and in-Between Scenarios

Averages of all respondents (mean):

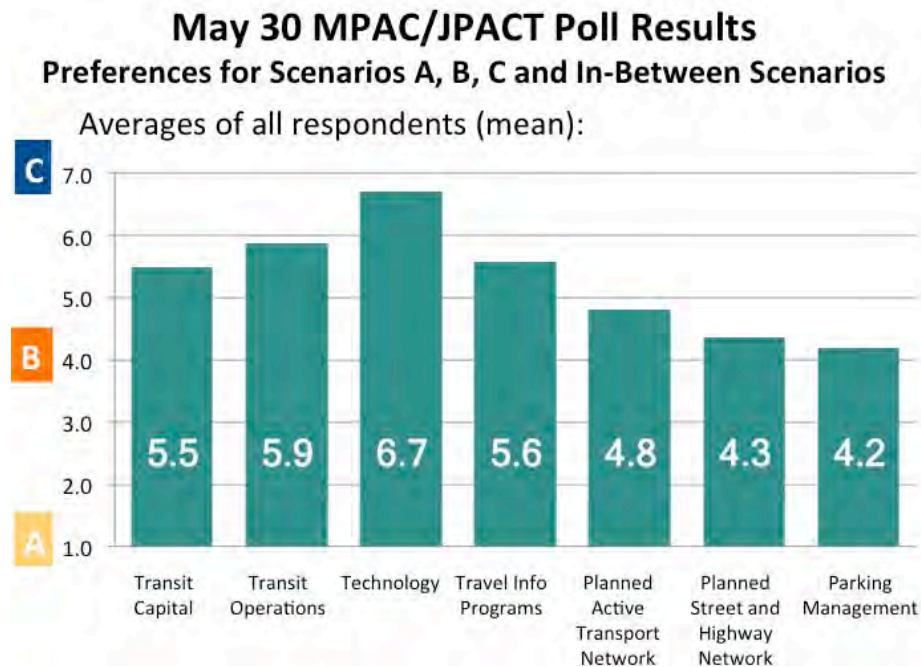


Between April 11 and May 30, the Metro Council and staff engaged local governments and other stakeholders on the straw poll results, primarily through the county-level coordinating committees and regional technical and policy advisory committees. On May 12, a MTAC/TPAC workshop was held to begin shaping a recommendation to JPACT and MPAC on a draft approach, factoring cost, the region’s six desired outcomes, the April 11 straw poll results, and other input received from the public and county-level coordinating committees. MTAC and TPAC further refined their recommendation to JPACT and MPAC on May 21 and May 23, respectively. The refinements included more directly connecting their recommendations on the draft approach to the 2014 RTP in anticipation of the plan’s adoption on July 17, 2014.

On May 30, a joint meeting of the MPAC and JPACT was held to review additional cost information, public input, the April 11 straw poll results and recommendations from MTAC and TPAC on a draft approach for testing. After discussion of each recommendation, the committees took a poll to confirm the levels of investment to assume in the region’s draft approach – using a scale of 1 to 7, with 1 representing the level of investment in Scenario A and 7 representing the level of investment in Scenario C.

At the end of the meeting, both policy committees unanimously recommended forwarding the results of the May 30 poll to the Metro Council as the draft approach recommended for staff to study during the summer, 2014. The poll results are summarized in **Figure 4**.

**Figure 4. May 30 MPAC/JPACT poll results on levels of investment recommended in the draft approach for testing**



On June 19, 2014, the Metro Council directed staff to evaluate the draft approach as recommended by MPAC and JPACT on May 30, 2014. The draft approach recommended for study includes the following assumptions:

- **Growth** - adopted local and regional land use plans, including the 2040 Growth Concept, as assumed in the 2035 growth distribution adopted by the Metro Council in 2012<sup>5</sup>
- **State and federal actions related to advancements in fuels and vehicle fleet and technologies** - assumptions used by the state when adopting the region’s reduction target to account for

<sup>5</sup> The 2035 growth distribution reflects locally adopted comprehensive plans and zoning as of 2010 and assumes an estimated 12,000 acres of urban growth boundary expansion by 2035. Metro’s assumption about UGB expansion is not intended as a land use decision authorizing an amendment through this ordinance. Instead, the assumption about UGB expansion is included for purposes of analysis to assure that UGB expansion – if subsequently adopted by Metro and approved by LCDC – would be consistent with regional efforts to reduce greenhouse gas emissions. Review of any UGB expansion will occur through the UGB Amendment process provided for by ORS 197.626(a) and OAR Chapter 660, Division 24.



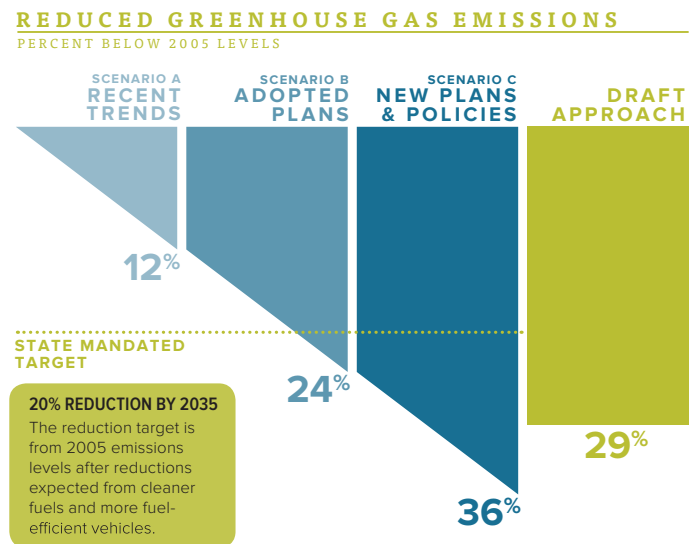
anticipated state and federal actions related to advancements in cleaner, low carbon fuels and more fuel-efficient vehicle technologies, including electric and alternative fuel vehicles<sup>6</sup>

- **Transportation investments** - local and regional investment priorities adopted in the 2014 Regional Transportation Plan (RTP) on July 17, 2014 to address current and future transportation needs in the region, including:
  - the financially constrained 2014 RTP level of investment for streets, highways and active transportation
  - the financially constrained 2014 RTP assumptions for parking management, which link varying levels of parking management to the availability of high capacity transit, frequent bus service and active transportation in 2040 centers
  - the full 2014 RTP level of investment for transit service and related capital improvements needed to support increased service levels to be able to more fully implement community and regional transit service identified in transit service plans
  - the full 2014 RTP level of investment for transportation system management and operations technologies to actively manage the transportation system and reduce delay
  - a higher level of investment than assumed in the full 2014 RTP for travel information and incentive programs to increase carpooling, bicycling, walking and use of transit.

Metro staff worked with the project’s technical work group over the summer to develop modeling assumptions to reflect the draft approach. **Attachment 1** provides a summary of the key planning assumptions studied in the draft approach.

Staff completed the evaluation in August, 2014. Analysis shows the draft approach, if implemented, achieves a 29 percent per capita reduction in greenhouse gas emissions as shown in **Figure 5**. But the draft approach does more than just meet the target. It will deliver significant environmental and economic benefits to communities and the region, including:

- Less air pollution and run-off of vehicle fluids means fewer environmental costs. This helps save money that can be spent on other priorities.
- Spending less time in traffic and reduced delay on the system saves businesses money, supports job creation, and promotes the efficient movement of goods and a strong regional economy.
- Households save money by driving more fuel-efficient vehicles fewer miles and walking, biking and using transit more.
- Reducing the share of household expenditures



**Figure 5. Estimated greenhouse gas emissions reduction from implementation of the draft approach**

<sup>6</sup> The assumptions were developed based on the best available information and current estimates about improvements in vehicle technologies and fuels and will be reviewed by LCDC in 2015.

for vehicle travel helps household budgets and allows people to spend money on other priorities; this is particularly important for households of modest means.

In addition, the Oregon Health Authority completed a third health impact assessment to evaluate the health impacts of the draft approach. The assessment found that the investments in land use and transportation under consideration in the draft approach not only protect health by reducing the risks of climate change, they will also deliver significant public health benefits to communities and the region, including:

- Reduced air pollution and increased physical activity can help reduce illness and save lives.
- Reducing the number of miles driven results in fewer traffic fatalities and severe injuries.

The HIA also monetized expected public health benefits to help demonstrate the economic benefits that can result from improved public health outcomes. Analysis found that by 2035 the region could save \$100 – \$125 million per year in healthcare costs related to illness from implementing the draft approach.

Staff also prepared cost estimates to implement the draft approach. At \$24 billion over 25 years, the overall cost of the draft approach is less than the full 2014 RTP (\$29 billion), but about \$5 billion more than the financially constrained 2014 RTP (\$19 billion). The financially constrained 2014 RTP refers to the priority investments that can be funded with existing and anticipated revenues identified by federal, state and local governments. The full 2014 RTP refers to all of the investments that have been identified to meet current and future regional transportation needs in the region. It assumes additional funding beyond existing and anticipated revenues.

While the recommended level of investment for transit service and related capital, transportation system management technologies and travel information and incentive programs is more than what is adopted in the financially constrained 2014 RTP, the estimated costs fall within the full 2014 RTP funding assumptions the region has agreed to work toward as part of meeting statewide planning goals. The cost to implement the draft approach is estimated to be \$945 million per year, plus an estimated \$480 million per year needed to maintain and operate the region’s road system. While this is about \$630 million more than we currently spend as a region, analysis shows multiple benefits and a significant return on investment. In the long run, the draft approach can help people live healthier lives and save households and businesses money providing a significant return on investment.

**Attachment 2** to the staff report summarizes the results of the analysis.

## **CLIMATE SMART COMMUNITIES STRATEGY**

After a four-year collaborative process informed by research, analysis, community engagement and discussion, community, business and elected leaders have shaped a draft Climate Smart Communities Strategy that meets the state mandate and supports the plans and visions that have already been adopted by communities and the region.



### **Climate Smart Strategy Health Impact Assessment**

The Climate Smart Strategy HIA was conducted to provide health information and evidence-based recommendations on the draft approach.

On September 15, 2014, Metro staff launched an online survey and released the results of the analysis and the preferred land use and transportation scenario under OAR 660-044-0040 for review and comment through October 30, 2014:

- **Draft Climate Smart Strategy** (*an overview of the draft approach as unanimously recommended for study by MPAC and JPACT on May 30, 2014*)
- **Draft Implementation Recommendations** (*recommended policy, possible actions and monitoring approach organized in three parts*)
  1. **Draft Regional Framework Plan Amendments** identify refinements to existing regional policies to integrate the key components of the Climate Smart Communities Strategy, including performance measures for tracking the region's progress on implementing the strategy.
  2. **Draft Toolbox of Possible Actions (2015-20)** identifies possible near-term (within the next 5 years) actions that the Oregon Legislature, state agencies and commissions, Metro, cities and counties and special districts can take to begin implementation of the Climate Smart Communities Strategy. The toolbox is a comprehensive menu of more than 200 policy, program and funding actions that can be tailored to best support local, regional and state plans and visions that, if implemented, will reduce greenhouse gas emissions in ways that support community and economic development goals.

The toolbox does not mandate adoption of any particular policy or action. It builds on the research, analysis, community engagement and discussion completed during the past four years and was developed with the recognition that some tools and actions may work in some locations but not in others. It emphasizes the need for many diverse partners to work together to begin implementation of the Climate Smart Communities Strategy and that each partner retains flexibility and discretion in pursuing the strategies most appropriate to local needs and conditions. Updates to local comprehensive plans and development regulations, transit agency plans, port district plans and regional growth management and transportation plans present continuing opportunities to implement the *Toolbox of Possible Actions* in ways that can be locally tailored.

3. **Draft Performance Monitoring Approach** identifies measures and aspirational targets that reflect what was assumed in the strategy to evaluate and report on the region's progress toward implementing key components of the Climate Smart Communities Strategy through scheduled updates to the RTP and Urban Growth Report, and in response to Oregon State Statutes ORS 197.301 and ORS 197.296. The monitoring approach builds on the existing land use and transportation performance monitoring Metro is already responsible for as a result of state and federal requirements.

Metro sought and received comments on the draft Climate Smart Strategy, draft Regional Framework Plan Amendments, draft Toolbox of Possible Actions (2015-2020) and draft Performance Monitoring Approach from MPAC, JPACT, MTAC, TPAC, state agencies and commissions, including the Oregon Department of Transportation, the Oregon Department of Environmental Quality, the Oregon Department of Land Conservation and Development, and the Land Conservation and Development Commission, local governments in the region, the Port of Portland; public, private and non-profit organizations; and the public. The Metro Council held public hearings on October 30 and December 18, 2014.

A report documenting comments received through October 30, 2014 is provided in **Attachment 3**.

## **WORKING TOGETHER TO DEVELOP SOLUTIONS FOR OUR COMMUNITIES AND THE REGION**

Adoption of the preferred scenario under OAR 660-044-0040 – the Climate Smart Communities Strategy and supporting implementation recommendations – presents an opportunity for MPAC, JPACT and the Metro Council and others to work together to demonstrate leadership on climate change and address challenges related to transportation funding and implementing adopted local and regional plans, including transit service plans.

The preferred scenario adopted by this ordinance sets the foundation for how the region moves forward to integrate reducing greenhouse gas emissions with ongoing local and regional efforts to create healthy, equitable communities and a strong economy. The ordinance recommends local regional and state implementation actions and allows for local flexibility to support the differences among the region’s cities and counties. The ordinance also acknowledges that implementation of adopted local and regional plans, including transit service plans, as called for in the Climate Smart Communities Strategy and supporting implementation recommendations, will require new resources and active participation from a full range of partners over the long-term. MPAC and JPACT have agreed to work together with the Metro Council and other public and private partners to begin implementation in 2015 and recommend three priority actions as a starting point.

The preferred scenario will initially be implemented through amendments to Metro’s Regional Framework Plan in December 2014 and the three priority actions. Implementation through Metro’s Regional Transportation Plan, functional plans, local comprehensive plans, land use regulations and transportation system plans will occur through future actions as defined by administrative rules adopted by LCDC.<sup>7</sup>

### **ANALYSIS/INFORMATION**

1. **Known Opposition** None known. MPAC and JPACT unanimously recommended the Climate Smart Communities Strategy (attached to this ordinance as Exhibit A) for study on May 30, 2014.
2. **Legal Antecedents** Several state and regional laws and actions relate to this action.

#### **Metro Council actions**

- Resolution No. 08-3931 (For the Purpose of Adopting a Definition of Sustainability to Direct Metro's Internal Operations, Planning Efforts, and Role as a Regional Convener), adopted on April 3, 2008.
- Ordinance No. 10-1241B (For the Purpose of Amending the 2004 Regional Transportation Plan to Comply with State Law; To Add the Regional Transportation Systems Management and Operations Action Plan, the Regional Freight Plan and the High Capacity Transit System Plan; To Amend the Regional Transportation Functional Plan and Add it to the Metro Code; To Amend the Regional Framework Plan; And to Amend the Urban Growth Management Functional Plan), adopted on June 10, 2010.
- Ordinance No. 10-1244B (For the Purpose of Making the Greatest Place and Providing Capacity for Housing and Employment to the Year 2030; Amending the Regional Framework Plan and the Metro Code; and Declaring an Emergency), adopted on December 16, 2010.
- Resolution No. 12-4324 (For the Purpose of Accepting the Climate Smart Communities Scenarios Project Phase 1 findings and Strategy Toolbox for the Portland Metropolitan Region to Acknowledge the Work Completed to Date and Initiate Phase 2 of the Climate Smart Communities Scenarios Project), adopted on January 26, 2012.

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<sup>7</sup> OAR 660-044-0040 and OAR 660-044-0045.

- Ordinance No. 12-1292A (For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2035 to Traffic Analysis Zones in the Region Consistent With the Forecast Adopted By Ordinance No. 11-1264B in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036), adopted on November 29, 2012.
- Resolution No. 13-4338 (For the Purpose of Directing Staff to Move Forward With the Phase 2 of the Climate Smart Communities Scenarios Project Evaluation), adopted on June 6, 2013.
- Resolution No. 14-4539 (For the Purpose of Directing Staff to Test a Draft Approach and Complete Phase 3 of the Climate Smart Communities Scenarios Project), adopted June 19, 2014.
- Ordinance No. 14-1340 (For the Purpose of Amending the 2035 Regional Transportation Plan to Comply With Federal and State Law; and to Amend the Regional Framework Plan), adopted July 17, 2014.

### **State of Oregon actions**

- Oregon House Bill 3543, the Climate Change Integration Act, passed by the Oregon Legislature in 2007, codifies state greenhouse gas reduction goals and establishes the Oregon Global Warming Commission and the Oregon Climate Research Institute in the Oregon University System.
- Oregon House Bill 2001, the Jobs and Transportation Act, passed by the Oregon Legislature in 2009, directs Metro to conduct greenhouse gas emissions reduction scenario planning and LCDC to adopt reduction targets for each of Oregon's metropolitan planning organizations.
- Oregon House Bill 2186, passed by the Oregon Legislature in 2009, directs work to be conducted by the Metropolitan Planning Organization Greenhouse Gas Emissions Task Force.
- Oregon Senate Bill 1059, passed by the Oregon Legislature in 2009, directs planning activities to reduce greenhouse gas emissions in the transportation sector and identifies ODOT as the lead agency for implementing its requirements. This work is being conducted through the Oregon Sustainable Transportation Initiative.
- OAR 660-044, the Metropolitan Greenhouse Gas Reduction Targets Rule, adopted by the Land Conservation and Development Commission (LCDC) in May 2011, and amended in November 2012.

### **3. Anticipated Effects**

- Staff will transmit a final report and the decision record, including this ordinance, exhibits to the ordinance, the staff report to the ordinance and attachments to the staff report, to the Land Conservation and Development Commission in the manner of periodic review by January 31, 2015.
- The preferred scenario under OAR 660-044-0040, adopted by this ordinance and reflected in the Climate Smart Communities Strategy and supporting implementation recommendations, will be further implemented through the next scheduled update to the Regional Transportation Plan by December 31, 2018. Staff will begin scoping the work plan for the next update to the Regional Transportation Plan, and identify by September 30, 2015, a schedule and outline of policy decisions and resources needed.

- 4. Budget Impacts** This phase of the project is funded in the current budget through Metro and ODOT funds. Implementation of the Climate Smart Communities Strategy will be determined through future budget actions.

### **RECOMMENDED ACTION**

Staff recommends approval of Ordinance 14-1346.

**TPAC/MTAC Recommended GreenSTEP Inputs to Reflect May 30 MPAC and JPACT Draft Approach**

☛ = Phase 3 draft approach model input

**Phase 2: 2010 base year and alternative scenario inputs**

The inputs are for research purposes only and do not represent current or future policy decisions of the Metro Council.

		2010	2035		
		Base Year Reflects existing conditions	Scenario A Recent trends	Scenario B Adopted plans	Scenario C New plans and policies
<b>Strategy</b>	Households in mixed use areas (percent)	26%	36%	☛ 37%	37%
	Urban growth boundary expansion (acres)	2010 UGB	28,000 acres	☛ 12,000 acres	12,000 acres
	Drive alone trips under 10 miles that shift to bike (percent)	9%	10%	15% ☛ 17%	20%
	Transit service (daily revenue hours)	4,900	5,600	6,200 ☛ 9,400	11,200
	Work/non-work trips in areas with parking management (percent)	13% / 8%	13% / 8%	☛ 30% / 30%	50% / 50%
<b>Pricing</b>	Pay-as-you-drive insurance (percent of households participating)	0%	20%	☛ 40%	100%
	Gas tax (cost per gallon 2005\$)	\$0.42	☛ \$0.48	\$0.73	\$0.18
	Road user fee (cost per mile)	\$0	\$0	☛ \$0	\$0.03
	Carbon emissions fee (cost per ton)	\$0	\$0	☛ \$0	\$50

Note: Gas tax assumption to be held in constant 2005\$ to be consistent with Oregon’s revenue forecast scenario recommended for metropolitan transportation plans (Feb. 2011) and Statewide Transportation Strategy analysis.

**☐ = Phase 3 draft approach model input**

The inputs are for research purposes only and do not represent current or future policy decisions of the Metro Council.

**Strategy**

		2010	2035		
		Base Year Reflects existing conditions	Scenario A Recent trends	Scenario B Adopted plans	Scenario C New plans and policies
Marketing and incentives	Households participating in eco-driving (percent)	0%	0%	30% ☐ <b>45%</b>	60%
	Households participating in individualized marketing programs (percent)	9%	30%	30% ☐ <b>45%</b>	60%
	Workers participating in employer-based commuter programs (percent)	20%	20%	20% ☐ <b>30%</b>	40%
	Carsharing in high density areas (participation rate)	One carshare per 5000 vehicles	Twice the number of carshare vehicles available	Same as Scenario A	Four times the number of carshare vehicles available
	Carsharing in medium density areas (participation rate)	One carshare per 5000 vehicles	Same as today	Twice the number of carshare vehicles	Same as Scenario B
Roads	Freeway and arterial expansion (lane miles added)	N/A	<b>12/31</b> -9 miles	<b>15/336</b> -81 miles (RTP Financially Constrained)	<b>2014 RTP FC</b> <b>46/409</b> 105 miles (RTP State)
	Delay reduced by traffic management strategies (percent)	10%	10%	20%	☐ 35%
Fleet	Fleet mix (percent)	auto: 57% light truck: 43%	auto: 71% light truck: 29%		
	Fleet turnover rate	10 years	8 years		
Technology	Fuel economy (miles per gallon)	auto: 29.2 mpg light truck: 20.9 mpg	☐	auto: 68.5 mpg light truck: 47.7 mpg	
	Carbon intensity of fuels	90 g CO <sub>2</sub> e/megajoule	72 g CO <sub>2</sub> e/megajoule		
	Plug-in hybrid electric/all electric vehicles (percent)	auto: 0% / 1% light truck: 0% / 1%	auto: 8% / 26% light truck: 2% / 26%		

Note: [1] Freeway and arterial lane miles added were incorrectly reported and have been updated to reflect what was tested in Phase 2. The difference between the 2010 RTP FC and 2014 RTP FC lane miles is largely due to the addition of the Sunrise Corridor Project and ODOT auxiliary lane projects.





# CLIMATE SMART COMMUNITIES SCENARIOS PROJECT



## KEY RESULTS

The Climate Smart Communities Scenarios Project responds to a state mandate to reduce greenhouse gas emissions from cars and small trucks by 2035. Working together, community, business and elected leaders are shaping a strategy that meets the goal while creating healthy and equitable communities and a strong economy. On May 30, 2014, Metro’s policy advisory committees unanimously recommended a draft approach for testing that relies on policies and investments that have already been identified as priorities in communities across the region. **The results are in and the news is good.**

### WHAT DID WE LEARN?

**We can meet the 2035 target if we make the investments needed to build the plans and visions that have already been adopted by communities and the region.**

However, we will fall short if we continue investing at current levels.

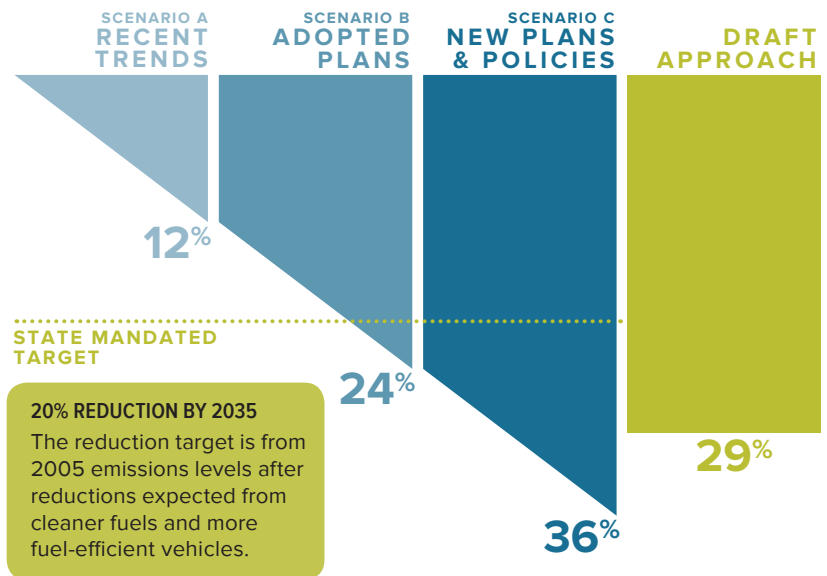
The region has identified a draft approach that does more than just meet the target. It supports many other local, regional and state goals, including clean air and water, transportation choices, healthy and equitable communities, and a strong regional economy.

### WHAT KEY POLICIES ARE INCLUDED IN THE DRAFT APPROACH?

- Implement adopted plans
- Make transit convenient, frequent, accessible and affordable
- Make biking and walking safe and convenient
- Make streets and highways safe, reliable and connected
- Use technology to actively manage the transportation system
- Provide information and incentives to expand the use of travel options
- Manage parking to make efficient use of land and parking spaces

### Reduced greenhouse gas emissions

PERCENT BELOW 2005 LEVELS



After a four-year collaborative process informed by research, analysis, community engagement and deliberation, the region has identified a draft approach that achieves a 29 percent reduction in per capita greenhouse gas emissions and supports the plans and visions that have already been adopted by communities and the region.



## WHAT ARE THE PUBLIC HEALTH AND ECONOMIC BENEFITS?

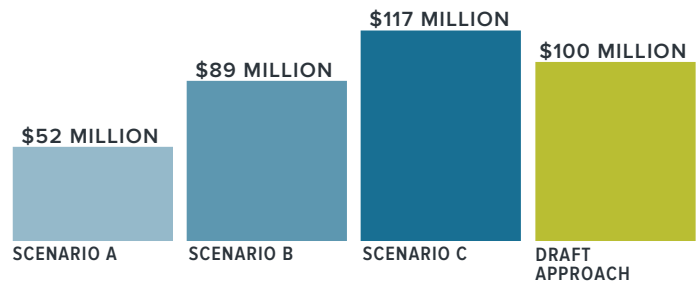
By 2035, the draft approach can help people live healthier lives and save businesses and households money through benefits like:

- Reduced air pollution and increased physical activity can help **reduce illness and save lives**.
- Reducing the number of miles driven results in **fewer traffic fatalities and severe injuries**.
- Less air pollution and run-off of vehicle fluids means **fewer environmental costs**. This helps save money that can be spent on other priorities.
- Spending less time in traffic and reduced delay on the system **saves businesses money, supports job creation**, and promotes the efficient movement of goods and a strong regional economy.
- **Households save money** by driving more fuel-efficient vehicles fewer miles and walking, biking and using transit more.
- Reducing the share of household expenditures for vehicle travel **helps household budgets** and allows people to spend money on other priorities; this is particularly important for households of modest means.



### Our economy benefits from improved public health

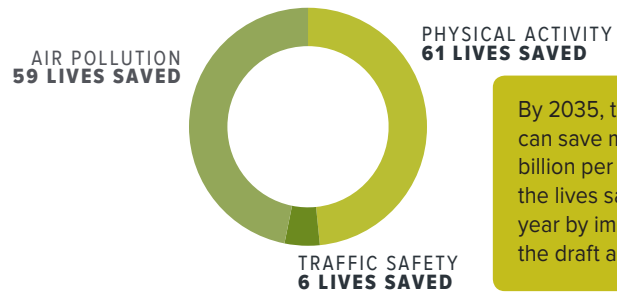
ANNUAL HEALTHCARE COST SAVINGS FROM REDUCED ILLNESS (MILLIONS, 2010\$)



In 2010, our region spent \$5-6 billion on healthcare costs related to illness alone. By 2035, the region can save \$100 million per year from implementing the draft approach.

### More physical activity and less air pollution provide most health benefits

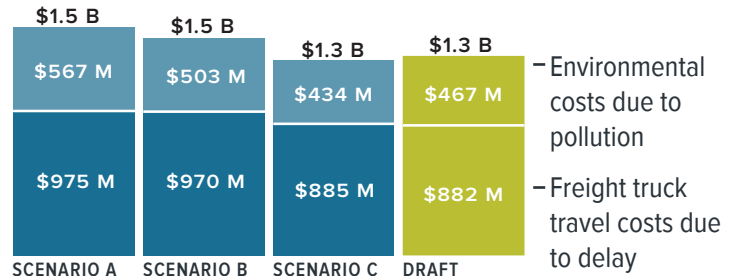
LIVES SAVED EACH YEAR BY 2035



By 2035, the region can save more than \$1 billion per year from the lives saved each year by implementing the draft approach.

### Our economy benefits from reduced emissions and delay

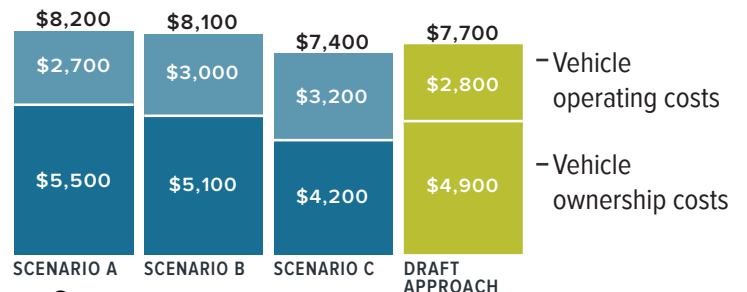
ANNUAL ENVIRONMENTAL AND FREIGHT TRUCK TRAVEL COSTS IN 2035 (MILLIONS, 2005\$)



Cumulative savings calculated on an annual basis. The region can expect to save \$2.5 billion by 2035, compared to A, by implementing the draft approach.

### Overall vehicle-related travel costs decrease due to lower ownership costs

AVERAGE ANNUAL HOUSEHOLD VEHICLE OWNERSHIP & OPERATING COSTS IN 2005\$





### WHAT IS THE RETURN ON INVESTMENT?

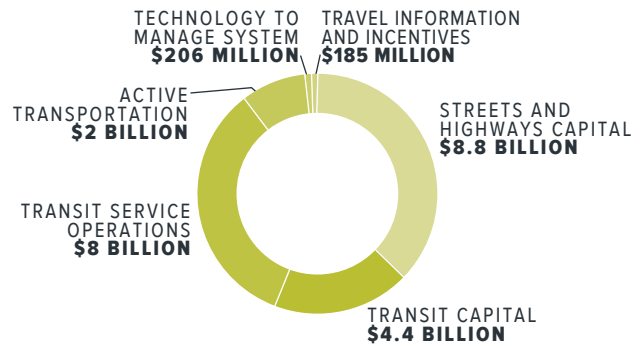
**Local and regional plans and visions are supported.** The draft approach reflects local and regional investment priorities adopted in the 2014 Regional Transportation Plan (RTP) to address current and future transportation needs in the region. At \$24 billion over 25 years, the overall cost of the draft approach is less than the full 2014 RTP (\$29 billion), but about \$5 billion more than the financially constrained 2014 RTP (\$19 billion).\*

### More transportation options are available.

As shown in the chart to the right, investment levels assumed in the draft approach are similar to those in the adopted financially constrained RTP, with the exception of increased investment in transit capital and operations region-wide. Analysis shows the high potential of these investments to reduce greenhouse gas emissions while improving access to jobs and services and supporting other community goals.

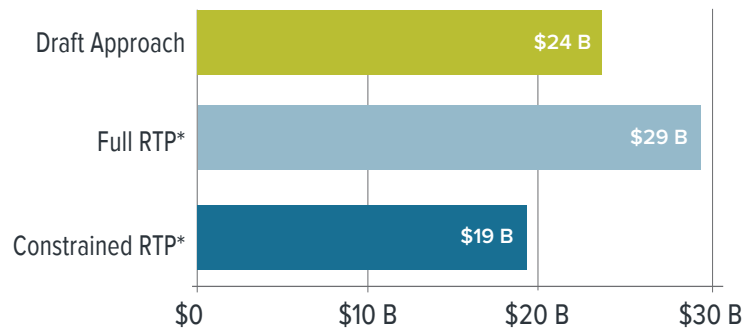
**Households and businesses experience multiple benefits.** The cost to implement the draft approach is estimated to be \$945 million per year, plus an estimated \$480 million per year needed to maintain and operate our road system. While this is about \$630 million more than we currently spend as a region, analysis shows multiple benefits and a significant return on investment. In the long run, the draft approach can help people live healthier lives and save households and businesses money.

### \$ How much would we need to invest by 2035?

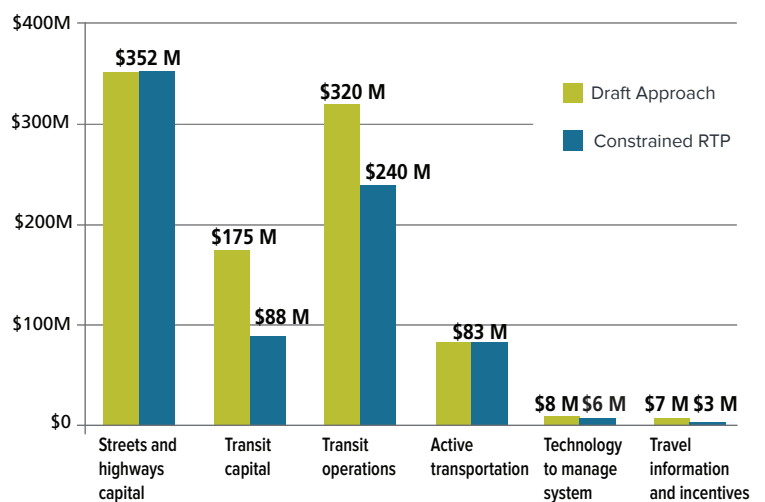


Investment costs are in 2014\$. The total cost does not include road-related operations, maintenance and preservation (OMP) costs. Preliminary estimates for local and state road-related OMP needs are \$12 billion through 2035.

### \$ Estimated costs of draft approach and 2014 RTP (billions, 2014\$)



### \$ Annual cost of implementation through 2035 (millions, 2014\$)



\* The financially constrained 2014 RTP refers to the priority investments that can be funded with existing and anticipated new revenues identified by federal, state and local governments. The full 2014 RTP refers to all of the investments that have been identified to meet current and future regional transportation needs in the region. It assumes additional funding beyond currently anticipated revenues.



## HOW DO WE MOVE FORWARD?

**We're stronger together.** Local, regional, state and federal partnerships and legislative support are needed to secure adequate funding for transportation investments and address other barriers to implementation.

Building on existing local, regional and statewide activities and priorities, the project partners have developed a draft toolbox of actions with meaningful steps that can be taken in the next five years. This is a menu of actions that can be locally tailored to best support local, regional and state plans and visions. Reaching the state target can best be achieved by engaging community and business leaders as part of ongoing local and regional planning and implementation efforts.

## WHAT CAN LOCAL, REGIONAL AND STATE PARTNERS DO?

**Everyone has a role.** Local, regional and state partners are encouraged to review the draft toolbox to identify actions they have already taken and prioritize any new actions they are willing to consider or commit to as we move into 2015.

## Attachment 2 to Staff Report to Ordinance 14-1346

### WHAT'S NEXT?

The Metro Policy Advisory Committee and the Joint Policy Advisory Committee on Transportation are working to finalize their recommendation to the Metro Council on the draft approach and draft implementation recommendations.

**September 2014** Staff reports results of the analysis and draft implementation recommendations to the Metro Council and regional advisory committees

**Sept. 15 to Oct. 30** Public comment period on draft approach and draft implementation recommendations

**Nov. 7** MPAC and JPACT meet to discuss public comments and shape recommendation to the Metro Council

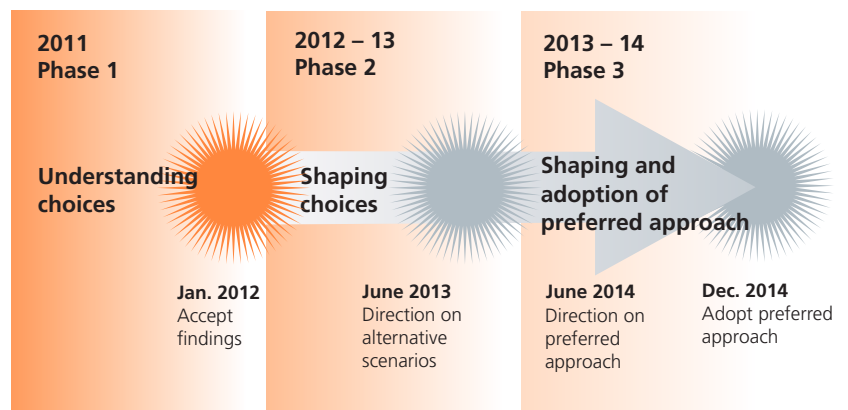
**December 2014** MPAC and JPACT make recommendation to Metro Council

**December 2014** Metro Council considers adoption of preferred approach

**January 2015** Metro submits adopted approach to Land Conservation and Development Commission for approval

**2015 and beyond** Ongoing implementation and monitoring

## Climate Smart Communities Scenarios Project timeline



## WHERE CAN I FIND MORE INFORMATION?

The draft toolbox and other publications and reports can be found at [oregonmetro.gov/climatescenarios](http://oregonmetro.gov/climatescenarios).

For email updates, send a message to [climatescenarios@oregonmetro.gov](mailto:climatescenarios@oregonmetro.gov).



**CLIMATE  
SMART  
COMMUNITIES**  
SCENARIOS PROJECT

# Public Engagement Report

To be finalized following the  
Oct. 30 close of comment  
period

xx, 2014

**MAKING A  
GREAT  
PLACE**



## About Metro

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

A regional approach simply makes sense when it comes to 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/climatescenarios](http://www.oregonmetro.gov/climatescenarios)**

### **Metro Council President**

Tom Hughes

### **Metro Councilors**

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

Agenda Item No. 4.1

**Ordinance No. 14-1343, For the Purpose of Amending Metro  
Code Chapter 2.17 in Order to Comply with Current State Law  
and Declaring an Emergency**

*Ordinances Second Read*

Metro Council Meeting  
Thursday, October 30, 2014  
Metro, Council Chambers

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 14-1343
CODE CHAPTER 2.17 TO COMPLY WITH	)	
CURRENT STATE LAW AND DECLARING AN	)	Introduced by Metro Attorney Alison R. Kean
EMERGENCY	)	in concurrence with Council President Tom
	)	Hughes

WHEREAS, Metro Code Chapter 2.17 was originally adopted by the Metro Council on March 4, 1999 by Ordinance 99-795B to establish a Code of Ethics for Metro and set forth requirements for lobbyists appearing before Metro; and

WHEREAS, Oregon Revised Statutes (ORS) Chapter 244, specifically the Oregon Ethics Act, has been substantially revised since the Metro Code of Ethics was first adopted; and

WHEREAS, revisions have been proposed by the Metro Attorney to update Metro Code Chapter 2.17 in order to conform the Metro Code with the current Oregon Ethics Act; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Amendment. Metro Code Chapter 2.17 (Code of Ethics for Metro Officials and Requirements for Lobbyists) is hereby amended as set forth to in Exhibit A attached hereto; and
2. That this Ordinance being necessary for the health, safety, and welfare of the Metro area and to ensure effective and ethical governance as required by state law, an emergency is declared to exist, and this Ordinance shall take effect immediately, in accordance with the provisions of Metro Charter Section 38(1).

ADOPTED by the Metro Council this 30<sup>th</sup> day of October 2014.

\_\_\_\_\_  
Tom Hughes, Council President

Attest:

Approved as to Form:

\_\_\_\_\_  
Alexandra Eldridge, Recording Secretary

\_\_\_\_\_  
Alison R. Kean, Metro Attorney



## CHAPTER 2.17

CODE OF ETHICS ~~FOR METRO OFFICIALS~~; STATEMENTS OF ECONOMIC INTEREST;  
AND REQUIREMENTS FOR LOBBYISTS

SECTIONS	TITLE
2.17.010	Purpose and Policy
2.17.020	Definitions
<u>2.17.025</u>	<u>Gift Exceptions</u>
2.17.030	<del>Giving and Receiving Gifts</del> <u>Gift Limit</u>
<u>2.17.040</u>	<del>Prohibited by Lobbyists Registered with Metro</del> <u>Use of Official Position</u>
2.17. <del>040</del>	<del>Whistleblowing</del> <u>045 Honoraria</u>
2.17.050	<del>Financial Reporting Requirements</del> <u>Conflicts of Interest</u>
2.17.060	<del>Restrictions on Meals and Entertainment</del> <u>Methods of Handling Conflicts of Interests</u>
2.17.070	<del>Reimbursement for Attendance at Events</del> <u>Whistleblowing</u>
2.17. <del>090</del> <u>080</u>	Prohibition Against Doing Business With Metro Officials
2.17. <u>90</u>	<u>Financial Interest in Public Contract</u>
<u>2.17.100</u>	<u>Regulation of Subsequent Employment of Metro Officials</u>
	<b><u>STATEMENTS OF ECONOMIC INTEREST/FINICIAL REPORTING</u></b>
<u>2.17.110</u>	<u>Financial Reporting Requirements</u>
	<b><u>LOBBYING</u></b>
<u>2.17.200</u>	Registration of Lobbyists
2.17. <del>120</del> <u>210</u>	Exemptions to Lobbyist Registration Requirements
2.17. <del>130</del> <u>215</u>	<u>Prohibited Lobbyist Conduct</u>
<u>2.17.220</u>	Statements of Lobbying Expenses
2.17. <del>140</del> <u>230</u>	Employers of Lobbyists Expense Statements
2.17. <del>150</del> <u>240</u>	Verification of Reports, Registrations and Statements
2.17. <del>160</del> <u>245</u>	<u>False Statement or Misrepresentation by Lobbyist or Metro Official</u>
<u>2.17.250</u>	Public Nature of Reports, Registrations and Statements
2.17. <del>170</del> <u>260</u>	Sanctions for Violations
<del>2.17.180</del>	<del>Pending Enforcement by Oregon Government Standards and Practices Commission (repealed Ord. 06-1112 §5)</del>
<u>2.17.010</u>	<u>Purpose and Policy</u>

(a) The Metro Council hereby declares that the purpose of this Chapter is to ensure that Metro serves the public and informs the public fully concerning its decision making. In accordance with such purposes, this Chapter establishes a Code



of Ethics for Metro and requirements for lobbyists appearing before Metro.

(b) In adopting this Chapter, the Metro Council intends:

- (1) To be consistent with and to add to current public policy established by the Oregon Legislative Assembly;
- (2) To require Metro officials to operate under high ethical standards;
- (3) To require Metro officials to treat their offices and positions as a public trust whose powers and resources are to be used for the benefit of the public and not for any personal benefit; and
- (4) To require individuals and entities appearing before Metro to identify themselves and the interests they represent.

(c) It is the policy of Metro that all Metro officials and employees strictly comply with the Code of Ethics contained in ORS Chapter 244.040.

(Ordinance No. 99-795B, Sec. 1.)

#### 2.17.020 Definitions

For the purposes of this Chapter, unless the context requires otherwise, the following terms shall have the meaning indicated~~+, :~~

(a) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

(b) "Business with which the Metro official is associated" means ~~any:~~

- (1) Any private business or closely held corporation of which the person or the ~~person's~~ person's

(Effective ~~04/13/11~~10/30/14)

2.17 - 2 of 23

relative is a director, officer, owner or employee, or agent or any private business or closely held corporation in which the person or the ~~person's~~ relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding calendar year, ~~but excluding any income producing not for profit corporation that is tax exempt under Section 501(c) of the Internal Revenue Code with;~~

- (2) Any publicly held corporation in which the person or the person's relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year;
- (3) Any publicly held corporation of which the person or the person's relative is a director or officer; or
- (4) For public official is associated in officials required to file a nonremunerative capacity statement of economic interest under ORS 244.050, any business listed as a source of income as required under ORS 244.060 (3).

(c) "Consideration" includes a gift, payment, distribution, loan, advance or deposit of money or anything of value, and includes a contract, promise or agreement, whether or not legally enforceable.

(d) "Department Director" means any person employed by Metro in a position on a permanent basis which authority is to administer a department of Metro as designated by the Chief Operating Officer.

(e) "Doing business" means entering into a direct contractual relationship with a business with which the Metro official is associated.

(f) "Elected official" means any person elected or appointed as a member of the Metro Council, or the Auditor.

(g) "Employer of a lobbyist" means the individual or entity required to grant official authorization to a lobbyist to lobby on their behalf pursuant to Section 2.17.110200(a)(2).

(h) "Ethics" means positive principles of conduct, some of which are also enforced by federal, state or other local law.

~~(i) "Exercise of official authority" means: Metro elected officials and the Chief Operating Office and Metro Attorney have authority to exercise official responsibility over any Metro matter. Appointed commissioners have authority over any matter over which the relevant commission has jurisdiction. Department Directors have authority over any matter related to the department they administer. Metro employees have authority over matters as assigned to them by their supervisors.~~

~~(j) "Gift" means "~~(i) "Gift" means something of economic value given to a public official, a candidate or a relative or member of the household of the public official or candidate:

(1) Without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or candidates or the relatives or members of the household of public officials or candidates on the same terms and conditions; or

(2) For valuable consideration less than that required from others who are not public officials or candidates.

(3) "Gift" as defined in "does not mean those items excluded by ORS 244.020(6)(a). ~~However, b)~~".

~~(j) "Honorarium" means a payment or something of economic value given to a public official in exchange for the purpose of this chapter, "Gift" does not services upon which custom or propriety prevents the setting of a price. Services include plaques, mementos or similar items, but are not limited to, speeches or other services rendered in connection with little or no intrinsic value. an event.~~

(k) "Legislative action" means introduction, sponsorship, testimony, debate, voting or any other official action on any ordinance, resolution, amendment, nomination, appointment or

report, or any matter which may be the subject of action by the Metro Council or any committee thereof.

(l) "Legislative or administrative interest" means an economic interest, distinct from that of the general public, in one or more contracts, agreements, relationships, ordinances, resolutions, regulations, proposals or any other matters subject to the action or vote of ~~a Metro official or Metro employee~~ the specific Public Official.

(m) "Lobbying" means influencing, or attempting to influence, legislative action through oral or written communication with Metro officials, solicitation of others to influence or attempt to influence legislative action or attempting to obtain the good will of Metro Councilors.

(n) "Lobbyist" means: (i) Any individual who agrees to provide personal services for money or any other consideration for the purpose of lobbying; and (ii) Any employee of a business, not-for-profit corporation, association, organization or other group, who engages in lobbying.

(o) "Metro" means all of Metro including any department or branch of Metro including any Metro commission or venue.

(p) "Metro ~~commissioner~~ Commissioner" means any person appointed to a position on the Metropolitan Exposition Recreation Commission.

(q) "Metro facilities" means meeting venues, meeting rooms, meeting areas or other Metro property generally available to the public.

(r) "Metro official" means any Department Director, manager, elected official or Metro commissioner.

(s) "Person" means any individual, business, association, corporation, organization or other group.

(t) "Public agency" means any governmental body, including but not limited to the Federal Government, the State of Oregon, any other state of the United States of America, or any public agency or municipal corporation thereof.

(u) "Public official" means any ~~member or member-elect~~ person who, when an alleged violation of any public agency and any member of the staff or an this chapter occurs, is

serving Metro as an elected official, appointed official, employee thereof, or agent, irrespective of whether the person is compensated for such services.

~~—(v)(v) "Relative" means:~~

- (1) The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the public official or candidate;
- (2) The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the spouse of the public official or candidate;
- (3) Any individual for whom the public official or candidate has a legal support obligation;
- (4) Any individual for whom the public official provides benefits arising from the public official's public employment or from whom the public official receives benefits arising from that individual's employment; or
- (5) Any individual from whom the candidate receives benefits arising from that individual's employment.

(w) "Whistleblowing" means disclosing information pursuant to the protective provision of The Oregon Whistleblower Law (renumbered in 2001: ORS 659A.200 through 659A.224). In addition, whistleblowing shall include disclosing information regarding the violation of any provision of the Metro Charter or Metro Code.

(Ordinance No. 99-795B, Sec. 1. Amended by Ordinance No. 02-967, Sec. 1.)

2.17.025 Gift Exceptions "Gift" does not include those exceptions set forth in ORS 244.020(6)(b).

~~2.17.030 —Giving and Receiving Gifts Prohibited by Lobbyists Registered with Metro~~ Gift Limit

~~(a) All Metro officials, lobbyists and employers of lobbyists registered with Metro shall comply strictly with the following requirements: During a calendar year, a public~~

official, a candidate, or a relative or member of the household of the public official or candidate, may not solicit or receive, directly or indirectly, any Gift or Gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative or administrative interest, unless a specific exemption to the gift limit applies as set forth in ORS 244.020 (6)(b).

~~(1) No Metro official shall solicit or receive, whether directly or indirectly, a gift from any lobbyist or employer of a lobbyist registered with Metro.~~

~~(2) No lobbyist or employer of a lobbyist registered with Metro shall offer any gift to any Metro official or Metro employee.~~

(b) During a calendar year, a person who has a legislative or administrative interest may not offer to the public official or a relative or member of the household of the public official any gift or gifts with an aggregate value in excess of \$50.

(c) During a calendar year, a person who has a legislative or administrative interest may not offer to the candidate or a relative or member of the household of the candidate any gift or gifts with an aggregate value in excess of \$50.

~~(Ordinance No. 99-795B, Sec. 1.)~~

#### 2.17.040 Prohibited Use of Official Position

(a) Except as provided in subsection (b) of this section, a public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding of the official position or office.

(b) Subsection (a) of this section does not apply to:

(1) Any part of an official compensation package as determined by the public body that the public official serves;

- (2) The receipt by a public official or a relative or member of the household of the public official of an honorarium or any other item allowed under ORS 244.042;
- (3) Reimbursement of expenses;
- (4) An unsolicited award for professional achievement;
- (5) Gifts that do not exceed the limits specified in ORS 244.025 or Metro Code 2.17.030 received by a public official or a relative or member of the household of the public official from a source that could reasonably be known to have a legislative or administrative interest;
- (6) Gifts received by a public official or a relative or member of the household of the public official from a source that could not reasonably be known to have a legislative or administrative interest; or
- (7) The receipt by a public official or a relative or member of the household of the public official of any item, regardless of value, that is expressly excluded from the definition of "gift" in ORS 244.020.

(c) A public official may not solicit or receive, either directly or indirectly, and a person may not offer or give to any public official any pledge or promise of future employment, based on any understanding that the vote, official action or judgment of the public official would be influenced by the pledge or promise.

(d) A public official may not attempt to further or further the personal gain of the public official through the use of confidential information gained in the course of or by reason of holding position as a public official or activities of the public official.

(e) A person who has ceased to be a public official may not attempt to further or further the personal gain of any person through the use of confidential information gained in the course

of or by reason of holding position as a public official or the activities of the person as a public official.

(f) A person may not attempt to represent or represent a client for a fee before the governing body of a public body of which the person is a member. This subsection does not apply to the person's employer, business partner or other associate.

(g) The provisions of this section apply regardless of whether actual conflicts of interest or potential conflicts of interest are announced or disclosed.

#### 2.17.045 Honoraria

(a) Except as provided in subsection (c) of this section, a public official may not solicit or receive, whether directly or indirectly, honoraria for the public official or any member of the household of the public official if the honoraria are solicited or received in connection with the official duties of the public official.

(b) Except as provided in subsection (c) of this section, a candidate may not solicit or receive, whether directly or indirectly, honoraria for the candidate or any member of the household of the candidate if the honoraria are solicited or received in connection with the official duties of the public office for which the person is a candidate.

(c) This section does not prohibit:

- (1) The solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or
- (2) The solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the public official or candidate.

#### 2.17.050 Conflicts of Interest

(a) "Actual conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or



detriment arises out of circumstances described in subsection (b) of this section.

(b) "Potential conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated, unless the pecuniary benefit or detriment arises out of the following:

- (1) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position;
- (2) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged; or
- (3) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

#### 2.17.060 Methods of Handling Conflicts of Interests

(a) Except as provided in subsection (b) of this section, when met with an actual or potential conflict of interest, a public official shall:

- (1) If the public official is a member of the Metro Council or MERC Commission, announce publicly, pursuant to Council or Commission rules, the nature of the conflict before taking any action thereon in the capacity of a public official.
- (2) If the public official is any other Metro Official subject to this chapter, notify in writing the person who supervises or appointed the public official to office of the nature of

the conflict, and request that the appointing or supervising authority dispose of the matter giving rise to the conflict. Upon receipt of the request, the appointing authority or supervisor shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the official to dispose of the matter in a manner specified by the supervisor appointing authority.

(b) A member of the Metro Council or MERC Commission, shall:

(1) When met with a potential conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official; or

(2) When met with an actual conflict of interest, announce publicly the nature of the actual conflict and:

(A) Except as provided in subparagraph (B) of this paragraph, refrain from participating as a public official in any discussion or debate on the issue out of which the actual conflict arises or from voting on the issue; or

(B) If any public official's vote is necessary to meet a requirement of a minimum number of votes to take official action, be eligible to vote, but not to participate as a public official in any discussion or debate on the issue out of which the actual conflict arises.

(c) Nothing in subsection (a) or (b) of this section requires any public official to announce a conflict of interest more than once on the occasion which the matter out of which the conflict arises is discussed or debated.

#### 2.17.070 Whistleblowing

(a) The Council specifically recognizes the provisions of The Oregon Whistleblower Law (ORS 659A.200 through 659A.224). The Council directs the Chief Operating Officer, pursuant to ORS

659A.221, to establish for Metro the specific regulations and procedures to implement the Oregon Whistleblower Law.

(b) Metro officials shall recognize whistle-blowing as appropriate, and in accordance with state law. However, this provision shall not preclude taking disciplinary action against any Metro employee when it is appropriate to do so for independent reasons.

(Ordinance No. 99-795B, Sec. 1. Amended by Ordinance No. 02-967, Sec. 1.)

#### ~~2.17.050 Financial Reporting Requirements~~

~~(a) Elected officials shall comply with the reporting requirements established by ORS 244.060, including the filing of a Statement of Economic Interest on an annual basis as required by state law. A copy of the Statement of Economic Interest shall be filed with the Chief Operating Officer at the time of filing with the appropriate state agency.~~

~~(b) All Department Directors and Metro commissioners shall file annually with the Chief Operating Officer a Statement of Economic Interest which is substantially consistent with that required by ORS 244.060.~~

~~(c) In addition, the Statement of Economic Interest shall disclose the ownership of any real property outside the Metro boundary and within Multnomah, Clackamas or Washington County.~~

~~(Ordinance No. 99-795B, Sec. 0801. Amended by Ordinance No. 11-1251, Sec. 1)~~

#### ~~2.17.060 Restrictions on Meals and Entertainment~~

~~(a) No Metro official shall solicit or receive entertainment from any lobbyist or employer of a lobbyist registered with Metro.~~

~~(b) No lobbyist or employer of a lobbyist registered with Metro shall furnish to a Metro official admission to entertainment.~~

~~(c) Metro officials shall not solicit or receive meals from any lobbyist or employer of a lobbyist registered with Metro if the cost of the meal exceeds the amount allowed by the~~

~~United States Internal Revenue Service as a deductible business travel expense.~~

~~———— (d) No lobbyist or employer of a lobbyist registered with Metro shall furnish a Metro official meal if the cost of the meal exceeds the amount allowed by the United States Internal Revenue Service as a deductible business travel expense.~~

~~———— (e) However, subject to the limits of ORS Chapter 244, Metro officials may attend fundraising events benefiting non-profit tax exempt entities as guests of lobbyists or employers of lobbyists registered with Metro. Lobbyists or employers of lobbyists registered with Metro may pay the cost of Metro officials attending such fundraising events.~~

~~(Ordinance No. 99-795B, Sec. 1.)~~

#### ~~2.17.070 Reimbursement for Attendance at Events~~

~~Metro officials may not accept food, lodging and travel from any person with a legislative or administrative interest in Metro when participating in an event which bears a relationship to the Metro officials' office when appearing in their official capacities unless the cost of the food, lodging, or travel would have been eligible for payment as a Metro expense and the incurrence of the expense with Metro funds has been approved prior to the event by the appropriate authority.~~

~~(Ordinance No. 99-795B, Sec. 1.)~~

#### ~~2.17.090 Prohibition Against Doing Business With Metro Officials~~

(a) Except as provided for in subsections (b) and (c), Metro may not do business with any Metro official while the official is in office or within one year after the Metro official ceases to be a Metro official if the official had authority to exercise official responsibility in the matter. Any contract entered into in violation of this provision is void.

(b) Upon the request of the Chief Operating Officer or a Metro commission, the Council may waive the effect of the prohibition contained in subsection (a) upon making written findings that:

~~———— (1) It is in the best interests of Metro to do business with the Metro official.;~~

(Effective ~~04/13/11~~10/30/14)

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~~(2) The Metro official took no action while in office that directly related to the preparation of the terms and conditions in the contract documents that may give an appearance of impropriety or favoritism.; and~~

~~(3) Other factors exist which are explicitly found by the Council to benefit Metro that outweigh the policy considerations of ensuring that no appearance of favoritism exists in the award of Metro contracts.~~

~~(c) This section applies only to Metro officials who first take office or are re-elected or re-appointed to an office after September 7, 1995.~~

~~(3) Other factors exist which are explicitly found by the Council to benefit Metro that outweigh the policy considerations of ensuring that no appearance of favoritism exists in the award of Metro contracts.~~

(c) This section shall not be construed to permit any activity that is otherwise prohibited by any other statute, rule, ordinance, or other law.

(Ordinance No. 99-795B, Sec. 1. Amended by Ordinance No. 02-967, Sec. 1.)

#### 2.17.090 Financial Interest in Public Contract

(a) Except as provided in subsection (c) of this section, a person who ceases to hold a position as a public official may not have a direct beneficial financial interest in a public contract described in subsection (b) of this section for two years after the date the contract was authorized.

(b) Subsection (a) of this section applies to a Metro contract that was authorized by:

- (1) The person acting in his or her official capacity when the contract was authorized; or
- (2) A board, commission, council, bureau, committee or other governing body of a public body of which the person was a member when the contract was authorized.

(c) Subsection (a) of this section does not apply to a person who held his or her official position when the contract was authorized, but who did not participate in the authorization of the contract.

2.17.100 Regulation of Subsequent Employment Of Metro Officials

(a) A Metro Official shall not:

(1) Within one year after the Metro Official no longer works at Metro:

(A) Become an employee of or receive any financial gain, other than reimbursement of expenses, from any private employer who worked with Metro on matters over which the former Metro Official had authority; or

(2) Within two years after the Metro Official no longer works at Metro:

(A) Be a lobbyist for or appear as a representative before Metro related to any program, project, issue, or activity over which the person exercised authority as a Metro official; or

(B) Influence or try to influence the actions of the agency.

(b) A public official who has been an attorney with the Office of Metro Attorney shall not, within two years after the person ceases to hold the position, lobby or appear before Metro related to any matter over which the person exercised authority as an attorney at Metro.

(c) A public official who has been the Metro Chief Financial Officer or Deputy Chief Financial Officer shall not, within one year after leaving Metro:

(1) Accept employment from or be retained by any private entity with whom Metro negotiated or to whom either awarded a contract providing for payment by Metro of at least \$25,000 in any single year during the time that person held that position;

(2) Accept employment from or be retained by any private entity with whom the office of the State Treasurer or the Oregon Investment Council placed at least \$50,000 of investment moneys in any single year during the term of office of the treasurer; or

(3) Be a lobbyist for an investment institution, manager or consultant, or appear before the office of the State Treasurer or Oregon Investment Council as a representative of an investment institution, manager or consultant.

(d) A public official who as part of the official's duties invested public funds shall not within two years after the public official ceases to hold the position:

(1) Be a lobbyist or appear as a representative before the agency, board or commission for which the former public official invested public funds;

(2) Influence or try to influence the agency, board or commission; or

(3) Disclose any confidential information gained as a public official.

(e) A person who has been a member of the Metro Council may not receive money or any other consideration for lobbying Metro performed for two years after the date the person ceases to be a member of the Metro Council.

(f) Upon the request of the Chief Operating Officer or a Metro commission, the Council may waive the effect of the prohibition contained in subsection (a) upon making written findings that:

(1) It is in the best interests of Metro to do business with the Metro official;

(2) The Metro official took no action while in office that directly related to the preparation of the terms and conditions in the contract documents that may give an appearance of impropriety or favoritism; and

(3) Other factors exist which are explicitly found by the Council to benefit Metro that outweigh the policy considerations of ensuring that no appearance of favoritism exists in the award of Metro contracts.

(g) This section shall not be construed to permit any activity that is otherwise prohibited by any other statute, rule, ordinance, or other law.

STATEMENTS OF ECONOMIC INTEREST / FINANCIAL REPORTING

2.17.110 Financial Reporting Requirements

(a) As required by ORS 244.050(m) and ORS 244.060, every member of the Metro Council, and the Chief Operating Officer, is required to file with the Oregon Government Ethics Commission a verified statement of economic interest on or before April 15 of each year, in compliance with ORS Chapter 244. A copy of the Statement of Economic Interest shall also be filed with the Metro Auditor at the time of filing with the appropriate state agency.

(b) In addition, the Statement of Economic Interest shall disclose the ownership of any real property outside the Metro boundary and within Multnomah, Clackamas or Washington County.

(Ordinance No. 99-795B, Sec. 1. Amended by Ordinance No. 11-1251, Sec. 1)

LOBBYING

2.17.200 Registration of Lobbyists

(a) Within three (3) working days after exceeding the limit of time specified in Code Section 2.17.~~120~~210(a)(5), each lobbyist shall register by filing with the Metro Council a statement containing the following information:

—————(1) The name, email address, telephone number, and address of the lobbyist-i

(2) The name, email address, telephone number and address of each person or agency by whom the lobbyist is employed or in whose interest the lobbyist appears or works, a description of the



trade, business, profession or area of endeavor of that person or agency, and a designation by each such person or agency that the lobbyist is officially authorized to lobby for that person or agency~~;~~i

- (3) The name of any member of the Metro Council who is in any way employed by the lobbyist employer designated in paragraph (b) of this subsection or who is employed by the lobbyist or whether the lobbyist and member are associated with the same business. Ownership of stock in a publicly traded corporation in which a member of the Metro Council also owns stock is not a relationship which need be stated~~;~~and

- (4) The general subject or subjects of the legislative interest of the lobbyist.

(b) The designation of official authorization to lobby shall be signed by an officer of each such corporation, association, organization or other group or by each individual by whom the lobbyist is employed or in whose interest the lobbyist appears or works.

(c) A lobbyist must revise the statements required by subsection (a) of this section if any of the information contained therein changes within 30 days of the change.

- (d) (1) Except as provided in subsection (d)(2), a lobbyist registration expires on January 31 of the next odd-numbered year after the date of filing or refiling.

- (2) A lobbyist registration filed on or after July 1 of any even-numbered year expires on January 31 of the second odd-numbered year after the date of filing or refiling.

(Ordinance No. 99-795B, Sec. 1. Amended by Ordinance No. 06-1112, Sec. 1.)

#### 2.17.~~120210~~ Exemptions to Lobbyist Registration Requirements

(a) The requirements of Code Section 2.17.~~110210~~ through Code Section 217.~~140240~~ do not apply to the following:

- (1) News media or their employees or agents, who in the ordinary course of business publish or broadcast news items, editorials or other comments or paid advertisements which directly or indirectly urge legislative action if such persons engage in no other activities in connection with such legislative action~~-.;~~
- (2) Any Metro official acting in an official capacity~~-.;~~
- (3) Public officials acting in their official capacity as a member or employee of a public agency~~-.;~~
- (4) Any individual who receives no additional consideration for lobbying and who limits lobbying activities solely to formal appearances to give testimony before Metro Council or any of its committees, and who, if the individual testifies, registers an appearance in the records of the Council or its committees~~-.;~~ or
- (5) Any person who spends not more than five (5) hours during any calendar quarter lobbying, excluding travel time.

(Ordinance No. 99-795B, Sec. 1.)

2.17.130215 Prohibited Lobbyist Conduct

(a) A lobbyist may not instigate the introduction of any legislative action for the purpose of obtaining employment to lobby in opposition to the legislative action.

(b) A lobbyist may not attempt to influence the vote of any member of the Metro Council by the promise of financial support of the candidacy of the member, or by threat of financing opposition to the candidacy of the member, at any future election.

(c) A person may not lobby or offer to lobby for consideration any part of which is contingent upon the success of any lobbying activity.

(d) A Metro Official may not receive consideration other than from Metro for acting as a lobbyist in Oregon for Metro.

(Effective ~~04/13/11~~10/30/14)

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2.17.220 Statements of Lobbying Expenses

Any lobbyist who engages in any lobbying activities shall file with the Council by ~~January 31~~April 15 of each year a statement for the preceding calendar year showing ~~the~~ :

(a) The total amount of all moneys expended for food, refreshments and entertainment by the lobbyist for the purpose of lobbying.

(b) The name of any Metro official who attended a fund raising event for a non-profit tax exempt entity as a guest of the lobbyist, including Official to whom or for whose benefit, on any one occasion, an expenditure is made for the purposes of lobbying, and the date, name of the non-profit entity payee, purpose and amount of that expenditure. This paragraph applies if the total amount expended on the occasion by one or more persons exceeds \$50.

(c) Statements required by this section need not include amounts expended by the lobbyist for personal living and travel expenses and office overhead, including salaries and wages paid for staff and secretarial assistance, and maintenance expenses.

(d) If the amount of any expenditure required to be included in a statement is not accurately known at the time the statement is required to be filed, an estimate of the expenditure shall be submitted in the statement and designated as an estimate. The exact amount expended for which a previous estimate was made shall be submitted in a subsequent report when the information is available.

(e) A statement required by this section shall include a copy of any notice provided to a public official or candidate under ORS 244.100.

(Ordinance No. 99-795B, Sec. 1. Amended by Ordinance No. 06-1112, Sec. 2.)

2.17.~~140~~230 Employers of Lobbyists Expense Statements

(a) Any person employing on whose behalf a lobbyist who was registered registered, or who was required to register, with the Oregon Government Standards and Practices Ethics Commission at any time during the calendar year shall file with the Council by ~~January 31~~ commission, according to the schedule described in ORS

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171.752, a statement for the preceding calendar year showing the for the applicable reporting period:

- (1) The total amount of all moneys expended for lobbying activities on the person's behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying services;
- (2) The name of any Metrolegislative or executive official who attended a fund raising event for a non-profit tax exempt entity as a guest of the employer to whom or for whose benefit, on any one occasion, an expenditure is made for the purposes of a lobbyist, but lobbying by the person, and the date, name of payee, purpose and amount of that expenditure. This paragraph applies if the total amount expended on the occasion by one or more persons exceeds \$50. This paragraph does not including apply to information previously reported in compliance with Section 2.17.130 ORS 171.745; and the date,
- (3) The name of each registered lobbyist or entity comprised of more than one lobbyist to whom the person paid moneys for lobbying activities on the non-profit person's behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying services, and the total amount of moneys paid to that lobbyist or entity and amount of expenditure.

(b) A statement required under subsection (1) of this section shall include a copy of any notice provided to a public official or candidate under ORS 244.100.

(Ordinance No. 99-795B, Sec. 1. Amended by Ordinance No. 06-1112, Sec. 3.)

2.17.150240 Verification of Reports, Registrations and Statements

(a) Each report, registration or statement required by this Chapter shall contain or be verified by a written declaration that it is made under the penalties of false swearing.

(b) No person shall willfully make and subscribe any document which contains or is verified by a written declaration for

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false swearing which the person does not believe to be true and correct to every matter.

(Ordinance No. 99-795B, Sec. 1.)

2.17.160245 False Statement or Misrepresentation by Lobbyist or Metro Official

(a) No lobbyist or public official, as defined in ORS 244.020, shall make any false statement or misrepresentation to any legislative or executive official or, knowing a document to contain a false statement, cause a copy of such document to be received by a legislative or executive official without notifying such official in writing of the truth as prescribed in subsection (b) of this section.

(b) It is a defense to a charge of violation of subsection (a) of this section if the person who made the false statement or misrepresentation retracts the statement or misrepresentation and notifies the official in writing of the truth:

- (1) In a manner showing complete and voluntary retraction of the prior false statement or misrepresentation; and
- (2) Before the subject matter of the false statement or misrepresentation is submitted to a vote of a committee or the Metro Council or is relied upon by an executive official in an administrative hearing.

(c) As used in this section:

- (1) "False statement or misrepresentation" means the intentional misrepresentation or misstatement of a material fact.
- (2) "Material" means that which may have affected the course or outcome of any proceeding or transaction if known prior to the proceeding or transaction.

2.17.250 Public Nature of Reports, Registrations and Statements

All information submitted to the Oregon ~~Government Standards and Practices~~Ethics Commission or Council in any report,

registration or statement required by this Chapter is a public record.

(Ordinance No. 99-795B, Sec. 1.)

2.17.170260 Sanctions for Violations

A

In addition to any such penalties as otherwise may be provided by law, a person who violates any provision of this Chapter or fails to file any report, registration or statement or to furnish any information required by this Chapter shall be subject to a civil penalty in an amount not greater than \$500.

However, no Metro official shall be subject to any sanction by Metro for a violation of this Chapter that resulted from the receipt of any gift, meal, or entertainment from any person who is not currently registered with Metro as a lobbyist or is not designated on a lobbyist's registration as the employer of a lobbyist.

(Ordinance No. 99-795B, Sec. 1. Amended by Ordinance No. 06-1112, Sec. 4.)

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## **STAFF REPORT**

### **IN CONSIDERATION OF ORDINANCE NO. 14-1343, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 2.17 TO COMPLY WITH CURRENT STATE LAW AND DECLARING AN EMERGENCY**

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Date: October 8, 2014

Prepared by: Office of Metro Attorney  
Ext. 1511)

## **BACKGROUND**

Metro Code 2.17 established a Code of Ethics for Metro and requirements for lobbyists appearing before Metro. State law on government ethics is found in ORS Chapter 244, and was updated in 2013 to reflect changes passed in the Oregon Legislature. The current provisions of Metro Code 2.17 have not been updated since the passage of that state legislation in 2013. As such, amending the code is needed to ensure consistency with state law.

## **ANALYSIS/INFORMATION**

1. **Known Opposition:** None
2. **Legal Antecedents**
  - a. Metro Ordinance 99-795B (For The Purpose Of Adopting A Code Of Ethics For Metro Officials and Requiring Registration Of Lobbyists)
  - b. Oregon Revised Statutes, Chapter 244 (Government Ethics), Chapter 659A (Unlawful Discrimination)
  - c. Oregon Administrative Rules, Division 20 (Statement of Interest)
3. **Anticipated Effects** Metro Code Chapter 2.17 will be up to date with current state law.
4. **Budget Impacts** None

## **RECOMMENDED ACTION**

The Office of Metro Attorney recommends adoption by the Metro Council of Ordinance 14-1343.

Agenda Item No. 4.2

**Ordinance No. 14-1347, For the Purpose of Amending Metro  
Code Chapter 2.09 (Contractor's Business License Program)**

*Ordinances Second Read*

Metro Council Meeting  
Thursday, October 30, 2014  
Metro, Council Chambers



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO )  
CODE 2.09 (CONTRACTOR’S BUSINESS )  
LICENSE PROGRAM) )  
 )  
 )

ORDINANCE NO. 14-1347

Introduced by Metro Attorney Alison R. Kean  
in concurrence with Council President Tom  
Hughes

WHEREAS, Metro Code 2.09 contains the Contractor’s Business License Program which sets out the procedure for Metro to issue a contractor’s business licenses; establish fees for said licenses; and distribute fees to participating jurisdictions; and

WHEREAS, State law, found in ORS Chapters 671 and 701, authorizes the program; and

WHEREAS, the current provisions of Metro Code 2.09 have not been updated since the passage of state legislation in 2007 which amended the regulatory scheme; and

WHEREAS, there is a need to amend Metro Code 2.09 to be consistent with state law; and

WHEREAS, there is a need to clarify the application and implementation of the program and distribution of fees through amendments;

WHEREAS, Metro staff, in consultation with the Office of Metro Attorney, determined that the proposed amendments are needed and will benefit Metro, participating jurisdictions, and businesses in terms of overall understandability and ease of implementation; NOW THEREFORE,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

- 1. Metro Code Amendment. Metro Code Chapter 2.09 is hereby amended and re-adopted in its entirety as attached hereto in Exhibit A to this ordinance.

ADOPTED by the Metro Council this 30 day of October, 2014.

\_\_\_\_\_  
Tom Hughes, Council President

Attest:

Approved as to Form:

\_\_\_\_\_  
Alexandra Eldridge, Recording Secretary

\_\_\_\_\_  
Alison R. Kean, Metro Attorney

Exhibit A to Ordinance

CHAPTER 2.09

CONTRACTOR'S BUSINESS LICENSE PROGRAM

SECTIONS	TITLE
2.09.010	Purpose and Authority
2.09.020	Definitions
2.09.030	Eligibility and License Issuance
2.09.040	Denial of Issuance
2.09.050	Exemptions
2.09.060	License <del>Applicability</del> <u>Effect</u>
2.09.070	Application for License
2.09.080	Application Contents
2.09.090	Validity of the License
2.09.100	Fee
2.09.110	License
2.09.120	Renewal
2.09.130	Revocation
2.09.140	Appeal of a Revoked License or Denied Application
2.09.150	Penalty
2.09.160	Distribution of Fees
2.09.170	Regulations

2.09.010 Purpose and Authority

(a) The purpose of this ordinance is to provide a procedure for Metro to issue a business license to contractors and landscape contracting businesses ~~contractor's business license~~, establish a fee for the license, and distribute to participating jurisdictions the fees collected by Metro.

(b) The authority for Metro ~~the Metropolitan Service District~~ to issue business licenses to contractors and landscape contracting businesses, ~~a contractor's business license~~, establish requirements for the issuance of the license, charge a fee for the license, receive reimbursement for administrative expenses incurred in carrying out this program, determine the ~~dollar amount~~ number of residential building permits issued within the Metro Area, and distribute the fees to participating jurisdictions is granted by ORS 671.750 - 671.755 and ORS 701.013 - 701.015.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 2; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

2.09.020 Definitions

(a) "Contractor" ~~or "Landscape contractor"~~ has the meaning given under ORS 701.005. ~~and ORS 701.015(6)(c), respectively.~~

(b) "Landscape contracting business" has the meaning given under ORS 671.520(2).

~~(bc)~~ "Contractor business license" means a document issued by Metro to a contractor ~~or landscape contractor~~ or landscape contracting business that permits the contractor ~~or landscape contractor~~ or landscape contracting business to conduct business in participating jurisdictions.

~~(ed)~~ "Contractor's business license fee" means any fee paid to Metro for the issuance of a contractor's business license.

~~(de)~~ "Business license tax" means any fee paid by a contractor or landscape contracting business ~~landscape contractor~~ to a city or county for any form of license that is required by the city or county to conduct business in that jurisdiction. The term does not include any franchise fee or privilege tax imposed by a participating jurisdiction upon a public utility under ORS 221.420 or 221.450 or any provision of a city charter.

~~(ef)~~ "Conducting business" means engaging directly, or through officers, agents and employees, in any activity in pursuit of gain. ~~to engage in any activity in pursuit of gain including activities carried on by a contractor or landscape contractor through officers, agents and employees, as well as activities carried on by a contractor or landscape contractor on that contractor's or landscape contractor's own behalf.~~

~~(fg)~~ "Participating jurisdiction" means any city or county located wholly or partly within the boundaries of Metro that has a requirement for a contractor or landscape contracting business ~~landscape contractor~~ to obtain a business license to conduct business in that jurisdiction, and the fee for this license is not based on or measured by adjusted net income.

~~(gh)~~ "Principal place of business" means the location of the central administrative office in this state of a contractor

or landscape contracting business ~~landscape contractor~~ conducting business in the Metro Area.

(~~h~~i) "Residential building permit" means ~~any~~ a building permit issued for the construction or alteration of a residential structure. A residential building permit does not mean an electrical permit, plumbing permit, or mechanical permit.

(j) "Residential structure" has the meaning given under ORS 701.005.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 3; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

#### 2.09.030 Eligibility and License Issuance

Any contractor or landscape contracting business ~~landscape contractor~~ wishing to conduct business in any participating jurisdiction shall be issued a contractor's business license if subsections (a) ~~and through (b)~~ (b) are met by the contractor or landscape contracting business ~~landscape contractor~~:

(a) Presents proof to Metro that the contractor or landscape contracting business ~~landscape contractor~~ has paid the business license tax imposed by ~~the city when~~ each participating jurisdiction in which:

- (1) ~~The principal place of business of landscape contractor is within the city~~  
The contractor or landscape contracting business has its principal place of business; and/or
- (2) ~~Presents proof that landscape contractor or landscape contractor has paid the business tax imposed by the city because the contractor or landscape~~ The contractor or landscape contracting business derives gross receipts of \$125,000  
\$250,000 or more from business conducted within the boundaries of ~~city~~ a participating jurisdiction during the calendar year for which the business license tax is owed.

(b) Presents proof that the contractor or landscape contracting business is currently licensed by the State Construction Contractors Board or Landscape Contractors Board,

respectively, unless exempted from the state licensing requirements by ORS Chapter 701 or 671.

~~(b) (1) Presents proof that the contractor or landscape contractor is currently registered with the State of Oregon Construction Contractor's Board or the State of Oregon Landscape Contractor's Board;~~

(2c) Completes an application as required by Section 2.09.070 of this chapter;

(3d) Pays the contractor's business license fee established in Section 2.09.100 of this chapter; and

(4e) Meets all other license requirements provided under this chapter.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 4; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

#### 2.09.040 Denial of Issuance

(a) Metro shall refuse to issue a license for any one of the following reasons:

- (1) Fraud, misrepresentation or false statement made in the applications at the time of application.
- (2) Failure to present proof at the time of application that the applicant has met all other license requirements provided under this chapter.
- (3) Failure to pay the contractor's business license fee established under Section 2.09.100 of this chapter.

(b) Notice of denial of ~~a~~ an application shall be given in writing to the applicant setting forth the grounds of the denial. Such notice shall be mailed to the applicant at the address that appears on the application for the license. This action of denial may be appealed as provided in Section 2.09.140 of this chapter.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 5. Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

2.09.050 Exemptions

(a) A contractor or landscape ~~contractor~~ contracting business that is required to be licensed by a city within the boundaries of Metro that imposes a business license tax based on or measured by adjusted net income earned by conducting business within the city may not obtain and possess a contractor's business license in lieu of that jurisdiction's business license ~~tax or business~~.

~~———— (b) Certain persons furnishing materials, improving personal property, owner builders, or persons otherwise licensed may be exempt from registration under this chapter under ORS 701.010.~~

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 6; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

2.09.060 License ~~Applicability~~ Effect

~~———— (a) If a contractor or landscape contractor has paid any business license tax imposed by participating jurisdictions in which the contractor or landscape contractor has an office, the contractor or landscape contractor may apply for a contractor's business license from Metro.~~

~~———— (b) If a contractor or landscape contractor has been issued a contractor's business license by Metro, the Except as provided for in 2.09.050, a contractor or landscape contracting business issued a contractor's business license by Metro ~~landscape contractor~~ may conduct business without any other business license in participating jurisdictions in which the contractor or landscape contracting business: landscape contractor:~~

- (1) Has no ~~office~~ principal place of business;
- (2) Has not derived gross receipts of \$250,000 or more from business conducted within the boundary of the participating jurisdiction during the calendar year for which the business license tax is owed.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 7; Ordinance No. 99-817A, Sec. 1; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

2.09.070 Application for License

To obtain a contractor's business license, a contractor or ~~landscape contractor~~ landscape contracting business must make application in person or by mail to Metro upon forms provided and prescribed by Metro. The completed application shall be filed with the fee described in Section 2.09.100 of this chapter with Metro before a contractor or ~~landscape contractor~~ landscape contracting business is issued a contractor's business license.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 8; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

2.09.080 Application Contents

Each application for a contractor's business license received by Metro shall contain:

- (a) The name of the contractor or landscape contracting business making application.
- (b) The name of a contact person ~~in the business~~.
- (c) The address of the principal place of business of the contractor or landscape contracting business.
- (d) The telephone number of the contractor or landscape contracting business.
- (e) State of Oregon Construction Contractor's Board ~~registration number~~ or State Landscape Contractor's Board license number unless exempted from state licensing requirements by ORS 701 or 671, respectively. If exemption is claimed, the contractor or landscape contracting business making application shall provide a statement of exemption on the form approved by Metro.
- (f) Date of application.

(g) The signature of the contractor or landscape contracting business ~~landscape contractor~~ making the application.

(h) Proof that the contractor or landscape contracting business has paid the business license tax to the participating jurisdiction in which:

(1) The contractor or landscape contracting business has its principal place of business; and/or

(2) The contractor or landscape contracting business derives gross receipts of \$250,000 or more from business conducted within the boundaries of a participating jurisdiction during the calendar year for which the business license tax is owed.

~~(h)~~ Such other information as Metro shall determine.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 9; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

#### 2.09.090 Validity of the License

(a) The license shall be valid from the date of issuance to the first day of the month in the following year; if issued after the middle of any month, the license shall be valid to the first day of the following month of that year. The license shall not be issued for a portion of a year.

(b) Before the expiration of the contractor's business license, Metro shall notify the contractor or ~~landscape contractor~~ landscape contracting business to whom the license was issued of the approaching expiration. Within 90 days prior to the expiration date, the notice shall be mailed to the contractor or landscape contracting business ~~landscape contractor~~ to whom the license was issued at the address shown on the original application for the license maintained by Metro.

(c) Metro is not required to notify the contractor or landscape ~~contractor~~ contracting business of an approaching expiration if the contractor's ~~or landscape contractor's~~ business license has been revoked under Section 2.09.130 of this chapter, or if the contractor or landscape ~~contractor~~ contracting business failed to notify Metro of a change of address.



(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 10. Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

2.09.100 Fee

(a) The fee to be paid by any contractor ~~or landscape contractor~~ for a contractor's business license is ~~\$135~~ to be set by Metro and is nonrefundable.

(b) The fee to be paid by any landscape contracting business for a contractor's business license is to be set by Metro and is non-refundable.

(c) The fees in (a) and (b) above are to be twice the average business license tax charged to contractors and landscape contracting businesses, respectively, in participating jurisdictions in Metro's jurisdiction, plus Metro's administrative expenses.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 11; Ordinance No. 99-817A, Sec. 2.; Amended by Ordinance No. 14-1437).

2.09.110 License

Each contractor's business license issued under this chapter shall state upon its face the following:

- (a) The name of the licensee.
- (b) The address of the licensee.
- (c) A unique license number established by Metro.
- (d) The date of issuance.
- (e) The date of expiration.
- (f) Such other information as Metro shall determine.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 12; Ordinance No. 02-967, Sec. 1).

### 2.09.120 Renewal

Each contractor or landscape contracting business ~~landscape contractor~~ requesting renewal of a license must make application, as described in Section 2.09.070 of this chapter, to Metro upon forms provided and prescribed by Metro. The completed application for renewal of the contractor's business license shall be filed with the fee described in Section 2.09.100 of this chapter with Metro before a renewal license is issued.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 14; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

### 2.09.130 Revocation

(a) A license issued under this chapter may be revoked by Metro, after notice, for any of the following reasons:

- (1) Fraud, misrepresentation or false statement contained in the application for the license.
- (2) Fraud, misrepresentation or false statement made in the course of carrying out the licensed activity.
- (3) Conducting the licensed activity in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public.
- (4) Failure to comply with the ordinances and resolutions of a jurisdiction within the boundaries of Metro in which the license holder is conducting business authorized by this license.

(b) Notice of revocation of a license shall be given in writing to the licensee setting forth the grounds of the complaint. Such notice shall be mailed by certified mail at least 10 working days before the date of revocation to the licensee at the address that appears on the application for the license being revoked. Revocation shall be effective 10 working days after notice of revocation.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 15; Ordinance No. 02-967, Sec. 1).

#### 2.09.140 Appeal of a Revoked License or Denied Application

Any contractor or landscape contracting business ~~landscape contractor~~ aggrieved by the action of Metro in denying an application for or revocation of a contractor's business license is entitled to appeal action under the provisions of Metro Code chapter 2.05.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 16; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

#### 2.09.150 Penalty

Any contractor or landscape contracting business that ~~landscape contractor~~ who fails to comply with or violates any provision of this chapter is subject to penalties under Section 1.01.110 of this Code. In the event that a provision of this chapter is violated by a firm or corporation, the officer or contractor or landscape contracting business ~~landscape contractor~~ responsible for the violation shall be subject to the penalty provided in Section 1.01.110 of this Code.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 17.; Amended by Ordinance No. 14-1437).

#### 2.09.160 Distribution of Fees

Metro shall distribute the contractor's business license fees collected by Metro under this chapter to participating jurisdictions after Metro has received reimbursement for administrative expenses incurred in carrying out the provisions of this chapter. At least once a year, each participating jurisdiction shall receive a share of the contractor's business license fees collected by Metro based on a ratio of the number of residential building permits issued by each participating jurisdiction to the total number of residential building permits issued during that year by all participating jurisdictions. Metro shall determine the number of residential building permits issued by participating jurisdictions as required to by ORS 701.015 and 671.755 or otherwise in Metro's discretion if no data anticipated by statute is available.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 18; Ordinance No. 02-967, Sec. 1.; Amended by Ordinance No. 14-1437).

2.09.170 Regulations

The Chief Operating Officer may establish such other contractor's business license regulations, not inconsistent with this chapter, as may be necessary and expedient.

(Ordinance No. 88-248, Sec. 1. Amended by Ordinance No. 91-411, Sec. 19; Ordinance No. 02-967, Sec. 1).

## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 14-1347, FOR THE PURPOSE OF AMENDING METRO CODE 2.09 (CONTRACTOR'S BUSINESS LICENSE PROGRAM)

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Date: October 22, 2014

Prepared by: Tim Collier, Deputy Director,  
Finance and Regulatory Services, 503-797-1913

## BACKGROUND

Metro Code 2.09 contains the Contractor's Business License Program which sets out the procedure for Metro to issue a contractor's business licenses; establish fees for said licenses; and distribute fees to participating jurisdictions. State law, found in ORS Chapters 671 and 701, authorizes the program. The current provisions of Metro Code 2.09 have not been updated since the passage of state legislation in 2007 that amended the regulatory scheme. As such, amending the code is needed to ensure consistency with state law. Amendments proposed will also clarify the application and implementation of the program as well as remove questions raised concerning the criteria controlling the distribution of fees. The proposed amendments are needed and will benefit Metro, participating jurisdictions, and businesses in terms of overall understandability and ease of implementation.

## ANALYSIS/INFORMATION

1. **Known Opposition:** None
2. **Legal Antecedents:** ORS Chapter 701; ORS 701.013-701.015; ORS Chapter 671; ORS 671.750-671.755; Oregon Laws 1987 c.581 §2; Oregon Laws 1989 c.1064 §§1, 2; Oregon Laws 1991 c.79 §§1,2; Oregon Laws 1999 c.176 §1; Oregon Laws 2001 c.409 §10; Oregon laws 2007 c.541 §§43,44
3. **Anticipated Effects:** Consistency with state law; improved implementation of the business license program.
4. **Budget Impacts:** None.

## RECOMMENDED ACTION

The Office of Metro Attorney recommends adoption by the Metro Council of Ordinance No. 14-1347.

Agenda Item No. 4.3

**Ordinance No. 14-1344**, For the Purpose of Amending Metro  
Code Title V, Solid Waste, to Revise Chapter 5.06, Solid Waste  
Community Enhancement Programs

*Ordinances Second Read*

Metro Council Meeting  
Thursday, October 30, 2014  
Metro, Council Chambers

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 14-1344
CODE TITLE V, SOLID WASTE, TO REVISE	)	
CHAPTER 5.06, COMMUNITY	)	Introduced by Chief Operating Officer Martha
ENHANCEMENT PROGRAMS	)	Bennett in concurrence with Council
	)	President Tom Hughes

WHEREAS, the Metro Solid Waste Code is set forth in Title V of the Metro Code; and

WHEREAS, Metro Solid Waste Code Chapter 5.06 contains the requirements for Community Enhancement Programs; and

WHEREAS, under the current version of Chapter 5.06, a solid waste enhancement fee of \$.50 is collected on waste at three transfer stations in the region – Metro Central, Metro South, and Forest Grove; and

WHEREAS, the regional solid waste system has grown and changed significantly since 1990; and

WHEREAS, the Chief Operating Officer has identified the need to update Metro’s community enhancement program to include additional eligible facilities, provide a clear process for collecting and distributing the fee, increase the fee to account for inflation, and establish an enhancement program framework for the future; and

WHEREAS, to achieve the above-referenced objectives, it is necessary to revise Metro Code Chapter 5.06, Community Enhancement Programs, to repeal the language and replace it with updated language; and

WHEREAS, the Chief Operating Officer has developed administrative procedures to provide detail on the implementation of Metro Code Chapter 5.06 as revised; and

WHEREAS, the Chief Operating Officer had prepared a draft intergovernmental agreement to use where local governments administer the solid waste community enhancement program; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The language of Metro Code Chapter 5.06 “Community Enhancement Programs” is repealed and replaced with Metro Code Chapter 5.06 “Solid Waste Community Enhancement Program” as set forth in the attached Exhibit A; and
2. The Chief Operating Officer shall issue administrative procedures in a form substantially similar to Exhibit B; and

3. Where a local government administers a community enhancement program, the Chief Operating Officer shall enter into an intergovernmental agreement substantially similar to the agreement attached as Exhibit C.

ADOPTED by the Metro Council this 30 day of October 2014.

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Tom Hughes, Council President

Attest:

Approved as to Form:

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Alexandra Eldridge, Recording Secretary

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Alison R. Kean, Metro Attorney

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**CHAPTER 5.06**

**SOLID WASTE COMMUNITY ENHANCEMENT PROGRAM**

- 5.06.010 Policy and Purpose
- 5.06.020 Authority and Jurisdiction
- 5.06.030 Amount of Enhancement Fee
- 5.06.040 Enhancement Fee Requirements and Exemptions for Solid Waste Facilities
- 5.06.050 Establishment and Administration of a Solid Waste Community Enhancement Program
- 5.06.060 Solid Waste Community Enhancement Program Advisory Committee
- 5.06.070 Eligibility Criteria for Solid Waste Community Enhancement Projects
- 5.06.080 Goals for Solid Waste Community Enhancement Projects
- 5.06.090 Compliance and Dispute Resolution
- 5.06.100 Administrative Procedures

5.06.010 Policy and Purpose

It is the policy of Metro to establish and implement a solid waste community enhancement program at all eligible solid waste facilities in the Metro region. The purpose of the program is to rehabilitate and enhance the area around the facility from which the fees are collected.

5.06.020 Authority and Jurisdiction

Metro's solid waste authority, including the authority to collect an enhancement fee and establish and implement a solid waste community enhancement program, is established under the Oregon Constitution, ORS Chapters 268 and 459, and the Metro Charter.

5.06.030 Amount of Enhancement Fee

Solid waste facilities subject to this chapter shall collect an amount not exceeding \$1.00 on each ton of putrescible solid waste delivered to the facility and remit the funds to Metro for use as a solid waste community enhancement fee. Eligible solid waste facilities may also collect an amount not exceeding \$1.00 on each ton of non-putrescible waste delivered to the facility when the Metro Chief Operating Officer and facility owner determines it is in the public interest. Metro will set the rate of the enhancement fee under Metro Code Section 5.02.020.

5.06.040 Enhancement Fee Requirements and Exemptions for Solid Waste Facilities

- a) Solid waste facilities that operate all or in part as disposal sites, transfer stations, reload facilities, compost facilities, and energy recovery facilities, as defined by Chapter 5.00, shall collect and remit an enhancement fee under this Chapter.
- b) Where only a portion of a solid waste facility's operations qualify for collection of a fee under subsection (a), the facility shall collect and remit an enhancement fee only on the solid waste it accepts as an eligible facility.
- c) Notwithstanding section (a) above, yard debris reload and yard debris composting facilities are not subject to the requirements of this Chapter.

5.06.050 Establishment of a Solid Waste Community Enhancement Program

- a) Upon approval of a license or franchise application, the Metro Chief Operating Officer will inform a solid waste facility of the requirement to collect a solid waste community enhancement fee. The Metro Chief Operating Officer will require collection of the fee in the facility license or franchise.
- b) The Metro Chief Operating Officer will inform the local government where the facility is located that a solid waste community enhancement fee will be collected by the facility and remitted to Metro.

- c) The solid waste community enhancement program will be administered by (1) Metro directly or through a contract; or (2) the local government where the facility is located, so long as Metro and the local government agree on the terms of an intergovernmental agreement.
- d) The Metro Councilor for the district where the facility is located shall be eligible to participate in the solid waste community enhancement program, including without limitation participation as a co-chair and voting member of the community enhancement committee, regardless of whether Metro or the local government, through an intergovernmental agreement, administers the program.
- e) The Metro Chief Operating Officer will establish a timeline for implementation of a solid waste community enhancement program.
- f) The funds collected and remitted to Metro shall be used for solid waste community enhancement projects chosen by a community enhancement committee and may include administrative costs in an amount set by the Metro Chief Operating Officer.

5.06.060 Solid Waste Community Enhancement Program Advisory Committee

A solid waste community enhancement program established under this section shall have a solid waste community enhancement committee. The committee is responsible for implementation of the program, including without limitation:

- a) Establishment of the enhancement area boundary.
- b) Creation of committee bylaws.
- c) Development of a process for soliciting and selecting solid waste community enhancement projects.
- d) Compliance with the eligibility criteria set forth in Section 5.06.070 and the goals set forth in Section 5.06.080 and creation of additional criteria and goals where needed.
- e) Annually review enhancement program revenue estimates provided by Metro staff and propose how these funds will be allocated for the upcoming fiscal year or funding cycle.
- f) Presentation of an annual report to the Metro Council on all projects approved for funding.
- g) Maintenance of complete and accurate records related to the administration of the program, submitted to Metro annually.

5.06.070 Eligibility Criteria for Solid Waste Community Enhancement Projects

A solid waste community enhancement project must meet the following criteria to be eligible for funding. A solid waste community enhancement committee may apply more restrictive eligibility criteria:

- a) The project must be located in the solid waste community enhancement area boundary as specified by the solid waste community enhancement committee or the project must benefit individuals or programs located inside the solid waste community enhancement area boundary.
- b) The project applicant must be
  - (1) A non-profit organization, including without limitation a neighborhood association or charitable organization with 501(c)(3) status under the Internal Revenue Service; or
  - (2) A school or institution of higher learning; or
  - (3) A local government, local government advisory committee, department or special district provided that they include documented support from the local government executive officer.
- c) The project must not be used to replace any other readily available source of federal, state, local or regional funds.
- d) The project must not promote or inhibit religion.
- e) The project must not discriminate based on race, ethnicity, age, gender, or sexual orientation.
- f) If the project is located on private land, the project application must establish a clear public benefit and must document landowner permission.

5.06.080 Goals for Solid Waste Community Enhancement Projects

Projects shall meet one or more of the following goals and solid waste community enhancement committees shall give priority to projects that best meet with goals. A solid waste community enhancement committee may adopt additional funding goals. The project will:

- a) Improve the appearance or environmental quality of the community.
- b) Reduce the amount or toxicity of waste.
- c) Increase reuse and recycling opportunities.
- d) Result in rehabilitation or upgrade of real or personal property owned or operated by a nonprofit organization having 501(c)(3) status under the Internal Revenue Code.
- e) Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas, and/or improve the public awareness and the opportunities to enjoy them.
- f) Result in improvement to, or an increase in, recreational areas and programs.
- g) Result in improvement in safety.
- h) Benefit youth, seniors, low income persons or underserved populations.

5.06.090 Compliance and Dispute Resolution

The Metro Chief Operating Office is responsible for ensuring compliance with this Chapter.

5.06.100 Administrative Procedures

- a) The Metro Chief Operating Office may issue administrative procedures to implement this chapter.
- b) The Metro Chief Operating Officer shall issue or substantially amend the administrative procedures for this chapter only after providing public notice and the opportunity to comment on the proposed language.
- c) The Metro Chief Operating Officer may hold a public hearing on any proposed new administrative procedures or on any proposed amendment to any administrative procedure if the Metro Chief Operating Officer determines that there is sufficient public interest.



**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**Published:**

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**Administration of Metro Code Chapter 5.06  
Solid Waste Community Enhancement Program**

**Contents**

<b>Policy and Legal Authority.....</b>	<b>Section 1</b>
<b>Application and Purpose.....</b>	<b>Section 2</b>
<b>Program Exempt and Program Eligible Facility Types.....</b>	<b>Section 3</b>
<b>Establishing a Solid Waste Community Enhancement Program.....</b>	<b>Section 4</b>
<b>Establishing a Solid Waste Community Enhancement Committee.....</b>	<b>Section 5</b>
<b>Eligibility Criteria and Goals.....</b>	<b>Section 6</b>
<b>Dispute Resolution.....</b>	<b>Section 7</b>



## **Policy and Legal Authority**

- 1.1 Policy and Legal Authority.
  - 1.1.1 Metro's solid waste planning and implementing authority is established under the Metro Charter, the Constitution of the State of Oregon, and ORS Chapters 268 and 459.
  - 1.1.2 Metro's solid waste community enhancement program is established based on state law (ORS 459.280 and 459.284).
  - 1.1.3 All solid waste administrative procedure shall be subject to the authority of all other applicable laws, regulations or requirements in addition to those contained in this administrative procedure and performance standard.
  - 1.1.4 Administrative procedures are adopted, as necessary, to implement the provisions of Metro Code Chapter 5.06 Solid Waste Community Enhancement Program.
  - 1.1.5 The purpose of these administrative procedures is to protect and preserve the health, safety and welfare of the Metro residents; to protect and preserve the local environment, to implement cooperatively a solid waste community enhancement fee program; and to reduce the volume and toxicity of waste disposed through source reduction, reuse, recycling, and composting.
  - 1.1.6 These administrative procedures and performance standards are issued by the Metro Chief Operating Officer ("Metro COO") pursuant to Metro Code Section 5.06.100.



## **Application and Purpose of Chapter 5.06**

### 2.1 Application of Chapter 5.06

- 2.1.1 Chapter 5.06 shall apply to all eligible solid waste facilities within Metro's jurisdictional boundary that are licensed or franchised by Metro pursuant to Metro Code Chapter 5.01.
- 2.1.2 Metro Code Chapter 5.06 shall apply to all eligible solid waste facilities within Metro's jurisdictional boundaries that are owned by Metro.

### 2.2 Purpose

- 2.2.1 Metro has long recognized that certain solid waste facilities may present economic, environmental, health or other impacts on local host communities.
- 2.2.2 Metro's solid waste community enhancement program provides funds that are used for community enhancement grant projects located in the vicinity of each eligible solid waste facility. Funds are to be used for the rehabilitation and enhancement of the area in and around the facility from which the fees are collected, as determined by each solid waste community enhancement committee established in accordance with Metro Code Chapter 5.06.





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## **Program Exempt and Program Eligible Facilities**

### **3.1 Exempt Facility Types and Ineligible Solid Waste Activities**

3.1.1 The following types of facilities are not subject to Metro Code Chapter 5.06.

3.1.1.1 Reuse or recycling facilities that (A) exclusively receive non-putrescible source-separated recyclable materials and (B) reuse or recycle such materials, or transfer, transport or deliver such materials to a person or facility that will reuse or recycle them.

3.1.1.2 Material recovery facilities that (A) exclusively receive non-putrescible solid waste and conduct material recovery on such waste, and may also (B) receive non-putrescible source-separated recyclable materials and reuse or recycle such materials or transfer, transport or deliver such materials to a person or facility that will reuse or recycle them.

3.1.2 The following types of solid waste activities are not subject to Metro Code Chapter 5.06.

3.1.2.1 Yard debris reloading.

3.1.2.2 Yard debris composting.

3.1.2.1 Material recovery on non-putrescible waste, except as provided in Section 3.3.

3.1.2.2 Recycling or reuse of non-putrescible materials.

### **3.2 Program Eligibility by Facility Type and Solid Waste Activity**

3.2.1 Eligible facility types include, but are not limited to, the following:

3.2.1.1 Disposal sites.

3.2.1.2 Transfer stations.

3.2.1.3 Reload facilities.

3.2.1.4 Energy recovery facilities.

3.2.1.5 Compost facilities.

3.2.2 Eligible solid waste activities include, but are not limited to, the following:

3.2.2.1 Processing, reloading or transfer of putrescible waste (includes food waste and yard debris mixed with food waste).

3.2.2.2 Composting or any other processing of putrescible waste (includes food waste and yard debris mixed with food waste).

3.2.2.1 Energy recovery (including anaerobic digestion of putrescible waste to include food waste and yard debris mixed with food waste).

3.2.2.2 Disposal (includes landfilling and incineration).

3.3 Special conditions related to non-putrescible waste activities at an eligible facility

3.3.1 Non-putrescible waste that is subject to material recovery and delivered to a transfer station or other eligible solid waste facility shall be subject to Metro Code Chapter 5.06 when a facility owner/operator and the Metro COO determines it to be in the public interest.

3.3.2 For the purpose of this section the public interest shall include, but is not limited to: A) the historical program relationship established between a facility and host local government or community (e.g. Metro Central Transfer Station and Metro South Transfer Station), or B) such conditions necessary to operate a new facility, or at an existing facility conducting a new solid waste activity that is subject to Metro Code Chapter 5.06 and Metro Code Chapter 5.01.



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## **Establishing a Solid Waste Community Enhancement Program**

The purpose of this section is to establish a general process for Metro and a host local government to implement and administer a solid waste community enhancement program at an eligible solid waste facility.

### **4.1 New Facilities Without a Solid Waste Community Enhancement Program**

#### **4.1.1. Notification to a host local government.**

Upon receipt of a complete Metro license or franchise application for a new eligible solid waste facility that is subject to this chapter, or a new eligible solid waste activity at an existing facility, the Metro COO shall notify the host local government that it qualifies for the solid waste community enhancement program.

#### **4.1.2 Coordination with Metro and the host local government.**

4.1.2.1 As part of Metro's license and franchise review or renewal process, the Metro COO will notify the local government hosting an eligible solid waste facility that a solid waste community enhancement program shall be established.

4.1.2.2 The Metro COO shall provide the host local government with an opportunity to enter into an intergovernmental agreement to administer the program. As provided in Section 5.1, Metro and the local government may consider other approaches to administer the program if an intergovernmental agreement cannot be established.

4.1.2.3 A host local government shall not be excluded or limited from participating in Metro's solid waste community enhancement program for an eligible solid waste facility, nor shall Metro be limited in implementing a solid waste community enhancement program when a host local government adopts: (1) a tax or charge that imposes a fee on haulers of commercial solid waste or other users of the facility; (2) any tax duly adopted by the local government which is generally applicable for all persons doing business in boundaries of the local government; or (3) any franchise fee collected by the local government from haulers collecting solid waste within the boundaries of the local government,

4.1.2.4 Metro shall not establish a solid waste community enhancement program at a solid waste facility if the respective host local government has implemented and is actively administering a solid waste community enhancement program

for that solid waste facility under separate authority of ORS 459.284 and 459.290.

- 4.1.2.5 Prior to establishing a solid waste community enhancement program at an eligible solid waste facility, the Metro COO shall inform the Metro Council President and the Metro Councilor whose district hosts the solid waste facility of the decision to establish a solid waste community enhancement program and provide the Metro Councilor with the opportunity to chair, co-chair, or otherwise participate in the solid waste community enhancement committee at the option of the Metro Councilor.

#### 4.2 Programs Established Prior to January 1, 2014

Solid waste community enhancement programs that were established prior to January 1, 2014 and are administered through an intergovernmental agreement with a host local government shall be updated and reissued with an effective date of July 1, 2015 to provide consistency with all applicable provisions in Metro Code Chapter 5.06 and these administrative procedures.

#### 4.3 Existing Eligible Facility Without a Solid Waste Community Enhancement Program

The Metro COO shall notify a host local government of an existing eligible solid waste facility within its jurisdictional boundaries regarding a timeframe and process for the implementation and administration of a solid waste community enhancement program in accordance with this chapter.

#### 4.4 Funding

- 4.4.1 Except as provided in Section 3.3, solid waste facilities subject to Metro Code Chapter 5.06 shall collect an amount not exceeding \$1.00 on each ton of putrescible solid waste delivered to the facility and remit the funds to Metro for use as a solid waste community enhancement fee.
- 4.4.2 Metro may periodically adjust the solid waste community enhancement fee based on the Consumer Price Index (CPI) up to the maximum amount set forth in ORS 459.284.
- 4.4.3 On a quarterly basis, Metro will remit the solid waste community enhancement funds to each host local government with a solid waste community enhancement program established by intergovernmental agreement with Metro in accordance with Metro Code Chapter 5.06.
- 4.4.4 Projects funded from a solid waste community enhancement fund will be made with the positive vote of a majority of the solid waste community enhancement committee created to administer such a program. Frequency of funding projects is also to be determined by the committee.



## **Establishing a Solid Waste Community Enhancement Committee**

### **5.1 Establishing a Solid Waste Community Enhancement Committee**

- 5.1.1 For the purpose of establishing a solid waste community enhancement committee, the Metro COO shall coordinate with the host local government and the Metro Councilor whose district hosts the eligible solid waste facility.
- 5.1.2 Metro may designate a solid waste community enhancement committee in accordance with Metro Code Chapter 2.19.
- 5.1.3 The Metro COO may enter into an intergovernmental agreement to designate the host local government as the solid waste community enhancement committee. Such a committee shall consist of at least five members and may include the Metro Councilor whose district hosts the solid waste facility (with the option to serve as co-chair to the committee), and three citizen representatives appointed by the mayor, city manager, or county administrator. In lieu of appointment of such a committee, the local government may designate itself and the Metro Council member representing the district that hosts the solid waste facility (with the option to serve as co-chair to the committee) to perform the function of such committee. The term for such intergovernmental agreements should be established to coincide with the term set forth in the subject facility's Metro license or franchise.
- 5.1.4 The Metro COO may enter into an agreement with a recognized non-profit community organization including, but not limited to, a neighborhood district coalition, neighborhood association, committee for citizen involvement or other similar community-based group having a legally constituted active board of directors. The designated solid waste community enhancement committee shall consist of at least five members, and may include the board of directors, the Metro Councilor whose district hosts the solid waste facility, and any number of citizen representatives appointed by the Metro Councilor whose district hosts the solid waste facility.
- 5.1.5 The Metro COO shall establish the terms and conditions of the agreements for the establishment and administration of a solid waste community enhancement committee as provided in Metro Code Chapter 5.06.

### **5.2 Administration**

- 5.2.1 The administration and distribution of funds from a solid waste community enhancement program shall be subject to the approval of a solid waste community enhancement committee.

- 5.2.2 Each solid waste community enhancement committee or host local government shall promote, advertise, solicit and accept requests for proposals or projects to be funded from the solid waste community enhancement fund within its solid waste community enhancement program area boundary.
- 5.2.3 Either Metro or the host local government shall prepare and publish an annual budget for the solid waste community enhancement account. Each budget shall be subject to review and comment by the solid waste community enhancement committee and shall, at a minimum, identify the proposed allocation of grant funding and administrative costs for the upcoming fiscal year, except that a solid waste community enhancement committee may propose that there be no expenditure of funds during a fiscal year for up to a maximum of three consecutive fiscal years, or longer if approved by the Metro COO or the community enhancement committee.
- 5.2.4 Either Metro or the host local government shall segregate solid waste community enhancement funds by establishing a separate set of accounts for the revenues and expenditures of the solid waste community enhancement program to ensure that only committee-authorized plans, projects, and programs receive funding. Funds not expended during a budget year shall be carried forward to each subsequent year.
- 5.2.5 Each solid waste community enhancement committee or host local government shall publish and follow the project funding criteria in Section 6.1 and goals in Section 6.2 for selecting projects or programs to fund during the fiscal year. A solid waste community enhancement committee may request that Metro modify or change the criteria. A community enhancement committee may publish and follow more restrictive program funding criteria, and may adopt and publish additional goals and/or guidelines.
- 5.2.6 Each solid waste community enhancement committee or host local government shall, provide an annual written report to the Metro COO regarding all expenditures from the enhancement fund and shall itemize all enhancement fund expenditures including the amount of funds expended on each project under its jurisdiction including the funding balance by October 1 of each year.
- 5.2.7 Each solid waste community enhancement committee, upon request by the Metro COO, shall provide an oral presentation to the Metro Council at a time such presentation can be scheduled at a Metro Council meeting.
- 5.2.8 If administrative costs incurred by Metro or the host local government to administer the solid waste community enhancement program are reimbursed from the solid waste community enhancement funds as provided in Section 5.3. The annual report required in Section 5.2.6 shall include an accounting of the funds expended for program administration.
- 5.2.9 Each solid waste community enhancement committee will provide an open public process for project/program review and approval.

### 5.3 Administrative Cost Reimbursement

- 5.3.1 A solid waste community enhancement fund may be used to help defray the direct costs incurred to administer a solid waste community enhancement program by Metro or a host local government (e.g., staff time and materials necessary to set up and administer a solid waste community enhancement program).
- 5.3.2 No more than twenty percent (20%), and not more than \$50,000 of a solid waste community enhancement fund that is collected during a program funding cycle may be used to pay for costs directly associated with administering a solid waste community enhancement program. Administrative costs in excess of these amounts shall not be borne by the solid waste community enhancement fund.

### 5.4 Recordkeeping and Audits

- 5.4.1 Each solid waste community enhancement committee or host local government shall maintain complete and accurate records related to the administration of the program and funds expended under its jurisdiction. The committee shall make these records available to Metro for inspection, auditing, and copying.
- 5.4.2 Metro may require, at Metro's expense, that a solid waste community enhancement committee submit to an independent audit conducted by an auditor chosen by Metro. The audit shall address only those matters reasonably related to the solid waste community enhancement program fund and its administration.



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## **Eligibility Criteria and Goals**

### **6.1 Eligibility Criteria for Funding Solid Waste Community Enhancement Projects**

- 6.1.2 To qualify for funding, a proposed solid waste community enhancement project shall meet the following funding criteria. A designated solid waste community enhancement committee may adopt and publish more restrictive eligibility criteria.
- 6.1.2.1 Be within the solid waste community enhancement area boundaries specified by the designated solid waste community enhancement committee or benefit individuals or programs located inside the community enhancement area boundary.
  - 6.1.2.2 Be from non-profit organizations including, but not limited to, neighborhood associations or charitable organizations with 501(c)(3) status under the Internal Revenue Service, or
  - 6.1.2.3 Be from a school, or institution of higher learning, or
  - 6.1.2.4 Be from a local government, local government advisory committee, department or special district provided that they include documented support from the local government executive officer, and, as a guideline, the requested funding not exceed 15% of an annual solid waste community enhancement program budget or funding cycle, or more as otherwise provided in an intergovernmental agreement between Metro and a host local government.
  - 6.1.2.5 Not replace another readily available source of federal, state, regional or local funds.
  - 6.1.2.6 All applicants must go through the official application, review and approval process established by the solid waste community enhancement committee.
  - 6.1.2.7 Not promote or inhibit religion.
  - 6.1.2.8 Not fund organizations, projects or programs that discriminate based upon race, ethnicity, age, gender or sexual orientation.
  - 6.1.2.9 Be able show a clear public benefit if projects are on private land.



6.1.2.10 Have written landowner permission at the time of application.

## 6.2 Goals for Funding Solid Waste Community Enhancement Projects

- 6.2.1 Projects shall meet one or more of the following goals. Priority will be given to projects that best meet the goals and which offer benefits to the areas and populations most directly impacted by the solid waste facility. A designated solid waste community enhancement committee may adopt and publish additional funding goals. The order of the following listing does not imply ranking or weighting. Projects should:
- 6.2.1.1 Result in an improvement to the appearance or environmental quality of the area/neighborhood within the enhancement area boundaries.
  - 6.2.1.2 Result in the reduction in the amount or toxicity of waste, or increase reuse and recycling opportunities within the enhancement area boundaries.
  - 6.2.1.3 Result in rehabilitation, upgrading or direct increase in the real or personal property owned or operated by a nonprofit organization having 501(c)(3) status under the Internal Revenue Code within the enhancement area boundaries.
  - 6.2.1.4 Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas within the enhancement area boundaries, and/or improve the public awareness and the opportunities to enjoy them.
  - 6.2.1.5 Result in improvement to, or an increase in, recreational areas and programs within the enhancement area boundaries.
  - 6.2.1.6 Result in improvement in the safety of the area within the enhancement area boundaries.
  - 6.2.1.7 Result in projects that benefit youth, seniors, low income persons or underserved populations within the enhancement area boundaries.



**METRO**

**SOLID WASTE  
ADMINISTRATIVE PROCEDURE**

**AP NO. 5.06  
Section 7**

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**Dispute Resolution**

- 7.1 The Metro COO shall, in good faith, attempt to negotiate resolutions to all disputes arising out of the implementation and administration of Metro Code Chapter 5.06 and these administrative procedures. Disputes arising out of or relating to the implementation or administration of Metro Code Chapter 5.06 or these administrative procedures shall be resolved as follows:
- 7.1.1 The Metro COO will review the matter or dispute to determine if there is sufficient reason or cause to take action.
  - 7.1.2 When warranted, the Metro COO will notify the host local government and the solid waste community enhancement committee, the Council President and the corresponding councilor whose district hosts the solid waste facility in writing of the dispute or alleged breach. The notice shall describe the nature of the dispute or alleged breach. The notice shall prescribe a resolution process and include a date by which the host local government or solid waste community enhancement committee must respond to the Metro COO's notice.
  - 7.1.3 Within the period specified by the Metro COO, the host local government or solid waste community enhancement committee shall respond to the notice provided by the Metro COO regarding the dispute. Such response may include information that proves that the dispute or alleged breach has been resolved, or that diligent efforts to correct the dispute or alleged violation is being made and is likely to succeed in a reasonable period of time.
  - 7.1.4 If the Metro COO determines that the dispute or alleged violation has not or cannot be resolved within the manner prescribed and in a reasonable period of time, the Metro COO may take further action, including the modification or termination of an intergovernmental agreement to ensure that the dispute or breach is resolved within a reasonable period of time.

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600 NE Grand Ave.  
Portland, OR 97232-2736  
(503) 797-1700

# Intergovernmental Agreement

METRO CONTRACT NO. \_\_\_\_\_

## DRAFT INTERGOVERNMENTAL AGREEMENT TEMPLATE

THIS AGREEMENT, entered into under the provisions of ORS Chapter 190, is between Metro, a Metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 NE Grand Avenue, Portland, Oregon 97232-2736, and the (*insert name of City or County*) an Oregon municipal corporation, whose address is (*insert address of City or County*).

### Section 1: Purpose

The purpose of this Agreement is to implement the provisions of Metro Code Chapter 5.06 related to the establishment of a Solid Waste Community Enhancement Program (“program”) for (*name of facility*).

### Section 2: Term

This Agreement begins on July 1, 2015 and terminates on June 30, XXXX. The parties may agree to terminate this Agreement earlier. Metro may terminate this Agreement under Section 8. The parties may extend the term of the Agreement by written amendment.

### Section 3: Collection and Distribution of Community Enhancement Fee Funds

- A. Under the terms of Metro *License/Franchise No. XXX*, Metro requires (*insert name of facility*) (“facility”) to collect and remit to Metro a solid waste community enhancement fee of \$1.00 per ton for all putrescible solid waste, including yard debris mixed with food waste, received at the facility.
- B. Metro will send to *City/County* the solid waste community enhancement fee funds (“funds”) collected in A above on January 1, April 1, July 1, and September 1 of each year this Agreement is in effect.
- C. At the request of *City/County*, Metro will provide quarterly reports of activity at the facility, including data on (1) the gross weight of solid waste received in vehicles that are weighed as they enter the facility; (2) the number of other vehicles assessed fees on an estimated volume basis; and (3) the tonnage of solid waste transferred from the facility.
- D. At the request of *City/County*, Metro will assist with the establishment and implementation of the program.

# Intergovernmental Agreement

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## Section 4: City/County Obligations

- A. City/County shall establish and implement a program that complies with Metro Code Chapter 5.06 (Exhibit A), and Metro Administrative Procedures (Exhibit B). Exhibits A and B are incorporated into this Agreement and are binding on City/County.
- B. City/County shall establish a solid waste community enhancement program advisory committee ("committee") that complies with Exhibit A and Exhibit B. City/County shall ensure that the committee fulfills its duties, including without limitation establishment of a solid waste community enhancement area boundary and compliance with Exhibits A and B. The committee membership shall include the mayor or chief executive officer of the City/County, three citizens of City/County appointed by the Mayor, and the Metro Councilor whose district includes City/County. City/County may include additional members at its discretion. OR The City/County and the Metro Councilor whose district includes City/County shall perform the functions of the committee.
- C. City/County shall create a separate program account for deposit of the funds collected under Section 3. City/County shall ensure that only projects chosen by the committee receive these funds. City/County shall carry forward any funds not expended during a budget year to the following year. City/County shall not use the funds for general government purposes.
- D. City/County shall promote the program within the solid waste community enhancement program boundary area. City/County shall publish information about the program, including without limitation funding criteria, goals, application process, and timeline, on its website and in the local newspaper.
- E. City/County shall require the committee to provide an open public process for project review and selection.
- F. City/County shall require the committee to prepare an annual budget. The budget shall identify the expected distribution of funds for projects during a fiscal year. The committee may propose that there be no distribution of funds during a fiscal year, for a maximum of three consecutive years.
- G. City/County shall ensure funding decisions are made by a majority vote of the committee.
- H. City/County shall provide all necessary support to administer the program. City/County may charge the fund no more than 20% of the annual budget, not to exceed \$50,000, for

# Intergovernmental Agreement

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the direct costs of administering the program. Direct costs include staff time and materials.

- I. No later than October 1 of each year, **City/County** shall provide a written report to Metro on the program that includes revenues and expenditures of the program funds and the fund balance carried forward, if any. The report also shall include an accounting of any funds expended for program administration.
- J. **City/County** shall maintain complete and accurate records related to the administration of the program and all funds expended and carried forward, and shall make these records available to Metro for inspection, auditing and copying.

## Section 5: Notices

Legal notice provided under this Agreement shall be delivered personally or by certified mail to the following individuals:

**For City/County:**

Office of **City/County**: Counsel

**For Metro:**

Office of Metro Attorney  
Metro  
600 NE Grand Avenue  
Portland, OR 97232-2736

Management of this Agreement will be conducted by the following designated Project Managers:

**For City/County:**

**For Metro:**

Heather Nelson Kent  
Metro  
600 NE Grand Ave.  
Portland, OR 97232  
(503) 797-XXXX

**City/County** may change the above-designated Project Manager by written notice to Metro. Metro may change the above-designated Project Manager by written notice to **City/County**.

## Section 6: Indemnification

Subject to the limits of the Oregon Constitution and Oregon Tort Claims Act, **City/County** shall hold harmless Metro, its officers and employees from any claims or damages or property or injury to persons or for any penalties or fines, for **City/County**'s actions under this Agreement.

## Section 7: Dispute Resolution

The parties shall attempt to negotiate resolutions to all disputes arising out of this Agreement.

# Intergovernmental Agreement

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## Section 8: Termination

During the term of this Agreement, each party retains the right to terminate the Agreement as of any anniversary date by written notice delivered to the other party no later than 60 days prior to the anniversary date. The parties may terminate this Agreement at any time for nonperformance of any material term thereof.

## Section 9: Insurance

**City/County** agrees to maintain insurance levels, or self-insurance in accordance with ORS 30.282, for the duration of this Agreement to levels necessary to protect against public body liability as specified in ORS 30.270. **City/County** also agrees to maintain for the duration of this Agreement, Workers' Compensation Insurance coverage for all its employees as a self-insured employer, as provided by ORS chapter 656, or disability coverage under its Disability, Retirement and Death Benefits Plan.

## Section 10: Integration and Amendment

This writing contains the entire Agreement between the parties, and may only be amended by written instrument, signed by both parties.

## Section 11: Severability

If any portion of this Agreement is found to be illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken.

## Section 12: Notice of Default

If a party determines that a default exists, that party shall give thirty days' written notice to the other party, which notice shall specify the nature of the default and shall give the other party an opportunity to cure the default before taking any further action.

**City/County**

Metro

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Print name and title

\_\_\_\_\_  
Print name and title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 14-1344, FOR THE PURPOSE OF AMENDING METRO CODE TITLE V, SOLID WASTE, TO REVISE CHAPTER 5.06, COMMUNITY ENHANCEMENT PROGRAMS

Date: October 1, 2014

Prepared by: Bill Metzler 503-797-1666

Adoption of Ordinance No. 14-1344 will update Metro's existing solid waste community enhancement program in Metro Code Chapter 5.06, which has not been comprehensively revised since its inception in 1988. Under the *existing* program, a fee (\$0.50 per ton) is collected on solid waste at Metro Central Transfer Station (Portland), Metro South Transfer Station (Oregon City) and the Forest Grove Transfer Station. The funds are used for community enhancement projects in the vicinity of these solid waste facilities. Effective July 1, 2015, the proposed code revisions will increase the fee to the state maximum of \$1 per ton, and extend the program to all solid waste facilities in the region that qualify under Metro's updated program.

#### BACKGROUND

The region's solid waste system relies on many different facilities to process, transfer, and recover more value from discarded items and reduce what we send to landfills. Metro has long recognized that certain solid waste facilities may present economic, environmental, health or other impacts on local host communities. For more than 25 years, Metro's solid waste community enhancement program has reinvested millions of dollars in communities that host these important facilities.

Metro's original community enhancement program was established based on state law adopted in 1987 (ORS 459.284). Metro's community enhancement policy was adopted as part of the Regional Solid Waste Management Plan (RSWMP) in 1988 and in Metro Code Chapter 5.06 in 1990. Since the late 1980s, Metro has collected \$0.50 per ton on solid waste delivered to Metro's two public transfer stations, the private Forest Grove Transfer Station (owned by Waste Management), and at other facilities until they were closed long ago (St. Johns Landfill and Riedel Composter). The funds have been used to provide grants for projects that are identified by local communities and meet funding guidelines. The \$0.50 fee has not increased since the program's inception, nor has the fee been applied to several new facilities that were established as the region's waste system evolved (with the exception of the proposed Columbia Biogas food waste digestion facility in Northeast Portland that the Metro Council authorized in 2010 but has not yet been built).

The code revision proposal brought forward by this ordinance is the culmination of work directed by the Metro Council and conducted by Metro solid waste and grants administration staff. The process involved many stakeholders that included the Solid Waste Alternatives Advisory Committee, solid waste facility owners, local government solid waste staff, elected officials that host solid waste facilities in their jurisdictions, and community organizations near certain solid waste facilities. An internal project team was assembled to help review Metro's existing solid waste community enhancement program (established in Metro Code Chapter 5.06), and provide recommendations to Metro Council on how the program can be improved to meet current and future needs of the evolving solid waste system. The proposed program updates include issuance of administrative procedures and an intergovernmental agreement template to help guide program implementation (see Exhibits B and C to Ordinance No. 14-1344).

This project supports Metro's efforts in working toward the region's [six desired outcomes](#), specifically that future generations enjoy **clean air, water and healthy ecosystems**, that people live, work and play in **vibrant communities**, and that **equity** exists relative to the benefits and burdens of growth and change to the region's communities.

## Legal Authority

Metro's existing policy related to its solid waste community enhancement program, although not explicitly stated in Metro Code, has been based on state law (ORS 459.280 and 459.284) which, in summary:

- Identifies the types of solid waste facilities that are *eligible and ineligible* from the program.
  - ✓ *Eligible* facilities include landfills, transfer stations, energy recovery and compost facilities.
  - ✓ *Ineligible* facilities are reuse, recycling and material recovery facilities.
- Specifies *not more than \$1.00 per ton* can be collected on the solid waste delivered to a facility.
- Requires the fees be used for the *rehabilitation and enhancement* of the area around the facility from where the fee is collected.
- Requires that an advisory committee ("community enhancement committee") be established to select plans and projects for funding.

While Metro has independent charter authority to develop its own program apart from the state law, staff recommended early on in the process that the program should continue to rely on state law as its legal basis going forward and state that intent explicitly in Metro Code.

## Existing Metro Policy

Metro's existing solid waste community enhancement policy was originally established in the Regional Solid Waste Management Plan (RSWMP) in 1988 (and all updates) and in Metro Code Chapter 5.06 in 1990.

### RSWMP Policy 11.0 - Host Community Enhancement (2008 update):

*Any community hosting a solid waste "disposal site" as defined by ORS 459.280 shall be entitled to a Metro-collected fee to be used for the purpose of community enhancement.*

### Metro Code 5.06.010 - Policy and Purpose (1990):

*It is the policy of Metro to apportion an enhancement fee of \$.50 per ton on solid waste delivered to each site within Metro and dedicate and use the monies obtained for enhancement of the area in and around the site from which the fees have been collected.*

## Metro's Existing Program

Solid waste community enhancement fees (\$0.50 per ton) are currently collected at each of the three active solid waste facilities listed below. Funds are used for annual community enhancement grant projects within the boundaries of the designated enhancement area of the host community. Metro's existing program has been administered in two ways: 1) directly by Metro through a Metro-administered community enhancement committee, or 2) directly by a local government through an intergovernmental agreement (IGA) between Metro and the host local government. Each program has a community enhancement committee that helps promote, solicit, select, and evaluate projects for funding<sup>1</sup>:

- 1) **Forest Grove Transfer Station** - administered through a Metro IGA by the city of Forest Grove.
- 2) **Metro Central Transfer Station** - administered through the Metro Central Enhancement Committee (a Metro-administered community enhancement committee).

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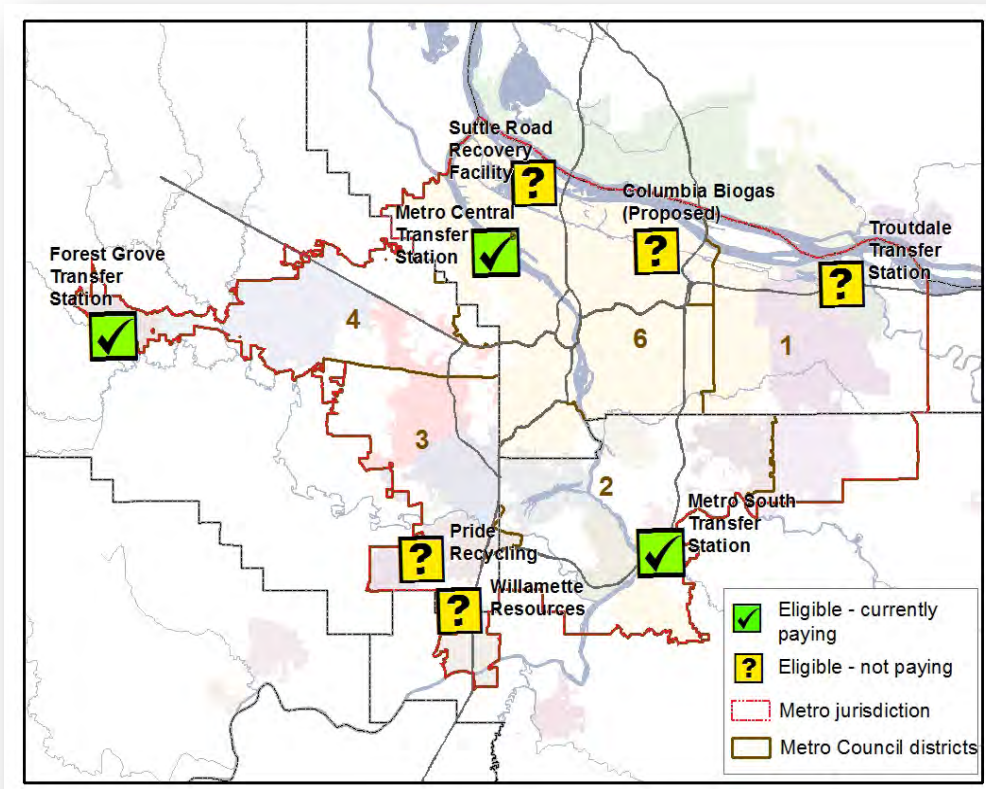
<sup>1</sup> The St. Johns Landfill has long been closed and the North Portland Rehabilitation and Enhancement Committee (a Metro committee) is in the process of spending down the balance of its fund balance. The final grant cycle is now in place.



3) **Metro South Transfer Station** - administered through a Metro IGA by the city of Oregon City.

The map below illustrates the location of the three transfer stations that are currently in the program and paying fees. The map includes the location of other “program eligible” solid waste facilities located in the Metro region that are not yet participating in the program.

Facilities Eligible for Metro’s Solid Waste Community Enhancement Program



As illustrated in the map, there are five other facilities eligible to be in the program, but do not yet have an enhancement program or are not yet paying fees: 1) Troutdale Transfer Station, 2) Pride Recycling, 3) Willamette Resources, Inc., 4) Suttle Road Recovery Facility, and 5) Columbia Biogas (not built).

### Summary of Existing Program Concerns

The solid waste system has grown and changed since 1990. New facilities have been added to the landscape and certain existing facilities have undertaken new solid waste activities that now make certain facilities eligible under state law. However, under the current program, Metro Code Chapter 5.06 does not provide sufficient guidance about how new programs should be initiated or whether Metro or the host local government should coordinate the enhancement program. Moreover, Chapter 5.06 does not specify what types of facilities should be brought into the program or how that should be done given the changing nature of how facilities operate. In addition, the Code does not provide a process or basis for adjusting the \$0.50 per ton fee. One of the fundamental concerns with Metro’s existing program is that it does not provide a clear framework for decision-making and program administration.

## **Key Provisions for Updating Metro’s Solid Waste Community Enhancement Program**

The following are the key program recommendations for modifying the program. These are based on direction received from Metro Council and discussions with stakeholders.

The key elements of the updated program propose to:

### **1. Be based on existing state law.**

- Update the community enhancement program (Metro Code Chapter 5.06) based on state law (ORS 459.284). Future program changes will be guided by the state statutory framework.

### **2. Specify more clearly which type of solid waste facilities and wastes are eligible and ineligible for the program.**

- Eligible facilities include landfills, transfer stations, energy recovery, reloading and composting facilities.
- Ineligible facilities under state law include reuse, recycling and material recovery facilities.
- Yard debris-only reload and yard debris-only composting facilities, although eligible under state law, are not recommended for inclusion at this time pending further evaluation.

State law considers reuse, recycling and material recovery *facilities* to be exempt from the community enhancement program. In 1987, state law did not specifically address modern facilities where multiple activities and waste streams are managed within a single solid waste facility, including a facility that may process dry waste for recovery and transfer wet waste. As a matter of policy, collection of community enhancement fees at solid waste facilities should continue to be guided by the eligible and ineligible criteria established in state law. The type of waste delivered to the facility should generally be used to determine when the fee is collected. For example, fees would generally be collected on putrescible “wet” waste, but not on non-putrescible “dry” waste since dry waste is always required to undergo material recovery in the Metro region. However, the proposal provides for specific exceptions to the wastes covered (see discussion in #3 below).

Although under state law, yard debris reloads and yard debris composting facilities are eligible for the solid waste community enhancement program, staff recommends that these facilities be excluded at this time pending further evaluation. Historically, Metro has not imposed community enhancement fees, or any other fees, on yard debris facilities (e.g. reloading and composting). To do so would represent a major policy shift and expansion of the program creating administrative challenges and problems for already struggling facilities. In addition, there would likely be significant concerns with a new host fee imposed on a large number of established yard debris facilities – there are 13 such facilities currently operating in the Metro region.

### **3. Implement the program at all eligible facilities in the region.**

- An enhancement fee will be collected at all eligible solid waste facilities.
- Enhancement fees will be collected, at minimum, on each ton of putrescible waste delivered to a facility (including commercial food waste or residential food waste mixed with yard debris).
- An enhancement program will be set up for each eligible facility. A community enhancement committee will be established to determine the enhancement boundary, and to select plans, programs and projects for the enhancement area.

Stakeholder feedback from communities and industry indicated a strong concern about the negative and unintended consequences of collecting a fee at one eligible facility but not at another. While the overall impact of the fee is minimal (about \$0.75 per year for a typical residential ratepayer), it could send unintentional price signals that could create an unlevel playing field among facilities or between host local governments. Therefore, as a regional program, it is recommended that it be implemented at all qualifying facilities to help ensure that equity exists relative to the benefits and burdens of growth and change to the region's communities and solid waste system.

Certain stakeholders also indicated that enhancement fees should continue to be collected on all wet and dry solid waste at certain facilities where a difference in the waste streams may be difficult to discern from an impact perspective or where fees have been collected historically on all waste (e.g., Metro Central Transfer Station and Metro South Transfer Station). This primarily applies to the publicly-owned facilities but may be applied at other private operations if it is determined to be in the public interest by the Metro Chief Operating Officer and the facility owner.

#### **4. Increase the enhancement fee from \$0.50 to \$1.00 per ton.**

- Increase the fees currently collected from \$0.50 to \$1.00 per ton (maximum allowed under current state law) by July 1, 2015 (Metro South Transfer Station, Metro Central Transfer Station and Forest Grove Transfer Station).
- Begin collecting fees of \$1.00 per ton at other eligible facilities on July 1, 2015 (e.g. Pride Recycling in Sherwood, Troutdale Transfer Station, Willamette Resources, Inc. in Wilsonville, and Suttle Road Recovery in Portland).
- Establish a process for making future periodic fee adjustments based on inflation if the state statutory limit is ever increased.

The enhancement fee has not been increased since the program was established 26 years ago. Based on inflation since that time, \$0.50 has the same buying power as \$0.98 in 2014 (Consumer Price Index U.S. Bureau of Labor and Statistics). Implementing a community enhancement fee of \$1.00 per ton at all eligible facilities in the region will likely result in about \$0.75 per year increase to residential ratepayers (or around \$0.06 per month at the curb) in increased disposal charges. This is based on an estimated residential disposal of 1,500 pounds per year, which is equivalent to 0.75 tons (for comparison, the city of Portland residential disposal rate is around 1,350 pounds per year). Residential ratepayers whose waste is currently delivered to a facility that collects the existing \$0.50 per ton amount could see an increase of around half that amount – \$0.03 per month or \$0.36 per year. The impact on commercial and business rates would be highly variable since it would be based on the type of business, and the type and amount of waste that a business disposes each year.

#### **5. Provide options for program implementation and Metro coordination with the host local government.**

- Establish a process to implement and administer programs at eligible facilities. Options include:
  - *Metro-administered committee.*
  - *Local government-administered committee.* Host local government to establish or serve as the community enhancement committee and administer the program via an agreement (IGA) with Metro. The host Metro councilor may be involved as the community enhancement committee co-chair or committee participant at the councilor's discretion.
  - *Metro may contract directly with a non-profit or neighborhood organization.* This approach could be used when a local or a Metro-administered community committee is not practical. The

community enhancement committee could be made up of a neighborhood association's (or a non-profit organization's) board of directors and the host Metro councilor may be involved as the community enhancement committee co-chair or committee participant at the councilor's discretion.

Historically, there were two ways for Metro to initiate a new community enhancement program: 1) the Metro Council would take action to list the solid waste facility explicitly *by name* in Metro Code Chapter 5.06, or 2) Metro entered into an IGA with the host local government to administer the program (the facility name was not listed in Chapter 5.06). Further, enhancement program provisions were set forth in a facility franchise. The last facility to have been included in Metro's program, Columbia Biogas (not yet built) in 2010, was initiated by the facility and local host community and the fee collection requirements were included as conditions in the solid waste facility franchise issued by the Metro Council.

The proposed program improvements will provide greater clarity for decision-makers, facility owners, and local communities and assure collaboration with host local governments. A process is recommended to ensure notification and collaboration with the host local government and the Metro Councilor (whose district includes the facility) when a new program is expected to be established at an eligible facility. The process will provide guidelines for when and how to initiate and administer a new program.

As provided in state law, the distribution of funds collected through the community enhancement program will be subject to the approval of an advisory committee (the community enhancement committee) that will be established for that purpose. Depending on who is administering the program, either Metro or the host local government (through an IGA), will create a separate community enhancement account for revenues and expenditures for its enhancement program to ensure that only committee-authorized projects receive funding. In addition, each community enhancement committee (or its staff) will provide an annual report to Metro regarding all expenditures from the enhancement fund including the amount of funds expended on each project from the fund, including the fund balance.

This proposal also envisions an implementation option where Metro could contract directly with a neighborhood group, non-profit or local environmental group to serve as the community enhancement committee and administer the program (with support from the host local government). The Metro Councilor whose district includes the facility would still have the option to be involved in the program administration. This option would be available when it would not be cost effective or practical for Metro or a local government to directly administer the program. Such an option retains an additional level of flexibility for future program implementation and administration.

#### **6. Allow administrative cost reimbursement from the fund.**

- The funds may be used to reimburse actual government administrative costs necessary to run a community enhancement committee and process up to 20% based on the amount of the annual program funding cycle (but no more than \$50,000 for any community enhancement committee).
- Administrative costs in excess of the cap shall not be borne by the enhancement fund.
- Administrative costs include staff time and materials necessary to set up, promote and administer a community enhancement program.

Under the existing program, there is conflicting guidance about whether or not administrative costs can be reimbursed from the program fund. These proposed provisions will make it clear that actual administrative costs incurred, up to a set amount, can be reimbursed from the program fund.

## **7. Allow local governments to sponsor projects from the fund.**

- Funding criteria will allow use of program funds for local government projects and other publicly sponsored projects on a case-by-case basis.
- As a guideline, the total amount available to one or more local government projects should generally not exceed 15% of the funds in a funding cycle. However, the proposal does allow access to a larger percentage of the funds for worthy local government sponsored projects as established in an IGA with Metro.
- Local government-sponsored projects will be treated like all other applicants with the same application and review procedures set forth by the community enhancement committee.
- The direct transfer and use of enhancement fees to a local government general fund will not be allowed.
- Program funds cannot be used to replace other readily available federal, state, regional or local funds.

These provisions establish funding eligibility criteria to allow use of program funds for worthy local government and other public projects or programs. However, in order to maintain compliance with state law, the transfer and use of enhancement fees to a local government general fund for directly funding general government activities will not be allowed. To help ensure that the fund is available to others in the community, the total amount available to a local government will be set at a percentage target of the funds available in a funding cycle – recommended guideline of 15% in each funding cycle. All program applicants that seek funding, including a local government applicant, must go through the application, review and approval process set forth by the community enhancement committee. Local government sponsored projects or programs will be treated the same as all other program applicants. However, it is recommended that the program be flexible enough should there be one or more worthy public sponsored project that the local funding limit guideline could be exceeded during a cycle – as determined by the community enhancement committee.

## **8. Establish general program funding eligibility criteria.**

- Broad regional funding criteria applicable to all program applicants are recommended, based largely on time-tested criteria used in existing programs. Provide flexibility to meet the needs of different host communities.
- Allows local adoption of more narrow criteria to meet needs of the host community.  
Examples of funding criteria (see proposed Section 5.06.070 for specific list of criteria):
  - Be within the boundary specified by the community enhancement committee.
  - Non-profits, neighborhood associations, charitable organization, schools are all eligible.
  - Local government access to funds for sponsored projects.
  - All applications must go through the community enhancement committee review process.

Metro councilors suggested that program funding eligibility criteria be established. The proposed criteria are derived from the time-tested provisions from Metro's existing community enhancement program (Metro Central Enhancement Committee) and incorporated provisions from other participating local government community enhancement programs (Metro South Transfer Station/Oregon City and the city of Forest Grove). These eligibility criteria are proposed as a clear and objective checklist to determine whether a potential project or applicant should be considered by a community enhancement committee. The program is intended to be flexible enough that the needs of a local community can be accommodated within the framework of Metro Code Chapter 5.06 and state

law. Local governments may wish to include other (more restrictive) funding criteria consistent with their individual approach to projects. For example, a local government may wish to include a matching requirement (either financial or sweat equity) for certain projects, focus funds on a particular impact or project area, or to provide project funding to only non-profit groups.

## **9. Establish general program funding goals.**

- Based on existing time-tested program funding goals used by the Metro Central Enhancement Committee.
- A committee may adopt additional goals to meet needs of the host community.

Examples of funding goals (see proposed Section 5.06.080 for specific list of criteria):

- Result in improvement to appearance or environmental quality of area.
- Benefit populations most directly impacted by facility, including underserved populations.
- Broad coverage of projects e.g. reduce toxicity, increase reuse/recycling, rehabilitation of property, enhance wildlife, riparian or wetlands, or improved recreational opportunities.

Metro councilors indicated a need to include some general funding direction so that enhancement funds did not get used for projects that may be inconsistent with the intent of state law or Metro's enhancement program. The proposed funding goals are largely based on the time-tested provisions used by the Metro Central Enhancement Committee. The funding goals have been a useful guide for all three of the existing community enhancement committees (Metro Central, Oregon City and Forest Grove) in reviewing and selecting projects and should serve other community enhancement committees equally well into the future.

## **10. Provide a dispute resolution process.**

- In case of a dispute, Metro's Chief Operating Officer will review and notify the host local government, the community enhancement committee and the host councilor about the nature of the dispute, and will set a process and timeframe in which to resolve the dispute.

While disputes are not anticipated, reality indicates that they may happen from time-to-time. Therefore, this proposed provision makes it clear that the responsibility is embedded in Metro's Chief Operating Officer to determine when a dispute arises to a level that needs to be formally resolved.

## **Stakeholder Engagement**

The stakeholder engagement process included written communication and discussions with Metro's Solid Waste Alternatives Advisory Committee and Metro Policy Advisory Committee, potentially affected city managers and elected officials with program eligible solid waste facilities in their jurisdictions (e.g., Oregon City, Forest Grove, Troutdale, Sherwood, Wilsonville and Portland), solid waste facility owners, and potentially impacted neighborhood associations (Cully Association of Neighbors and St. Johns Neighborhood Association). Nearly all of the stakeholders indicated that they were either generally supportive or very supportive of the program. Metro received letters of support from the cities of Wilsonville and Oregon City, and the Cully Association of Neighbors. Two owner/operators of transfer stations, Willamette Industries, Inc. (located in Wilsonville) and Pride Recycling (located in Sherwood) have verbally expressed their objection to collecting this program fee at their solid waste facilities.

## Program Implementation Summary

Adoption of Ordinance No. 14-1344 will result in a comprehensive update that will substantially improve and modernize Metro Code Chapter 5.06 – Solid Waste Community Enhancement Program. These code revisions will include the broad policy directives within a flexible framework for administering the program over time. Additional program improvements will be achieved through the following companion instruments:

- **Administrative Procedures**. Administrative procedures are issued by the COO and are routinely used to help implement and administer various chapters of Metro Code Title V. Administrative procedures describe the more detailed program elements and provide the necessary clarity that guide how the program will be implemented and administered. The administrative procedures work hand-in-hand with the changes in Chapter 5.06. Administrative Procedures are attached as Exhibit B to Ordinance No. 14-1344.
- **Intergovernmental Agreement Template**. This template specifies the key provisions that would be included in an IGA between Metro and a host local government, when a host local government wishes to implement an enhancement program in their community. The template is applicable to new IGAs as well as for updating existing IGAs. The IGA template will be helpful to both Metro staff and our local government partners participating in the program. An IGA template is attached as Exhibit C to Ordinance No. 14-1344.

Once Metro Council adopts this proposal, a solid waste community enhancement program will be implemented for all existing eligible solid waste facilities. Effective July 1, 2015, the proposal recommends an increase to the fee at existing facilities to the state maximum of \$1 per ton, and expand the program to include four other eligible solid waste facilities located in the cities of Troutdale, Sherwood, Wilsonville, and Portland (see Table 1 below). Table 1 indicates the amount currently collected and the amount expected to be collected once the program is effective.

**Table 1 – Solid Waste Community Enhancement Program**

<b>Solid Waste Facility</b>	<b>Community</b>	<b>Currently Collected (FY 2014-15 estimated)</b>	<b>To Be Collected (FY 2015-16 estimated)</b>
Metro South	Oregon City	\$133,000	\$266,000
Metro Central	Portland	\$130,000	\$260,000
Forest Grove Transfer Station	Forest Grove	\$ 54,000	\$108,000
Willamette Resources, Inc.	Wilsonville	\$ 0	\$ 70,000
Pride Recycling	Sherwood	\$ 0	\$ 70,000
Troutdale Transfer Station	Troutdale	\$ 0	\$ 70,000
Recology Suttle Road Recovery	Portland	\$ 0	\$ 12,000

Prior to July 1, 2015, Metro staff will work with each of these communities to determine if an IGA could be established to implement and administer the program by the host local government. If so, the Metro councilor whose district hosts the solid waste facility will also have the opportunity to participate in the community enhancement committee.

The cities of Wilsonville, Troutdale and Sherwood have all expressed interest in an IGA with Metro to administer the program. However, the city of Portland, while supportive of the proposed program changes, has indicated that it is unlikely to directly enter into an IGA with Metro to implement the program. Therefore a program for the Suttle Road Recovery facility could be administered either: 1) directly by

Metro, 2) by Metro through a contract with the neighborhood association where the facility is located (St. Johns Neighborhood Association), or 3) through an IGA between Metro and the city of Portland's Office of Neighborhood Involvement (ONI).

## **ANALYSIS/INFORMATION**

- 1. Known Opposition.** Staff is aware of two solid waste facility owner/operators (Willamette Industries, Inc. and Pride Recycling) that have verbally expressed concerns about collecting a community enhancement fee at their transfer stations.
- 2. Legal Antecedents.** Oregon Revised Statutes 459.280 and 459.284, the Metro Charter, the Regional Solid Waste Management Plan, and Metro Code Chapter 5.06.
- 3. Anticipated Effects.** The existing Metro Code Chapter 5.06-Community Enhancement Programs will be repealed and replaced with the proposed amended Metro Code Chapter 5.06-Solid Waste Community Enhancement Program. In addition, Metro's Chief Operating Officer will issue administrative procedures that help implement Chapter 5.06, and Metro will enter into new IGAs or revise existing IGAs with local governments that host eligible solid waste facilities.
- 4. Budget Impacts.** The overall impact of the existing solid waste community enhancement program has already been factored into Metro's current FY 2014-2015 budget and has been for many years. The impact of the updated solid waste community enhancement program will be fully factored into the budget and rates for FY 2015-16 and will result in a total increased collection of about \$539,000 in new revenue. It is expected that approximately 75% of the additional revenue will be allocated to community enhancement programs administered by local governments through an IGA with Metro. About 25% of the additional revenue will be allocated to the existing Metro Central Enhancement Committee for funding its community enhancement projects. There will continue to be partial funding for personnel services associated with the existing North Portland Enhancement Committee (limited duration), the existing Metro Central Enhancement Committee and any new Metro-administered community enhancement committees that may be established. Community enhancement program funds can be used to help defray some of the administrative costs incurred by either Metro or the participating host local government, thereby minimizing budget impacts.

## **RECOMMENDED ACTION**

The Chief Operating Officer recommends adoption of Ordinance No. 14-1344 for the Purpose of Amending Title V, Solid Waste, to Revise Chapter 5.06, Community Enhancement Programs.

BM:bjj  
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Agenda Item No. 4.4

**Ordinance No. 14-1348**, For the Purpose of Annexing to the Metro District Boundary Approximately 14.59 Acres Located North of NW Brugger Road and West of NW Kaiser Road in the North Bethany Area of Washington County

*Ordinances Second Read*

Metro Council Meeting  
Thursday, October 30, 2014  
Metro, Council Chambers

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE ) Ordinance No. 14-1348  
METRO DISTRICT BOUNDARY APPROXI- )  
MATELY 14.59 ACRES LOCATED NORTH OF NW ) Introduced by Chief Operating Officer  
BRUGGER ROAD AND WEST OF NW KAISER ) Martha Bennett with the Concurrence of  
ROAD IN THE NORTH BETHANY AREA OF ) Council President Tom Hughes  
WASHINGTON COUNTY )

WHEREAS, West Hills Development has submitted a complete application for annexation of 14.59 acres (“the territory”) located north of NW Brugger Road and west of NW Kaiser Road in the North Bethany area to the Metro District; and

WHEREAS, the Metro Council added the North Bethany area to the UGB, including the territory, by Ordinance No. 02-987A on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on October 30, 2014; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated October 6, 2014, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 30 day of October 2014.

\_\_\_\_\_  
Tom Hughes, Council President

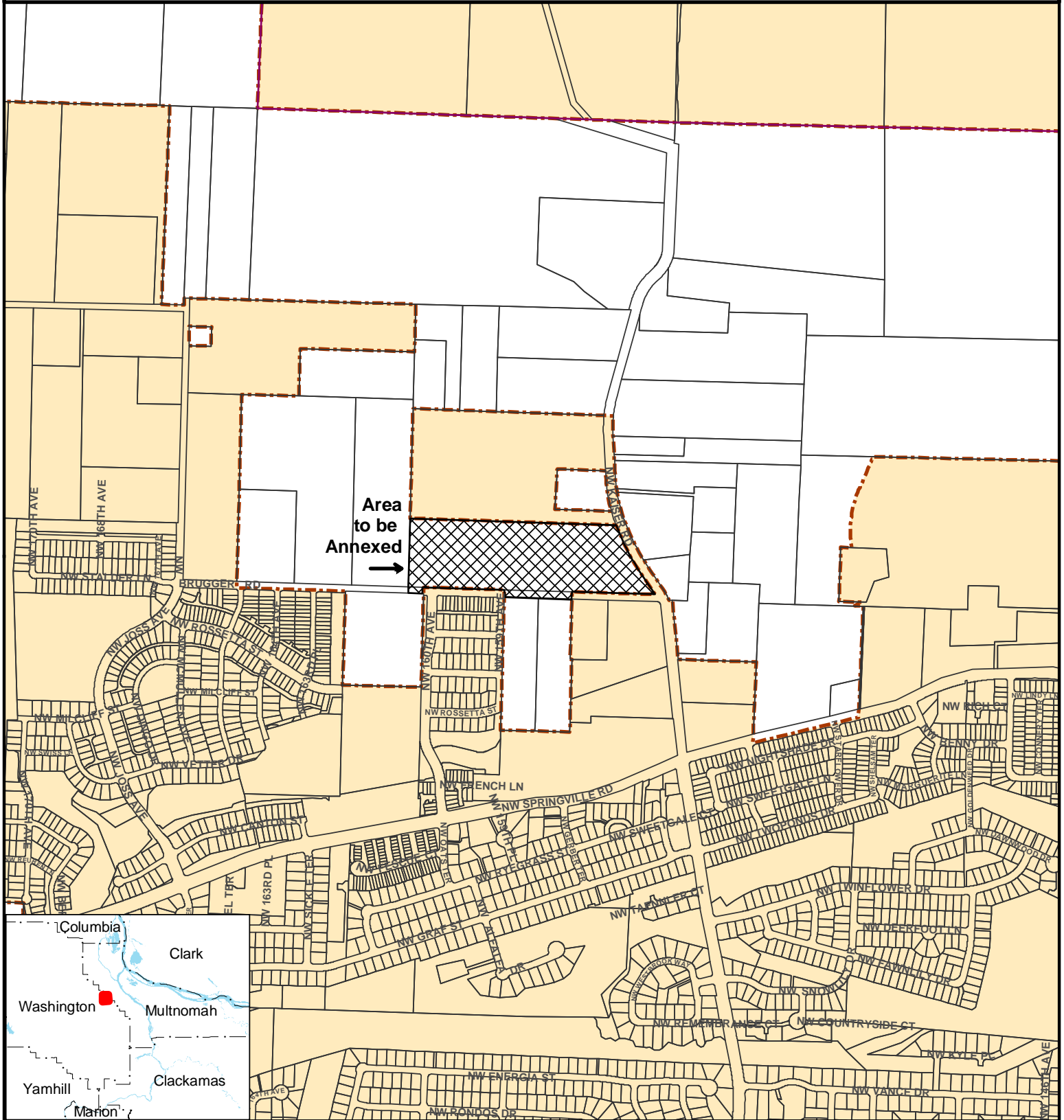
Attest:

Approved as to form:

\_\_\_\_\_  
Alexandra Eldridge, Recording Secretary

\_\_\_\_\_  
Alison Kean, Metro Attorney

# Proposal No. AN-0414



**Area to be Annexed**  
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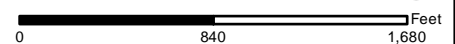


Proposal No. AN-0414 Metro District Boundary

1:10,000

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

- Area to be annexed
- Taxlots
- Metro District Boundary



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**STAFF REPORT**

IN CONSIDERATION OF ORDINANCE NO. 14-1348, FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 14.59 ACRES LOCATED NORTH OF NW BRUGGER ROAD AND WEST OF NW KAISER ROAD IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: October 6, 2014

Prepared by: Tim O'Brien  
Principal Regional Planner

**BACKGROUND**

CASE: AN-0414, Annexation to Metro District Boundary

PETITIONER: West Hills Development  
735 SW 158<sup>th</sup> Avenue  
Beaverton, OR 97006

PROPOSAL: The petitioner requests annexation of one parcel to the Metro District boundary. The applicant is currently in the process of annexing the subject property to the necessary service districts in Washington County.

LOCATION: The parcel is located in the North Bethany Area of Washington County, north of NW Brugger Road and west of NW Kaiser Road. The parcel is 14.59 acres in size. A map of the area can be seen in Attachment 1.

ZONING: The property is zoned for residential and commercial use (R-15 NB, R-24 NB, R-25+ NB & NCMU NB) by Washington County.

The land was added to the UGB in 2002 and is part of the North Bethany Subarea Plan that was adopted by Washington County. The land must be annexed into the Metro District for urbanization to occur.

**APPLICABLE REVIEW CRITERIA**

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

*3.09.070 Changes to Metro's Boundary*

*(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:*

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject parcel was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-987A.

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Ordinance No. 02-987A include a requirement that Washington County apply interim protection measures for areas added to the UGB as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. Title 11 requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. Washington County also requires the land to be annexed into the appropriate sanitary sewer, water, park and road service districts prior to urbanization occurring. The applicant is currently moving forward with the necessary annexation requirements with Washington County. These measures ensured that urbanization would occur only after annexation to the necessary service districts is completed.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The property proposed for annexation is part of Washington County's North Bethany County Service District, established by the County Board of Commissioners on June 7, 2011. The proposed annexation is consistent with that agreement and is required by Washington County as part of a land use application. The inclusion of the property within the Metro District is consistent with all applicable plans.

## **ANALYSIS/INFORMATION**

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

**Legal Antecedents:** Metro Code 3.09.070 allows for annexation to the Metro District boundary.

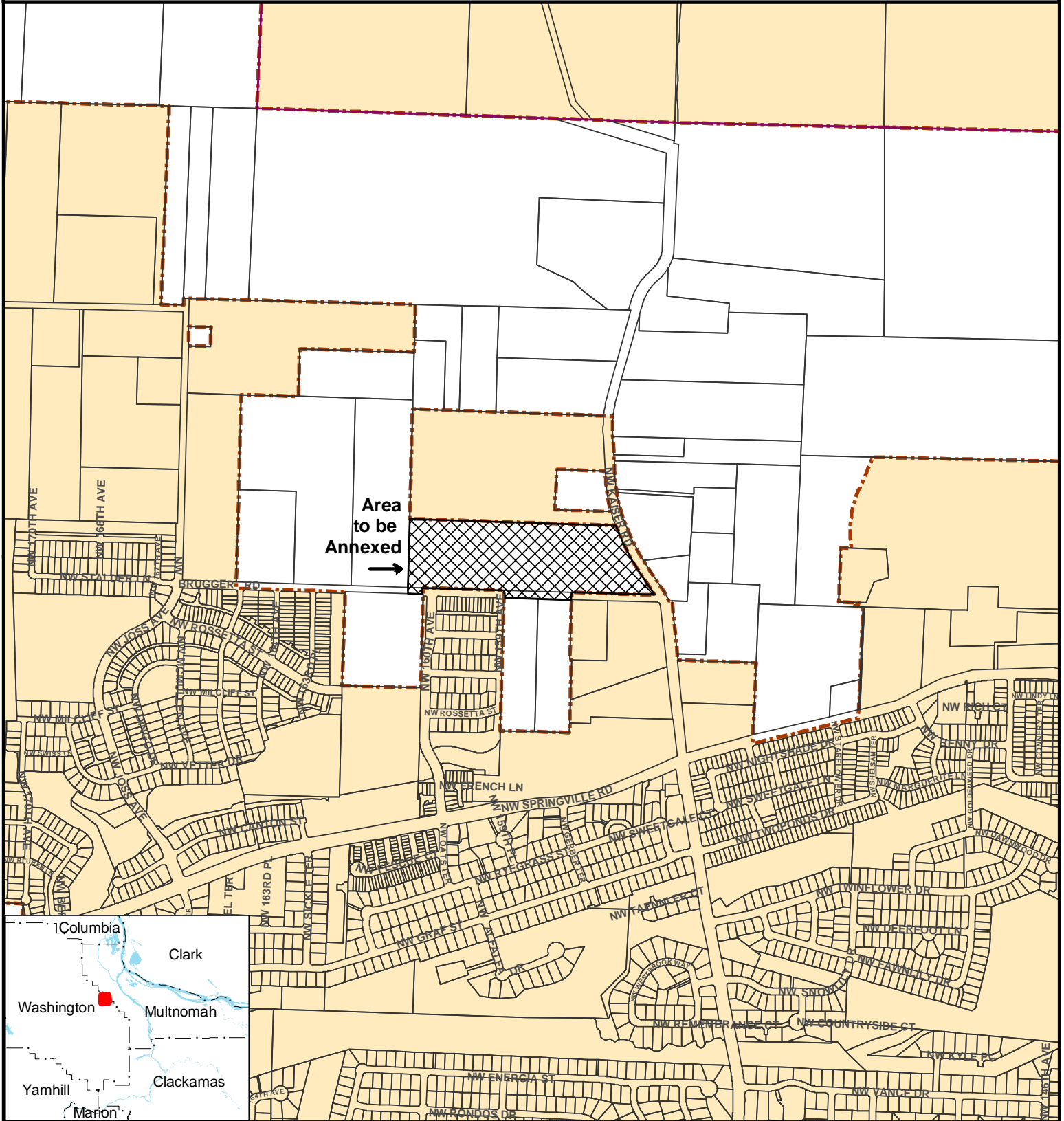
**Anticipated Effects:** This amendment will add approximately 14.59 acres to the Metro District. The land is currently within the UGB in unincorporated Washington County. Approval of this request will allow for the urbanization of the parcel to occur consistent with the North Bethany Subarea Plan.

**Budget Impacts:** The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

## **RECOMMENDED ACTION**

Staff recommends adoption of Ordinance No. 14-1348.

# Proposal No. AN-0414






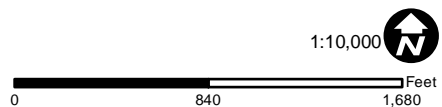
Area to be Annexed  
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Proposal No. AN-0414 Metro District Boundary

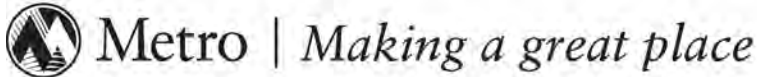
**Metro**  
Data Resource Center  
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-  Area to be annexed
-  Taxlots
-  Metro District Boundary



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Materials following this page were distributed at the meeting.



## **METRO COUNCIL MEETING**

Meeting Minutes

Oct. 23, 2014

Metro, Council Chambers

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

Councilors Excused: Councilors Shirley Craddick and Craig Dirksen

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

### **1. CITIZEN COMMUNICATIONS**

Mark Fitz, Damascus: Mr. Fitz introduced himself as the chairman of the Damascus Planning Commission, but was here to speak as a private citizen. He explained that while there have been a lot of questions or confusion about what was happening in Damascus, he wanted to share that he didn't feel that what was being reflected in the media was not very reflective of what was happening. Mr. Fitz wanted to assure the Metro Council that the city had been working diligently on citizen outreach, that the city was functioning well, and work progressing on planning Damascus.

Councilors thanked Mr. Fitz for his assurance and for taking the time to come talk with the Council. They appreciated his positive attitude and thanked him for his service, hard work in Damascus.

### **2. NON-CAPITAL ASSET MANAGEMENT PRESENTATION**

Council President Hughes introduced Auditor Suzanne Flynn to present the Non-Capital Asset Management Audit Report. Ms. Flynn discussed what this type of smaller asset (less than \$5,000) audit is, explaining that while the amount sounds small, this is typically an audit that looks at items that aren't any less important such as cameras, laptops, etc. and that are more easily stolen or misplaced. She stated that this type of audit is fairly traditional in terms of the process, looking at previous inventory lists and comparing to what could actually be located. Ms. Flynn stated that there did not seem to be one consistent approach to non-capital asset management across the agency, so the Auditor's Office recommendation was to create a systematic approach across the agency to for training staff on how to manage these items.

Auditor Flynn introduced Tim Collier, Director of Finance and Regulatory Services, to provide the management response to the audit. Mr. Collier thanked the Office of the Auditor for their professionalism and quality of their work. He stated that the audit did show a few areas that could use improvement as well as a few areas that they are doing very well in. His agreed with the agency-wide systematic approach recommendation and said that they are starting work on this process creation already. Mr. Collier also discussed potential new software that they are looking into to better track items purchased to help make this process more effective and efficient.



Councilors commented that they appreciated the complexity, level of tracking and detailed analysis that goes into both staff's work and the audit, which is so important when using the public's money. Councilors thanked Mr. Collier and his staff, and the Auditor's Office for great work on a huge task, being able to prioritize and track all of the various capital assets that are purchased throughout the agency.

### **3. SELF ENHANCEMENT, INC PRESENTATION: YOUTH ENGAGING IN NATURAL SCIENCES**

Council President Hughes introduced Ms. Jackie Murphy of Self Enhancement, Inc. (SEI) and Jim Desmond, Metro Sustainability Center Director, to present on a pilot program and partnership between Metro and SEI. Mr. Desmond provided background on the pilot program and its relation to the levy work. He explained how working with SEI early on to create the program, as opposed to creating a program and going to SEI, was a big part of what made this program and partnership different and successful. He introduced Gerald Deloney, Director of Program for SEI and Co-Chair of Communities of Color, to speak further about this program.

Mr. Deloney stated that one of SEI's goals is to expose young people to possibilities. He explained that this partnership and program's goals are to help kids understand that there is both an outdoors for recreation, one that they can go out to and put their hands on, and that there is also a career path. SEI wants young people in their programs to see the job opportunities out there, provide them with connections and skills to be able to apply for them in the future. Mr. Deloney then introduced Jackie Murphy of SEI to speak further on SEI and the pilot program with Metro.

Ms. Murphy described the various programs that SEI offers including in-school and after school programs for elementary through high school students, as well as an intensive summer program, a post high school program in the summers between the college school year. In addition, she explained that SEI works with the entire family of their students early on and works to maintain those relationships throughout the duration of the program. Ms. Murphy shared that most of the young people they work with have had limited access to natural areas, for a number of reasons, which is one reason that SEI began a focused program on engaging youth in natural sciences. She stated that students come into SEI as early as 8 years old and often stay involved through 25 years old. Ms. Murphy discussed the process of creating the pilot program, the focus group for it (middle, high school and post-high school ages), and detailed the educational and experiential goals, while showing a slideshow of photos. Ms. Murphy introduced Savannah Carter, a student and participant in the pilot program over the summer, to give a brief description of her experience on the program. Ms. Carter shared some of her favorite parts of the program, what she learned and how it has changed her perspective and interests.

Ms. Murphy thanked the Council, Jim Desmond and Metro staff for the entire experience and shared how easy this partnership came together. She encouraged continuation of the program and relationship between SEI and Metro, offering ideas for future projects and connections for the two organizations to collaborate on.

#### ***Council discussion***

Councilors expressed appreciation for SEI staff's hard work, for helping Metro design a program that really works for the SEI community, and for sharing your experiences with the Council. They noted that this was a new way to connect with our community, engage future generations to be nature stewards, develop new job skills and a future workforce. Councilors also recognized the Sustainability Center and Jim Desmond for being a leader on this program. In response to councilor

inquiry, Mr. Desmond responded that the Sustainability Center has identified \$250,000 each year to spend on community partnerships, separate from the grant process; Ms. Martha Bennett added that Metro can definitely figure out how to budget for programs like this.

**4. WILLAMETTE LOCKS:**

Council President Hughes introduced Andy Cotugno, Metro staff, Sandy Carter, Oregon Willamette River Coalition, and Peggy Sigler, National Trust for Historic Preservation, to provide a presentation and update on Willamette Locks.

Mr. Cotugno explained that they were here to provide an update on the Locks, a potential transfer of ownership and potential costs, and prepare Council for future discussions on upcoming legislation. He also recognized and thanked consultants Lisa Naito and Darlene Hooley for their work on the project. Mr. Cotugno then introduced Sandy Carter, who gave a brief history of the Willamette Falls Locks and Canal and the political process that led to the Economic Potential Report being presented today. Ms. Carter introduced Peggy Sigler, to discuss the Locks as a National Trust preservation project and the wide support for opening the Locks. Ms. Sigler described the next steps in the process of requesting an ownership transfer and reopening of the Locks. Mr. Cotugno stated that they will be asking for an endorsement from the Metro Council at some point, as they need support from government agencies in order to request a transfer of ownership and the reopening of the Locks from the Army Corps of Engineers. In response to councilor inquiry, Mr. Cotugno and Ms. Sigler discussed various options for potential future ownership and partnerships between government agencies.

***Council discussion***

Councilors thanked Mr. Cotugno, Ms. Carter and Ms. Sigler for presenting the update to the Council and were supportive of preserving a regional asset like the Willamette Falls Locks and Canal. Councilors discussed who would take on the ownership, associated costs and responsibilities, again expressing support for the project but reservation about funding or taking it on alone. Councilors requested additional meetings and information about partnership opportunities in the future.

**5. CONSIDERATION OF COUNCIL MEETING MINUTES FOR OCTOBER 23, 2014**

Motion:	Councilor Kathryn Harrington moved to adopt Council Meeting Minutes for October 23, 2014.
Second:	Councilor Bob Stacey seconded the motion.

Vote: Council President Hughes, and Councilors Harrington, Chase, Collette and Stacey voted in support of the motion. The vote was 5 ayes, the motion passed.

**6. ORDINANCES (FIRST READ)**

6.1 **Ordinance No. 14-1343**, For the Purpose of Amending Metro Code Chapter 2.17 In Order to Comply with Current State Law and Declaring an Emergency.

Second read, public hearing and Council consideration and vote are scheduled for Oct. 30, 2014.

- 6.2 **Ordinance No. 14-1347**, For the Purpose of Amending Metro Code Chapter 2.09 (Contractor's Business License Program).

Second read, public hearing and Council consideration and vote are scheduled for Oct. 30, 2014.

- 6.3 **Ordinance No. 14-1348**, For the Purpose of Annexing to the Metro District Boundary Approximately 14.59 Acres Located North of NW Brugger Road and West of NW Kaiser Road in the North Bethany Area of Washington County.

Second read, public hearing and Council consideration and vote are scheduled for Oct. 30, 2014.

7. **ORDINANCES (SECOND READ)**

- 7.1 **Ordinance No. 14-1345**, For the Purpose of Amending Metro Code Chapter 2.04 to Update Metro Contract Policies and Procedures.

7.2

Motion:	Councilor Kathryn Harrington moved to approve Ordinance No. 14-1345.
Second:	Councilor Sam Chase seconded the motion.

Council President Hughes called on Ms. Gabi Schuster, Metro staff, to provide a brief staff report. Ms. Schuster stated that Ordinance No. 14-1345 amends two areas: updating the dollar threshold to align with the associated State of Oregon statute and to create a new class of special procurements relating to work with not-for-profit organizations.

Council President Hughes opened a public hearing. Seeing no citizens who wished to comment, the public hearing was closed.

Council President Hughes called for Council questions. Councilor Harrington stated that the change makes good business sense for Metro, allowing us to be more efficient with valuable public resources, and thanked Metro staff for helping to get the job done.

Vote:

Council President Hughes and Councilors Chase, Harrington and Stacey voted in support of the motion. (Councilor Collette was absent.) The vote was 4 ayes, the motion <u>passed</u> .
---

8. **RESOLUTIONS**

- 8.1 **Resolution No. 14-4510**, For the Purpose of Approving a Process for Entering Into Contracts with Not-For Profit Organizations to Support Parks and Natural Areas Local Option Levy Goals.

Motion:	Councilor Bob Stacey moved to approve Resolution No. 14-4510.
Second:	Councilor Kathryn Harrington seconded the motion.

Council President Hughes introduced Ms. Kathleen Brennan-Hunter, Metro staff, who presented a brief staff report and explained how the resolution would help Metro establish partnership criteria for projects that are funded by the levy. She also stated that this would help Metro engage the communities that we serve and thanked Finance and Regulatory Services Department staff for their assistance.

Council President Hughes called for Council questions or comments. Councilors thanked staff for their work and appreciated their work on making sure our procedures and processes are in place so that we can work more effectively and efficiently with not-for-profit organizations.

Vote: 

Council President Hughes, and Councilors Harrington, Chase and Stacey voted in support of the motion. (Councilor Collette was absent.) The vote was 4 ayes, the motion <u>passed</u> .
--

**8.2 Resolution No. 14-4560, For the Purpose of Adopting a List of Solid Waste Designated Facilities Pursuant to Metro Code Chapter 5.05.**

Motion:	Councilor Sam Chase moved to approve Resolution No. 14-4560.
Second:	Councilor Bob Stacey seconded the motion.

Council President Hughes introduced Mr. Roy Brower, Metro staff, who presented a brief staff report. Mr. Brower explained that this is a relatively minor, technical change to the code, separating out two lists of facilities (one for 2014, another for 2015 due to changes in a facility ownership beginning in 2015).

Council President Hughes called for Council questions or comments. Councilors clarified that this change just readopts a list into two separate lists, but doesn't expand the list or qualifications of facilities on the list, which Mr. Brower confirmed. Councilor Stacey noted that they were not making any qualitative assessments at that time.

Vote: 

Council President Hughes, and Councilors Harrington, Chase and Stacey voted in support of the motion. (Councilor Collette was absent.) The vote was 4 ayes, the motion <u>passed</u> .
--

**9. CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett provided an update on the following events or items: reminder about October 28th work session and reception with the Rotary Club of Portland (located at the Oregon Zoo, instead of at Metro Regional Center), the Let's Talk Trash Film Gala, thanks to Councilor President Hughes and Councilor Stacey for leading the delegation at the Veteran's Day Parade, and two issues coming up relating to the draft Urban Growth Report relating to the City of Damascus. Alison Kean,

Metro Attorney, will discuss further. Ms. Kean discussed the Oregon Court of Appeals ruling on citizen applications to withdraw property from the City of Damascus and how this relates and affects Metro.

**10. COUNCILOR COMMUNICATION**

Councilors provided updates on the following meetings or events: October 22<sup>nd</sup> MPAC meeting (which included discussions on Climate Smart Communities Scenarios project, draft Urban Growth Report employment capacity and regional site industrial readiness report, and a presentation by Mayor Tim Knapp) and the first meeting of a new advisory committee, Enterprising Places Steering Committee.

**11. ADIJOURN**

There being no further business, Council President Hughes adjourned the regular meeting at 4:23 p.m. The Metro Council will convene the next regular council meeting on Thursday, October 30 at 2 p.m. at the Metro Regional Center, Council Chambers. The Metro Council recessed to the Council Annex for an executive session held pursuant to ORS 192.660(2)(h).

Respectfully submitted,



Alexandra Eldridge, Regional Engagement & Legislative Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCT. 23, 2014**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
5.0	Minutes	10/23/2014	Council Meeting Minutes from Oct. 16, 2014	102314c-01
8.1	Legislation	10/23/2014	Revised Staff Report for Resolution No. 14-4510	102314c-02



October 27, 2014

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

**Staff**

Mike Houck, Executive Director

**Officers**

M J Cody, Chair

Goody Cable, Vice-chair

Bob Wilson, Secretary/Treasurer

**Board**

Mike Faha

Steffeni Mendoza Gray

Mel Huie

Tom Liptan

Janet Oliver

Kelly Puntaney

Jim Rapp

Ruth Roth

Judy BlueHorse Skelton

**Advisory Board**

Bill Blosser,  
Bill Blosser Consulting

Janet Cobb,  
California Oak Foundation

Patrick Condon,  
University of British Columbia

John Fregonese, President,  
Fregonese Associates, Inc.

Randy Gragg, Editor, Portland  
Spaces Magazine,

Dan Heagerty, Sr. VP/Strategic  
Officer, David Evans Enterprises

Steve Johnson, Public  
Involvement Consultant

Charles Jordan,  
The Conservation Fund

Jon Kusler, Association of  
Wetland Managers

Peg Malloy, Director,  
Portland Housing Center

Dr. Rud Platt, Ecological Cities  
Project

Dr. Joseph Poracsky  
PSU Geography

Rodolpho Ramina, Sustainability  
Consultant, Curitiba, Brazil

Ann Riley, California Department  
of Water Resources

Geoff Roach, Oregon Field  
Director, Trust For Public Land

Jennifer Thompson,  
U. S. Fish and Wildlife Service

Paddy Tillett, Architect, ZGF,  
Portland

Ethan Seltzer, Director, PSU  
School of Urban Studies and  
Planning

David Yamashita,  
Senior Planner, Long Range Planning,  
Maui, Hawaii

Dr. Alan Yeakley, PSU  
Environmental Sciences and  
Resources

Lynn Youngbar, Organizational  
Development Consultant

Dear President Hughes and Councilors,

I am writing on behalf of the Urban Greenspaces Institute to comment on Metro's Climate Smart Communities project. We've read the documents and, while we are pleased with actions intended to reduce greenhouse emissions from vehicles, as mandated by the state, we are disappointed at the project's narrow focus. There is nothing in the documents regarding carbon sequestration nor is there even a reference Climate Adaptation. With regard the latter, serious negative human health and ecological impacts due to Climate Change.

The City of Portland and Multnomah County have recently adopted a *Climate Preparation Strategy* and will adopt an updated *Climate Action Plan* this winter that will incorporate the Preparation (Adaptation) strategies as well. We are writing to urge you to expand your Climate Change agenda to incorporate both the updated *Climate Action Plan* and *Climate Preparation Strategy*.

Portland City Council recently accepted the *Climate Preparation Strategy* two weeks ago, including the city's Planning and Sustainability Commission's recommendation that the city work with Metro to ensure that the *Climate Preparation Strategy* and updated *Climate Action Plan* are implemented regionally. We've attached a copy of the conveyance letter from the Planning and Sustainability Commission. Climate Change is an issue of regional significance. The city and county working alone will not be sufficient to respond to this regionally important issue.

Metro is, of course, already doing much to address Climate Change, through the Climate Smart Communities effort and other programs in its portfolio. However, there is an urgent need to evaluate both Climate Smart Communities and other programs to identify gaps, particularly with regard to Climate Adaptation or Preparation, that need to be addressed at the regional scale.

Respectfully,

Mike Houck, Director





**Bureau of Planning and Sustainability**  
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## Portland Planning and Sustainability Commission

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Katherine Schultz, Vice Chair

Howard Shapiro, Vice Chair

Karen Gray

Gary Oxman

Don Hanson

Michelle Rudd

Mike Houck

Chris Smith

May 27, 2014

Mayor Charlie Hales  
Commissioner Steve Novick

Dear Mayor and Commissioner,

At our May 13, 2014 meeting, Metro Councilor Bob Stacey provided a briefing to the Planning and Sustainability Commission (PSC) about Metro's Climate Smart Communities Scenarios Project (CSC). We understand the CSC goals are to reduce greenhouse gas emissions from cars and light trucks to less than half of the levels of 2005. There are expectations for Metro and other regions from the State to allow people to make shorter driving trips and more active transportation via changes in community design.

In preparation for the May 30 joint MPAC/JPACT meeting, the PSC offers our support for options that would prioritize fully building out the region's active transportation infrastructure. While transit investments are critical, active transportation investments are likely to provide greater rates of return in mobility for the relatively modest funds invested and will also generate significant health co-benefits.

The Commission also believes CSC would be greatly strengthened by incorporating a direct nexus with climate adaptation strategies to complement greenhouse gas reduction strategies. Regardless of our success in reducing greenhouse gases in our region, significant negative human health and ecological impacts are likely to occur in our region due to climate change.

Using green infrastructure to address climate change, such as planting trees and interconnected bioswales along transportation corridors, would simultaneously promote active transportation, provide much needed bike and pedestrian safety, sequester carbon dioxide, reduce urban heat island effects, and improve air quality. These co-benefits are not considered in Metro's scenarios because CSC focuses exclusively on CO2 reduction. Including climate adaptation expands the range of transportation alternatives and designs that can and should be considered. Regional policies must, in our opinion, consider these multiple benefits in any climate related program.

Thank you for representing the best interests of our entire community in shaping the preferred approach for Climate Smart Communities.

Sincerely,

Andre' Baugh  
Chair

Cc: Metro Councilor Bob Stacey



City of Portland, Oregon | Bureau of Planning and Sustainability | [www.portlandoregon.gov/bps](http://www.portlandoregon.gov/bps)  
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Gary Oxman

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Michelle Rudd

Chris Smith

Teresa St. Martin

Margaret Tallmadge

September 19, 2014

Portland City Council  
Portland City Hall  
1211 SW 4<sup>th</sup> Avenue  
Portland, OR 97204

Dear Mayor Hales and City Council Members:

On August 26, 2014, the Planning and Sustainability Commission (PSC) voted unanimously to recommend City Council's adoption of the joint City & Multnomah County Climate Change Preparation Strategy, and the associated Climate Change Preparation Risk and Vulnerabilities Assessment.

Staff has briefed and updated the PSC throughout the development process. Staff has shared content updates, an overview of public comments received on the draft and how that feedback was incorporated into the final documents.

PSC members commend staff for creating a well-researched and strategic Climate Change Preparation Strategy. PSC members specifically appreciate the Climate Change Preparation Strategy's alignment with the Portland Plan framework for equity. The preparation strategy considers the impacts and unintended consequences that under-served and under-represented Portlanders may experience as a result of climate change. The Climate Change Preparation Strategy also prioritizes preparation actions in communities most likely to be vulnerable to climate change impacts such as the urban heat island effect.

Although it is important to adequately prepare for the impacts of climate change, continuing to reduce carbon emissions is also a key direction. As such, the City's existing Climate Action Plan and this new Climate Change Preparation Strategy are fundamentally linked. The PSC is pleased to see that key findings and actions from the Climate Change Preparation Strategy will be integrated into the City and County's updated Climate Action Plan that is expected later this winter.

The PSC applauds the City and County's work to conduct risk and vulnerability assessments for key sectors, including infrastructure and the built environment, natural systems, and health and human services. This plan is an excellent example of cross-bureau and cross-jurisdiction collaboration, and we ask that the City work with surrounding jurisdictions, particularly with Metro, as responding to climate change is clearly an issue of regional import.

Thank you for the opportunity to participate in the review of this strategy.

Sincerely,

Andre Baugh  
Chair, Portland Planning and Sustainability Commission



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October 30, 2014

**Testimony of Wilsonville Mayor Tim Knapp Before the Metro Council in Support of Ordinance No. 14-1346, "For the Purpose of Adopting a Preferred Climate Smart Communities Strategy and Amending the Regional Framework Plan to Comply with State Law"**

Good day Council President Hughes and Members of the Metro Council:

I am Tim Knapp, and I serve as Mayor for the City of Wilsonville. I am here today to express my support for Ordinance No. 14-1346 that adopts a preferred Climate Smart Communities Strategy and amends the Regional Framework Plan to comply with state law. I want to commend all those whose efforts went into developing the region's draft preferred approach and this strategy in response to the mandate of the 2009 Oregon legislature.

In this testimony, I call out several salient issues that I believe are necessary in order for the Strategy to succeed.

First, I strongly support having the "toolbox of actions" in hand for cities to use to help the region achieve greenhouse gas-reduction goals. Being able to customize a community's response to the issue of climate change is important for gaining public acceptance and matching local aspirations and resources to the task at hand. Elected officials from across the region made it clear that a one-size fits all approach is not practical for our communities, and we appreciate the flexible approach of the draft Strategy to accommodate local situations. I believe that many components of the toolbox are applicable and useful for Wilsonville.

I support the Strategy's recommendation to advocate for state legislative initiatives related to the Oregon Clean Fuels program, brownfield redevelopment, local housing policies and programs, and transportation funding. In order to achieve the greenhouse gas-reduction targets mandated by the state legislature, it is appropriate to request greater assistance from the state in helping local jurisdictions meet these regional goals, which have obvious state-wide significance.

I want to call out the recommendation for expanding funding for low-carbon travel options and programs, including transit, intelligent transportation systems (ITS), travel information and incentives, Safe Routes to Schools and especially Safe Routes to Transit programs. The City has had good success to date with our "SMART Options" transit-ridership outreach program with our larger industrial employers.



In particular, commuting workers and major employers like Xerox, Mentor Graphics and Rockwell Collins have embraced our “last-mile” connection from the SMART Transit Center / WES Commuter Rail Station that meets every arriving WES train and delivers employees to their Wilsonville worksites within 10 minutes of arrival. The state could be of great assistance working with TriMet and local jurisdictions on improving those “last-mile” connections from the home or workplace to public transit services.

In calling for a dramatic expansion in the levels of transit service with a \$4 billion increase in public transit funding, new, diverse, sustainable funding sources need to be developed. Over reliance primarily on employer-paid payroll taxes places an unfair burden on the region’s private employers to pay for enhanced transit service. Until we as a region and state can develop wider sources of support for an increase in public transit services, I do not understand how we can achieve the goals of the Strategy.

I will note that the draft plan calls for \$100 million in operational investments in SMART, but I am not clear that we have a plan for how we will generate funds of that magnitude. Even more puzzling is how Tri-Met is expected to come up with \$3.9 billion in increased transit operating funding. To achieve an increase in transit operating funds of this scale requires major political lifting by state and regional leaders.

And while the legislature’s mandate focused on light trucks and vehicles, I believe that the region could make major headway on greenhouse gas-reduction by changing over the transit fleets from high-carbon diesel fuel to low-carbon alternative fuels, including CNG and battery-electric power. Transitioning the public transit fleet to alternative fuels could be a potential effort shared with private-sector utility, shipping and distribution firms for financing and implementing the needed fueling infrastructure.

One item that the City is especially concerned about that is not addressed by the proposed recommendations in the Climate Smart Communities Strategy pertains to the larger issues of community design in the Regional Framework Plan. That is, I do not understand how we can achieve the targeted greenhouse gas-reductions if we continue to site a majority of employment opportunities on one side of the region while planning for a majority of new housing on the other side of the region.

While it is true that workers may not necessarily prefer to live close to where they work, limiting possibilities for those that seek a shorter commute inhibits the region’s ability to achieve reductions in vehicle miles traveled targeted in the Regional Transportation Plan and greenhouse gas-reduction goals of the Climate Smart Communities Strategy.

Rather than force workers to commute, our city, for example, seeks the ability to offer local housing opportunities to accommodate future development of the approximately 1,050 acres of regionally significant industrial and employment lands at Coffee Creek and Basalt Creek that have already been brought into the UGB adjacent to Wilsonville, Tualatin and Sherwood. This kind of thoughtful land-use planning contributes to livable communities, reduces the demand on regional roadways, and improves access to travel choices such as transit (SMART in Wilsonville) and active transportation options.

All in all, I believe that the seven policies/categories that form the basis for the preferred approach of the Strategy (Adopted Plans; Transit, Biking and Walking; Streets and Highways; Technology; Travel Information/Travel Options; and Parking Management) provide an easy-to-understand framework for our future actions. In addition, long-term success of the proposed Climate Smart Communities Strategy relies on policies that support greater fuel efficiency, cleaner fuels and securing adequate funding for our transportation investments.

I thank you for your time today and welcome any questions that you may have.



October 30, 2014

Metro Council  
600 NE Grand Avenue  
Portland, OR 97232

Re: Comments on Climate Smart Communities Scenarios Project

Dear President Hughes and Metro Council Members:

The Coalition for a Livable Future is pleased to support the Climate Smart Communities project. Climate change is one of the defining issues of our time, and our response to it will affect both local communities and the planet far into the future. We look forward to working with Metro to implement climate strategies that also support equitable development, public health, and widely shared economic prosperity.

Several years in the making, the Climate Smart Communities plan not only integrates land use and transportation to meet greenhouse gas (GHG) emissions from light vehicles, but focuses on strategies that meet the aspirations of cities and counties around the region and all of Metro's six desired outcomes. We served on the Technical Work Group, and found the analysis to be detailed and incredibly well-thought out.

We appreciate that staff consistently included elements beyond the important work of addressing climate change to also create vibrant communities, improve health, address equity, improve the environment, and support the local economy. Oregon Health Authority's Health Impact Analysis demonstrated the opportunity for the Climate Smart Communities plan to increase physical activity, reduce air pollution, reduce crashes, and save lives and health care costs.

The addition of The Toolbox of Possible Actions is essential, as the next steps will include the difficult task of coordinating action and finding the resources to implement the plan. The Performance Monitoring is also very important, as it allows the region to evaluate its level of success and consider strategies and priorities in light of what we learn.

Below are several elements we want to highlight, some with recommendations for changes:

**Increased Transit:** We strongly support the plan's call for significant increases in transit service as well as reduced fares for populations in need. More transit creates climate improvements as well as better job access, cleaner air, and many other health and safety benefits. A major commitment by Metro and local governments to increase transit revenue will be necessary to achieve this goal.

**Increased Walking and Biking:** We strongly support increasing funding for walking and biking, as called for in the Climate Smart Communities plan and the region's recently adopted



funding for active transportation as discussed above. Metro will have a role in supporting many of these changes.

Recommended edit: Add language indicating that Metro's transportation and land use policy and investment decisions will be evaluated based on whether they help the region achieve the GHG target.

**Under-Utilized Land:** Surface parking lots and brownfields are inefficient uses of land that make it more difficult to create healthy, vibrant communities where people don't need to drive to meet daily needs. Changing policies to manage parking, and increasing funding to revitalize brownfields, are important elements of the Climate Smart Communities plan and will support a host of other benefits.

**Climate Adaptation:** By design, the Climate Smart Communities plan did not focus on adaptation to the changing climate and instead focused on mitigation of GHG emissions. As discussed in the comments by Urban Greenspaces Institute, our region's changing climate will increasingly cause significant health and ecological consequences, and it is important to address climate adaptation at every level of government. We appreciate that the Toolbox of Possible Actions includes green street designs that include tree plantings to sequester carbon emissions, and hope to see an increased focus on adaptation in future regional and local efforts.

Recommended edit: Find opportunities within the Climate Smart Communities plan to add references on the need to adapt to the changing climate.

Recommended edit: Consider additional green streets strategies to include in the Toolbox of Possible Actions.

Thank you for considering these comments, and for thoughtfully developing this important plan.

Sincerely,



Mara Gross  
Executive Director  
Coalition for a Livable Future



October 30, 2014

Hon. Tom Hughes, President  
And Metro Councilors  
600 NE Grand Avenue  
Portland, OR 97232

**Re: Climate Smart Scenarios – Preferred Approach**

Dear President Hughes and Metro Councilors:

As noted by Mayor Jerry Willey in his October 24, 2014 letter, the region has achieved a monumental milestone in reaching consensus on a preferred approach to meet the state goals for reduction greenhouse gas emissions from light-duty vehicles. The agreement on the approach is testament to the region's commitment towards improving the quality of the environment for generations to come. While we may take a moment to celebrate this accomplishment, the larger tasks are still ahead of us: gaining understanding and agreement of how we will go about implementing the preferred approach and the actual tasks of implementation. In order to get to implementation, we need to be as thoughtful in developing the implementation tools and documentation as we were in analyzing and selecting a preferred approach.

With the consideration of implementation in mind, we offer the following suggestions, in addition to Mayor Willey's testimony, which is attached:

**Goals, Targets and Timing.**

It is important to keep in mind some key statutory/rule goals, targets and their timing:

1. **"By 2050, achieve greenhouse gas levels that are at least 75 percent below 1990 levels."** ORS 468A.205(1)(c)
2. **By 2035**, reduce greenhouse gas emissions from light vehicle travel by 52 percent by 2035 (OAR 660-044-0010(2)(a)).
3. **February 1, 2014** – the Land Conservation and Development Commission and Department of Transportation report to the House and Senate interim committees related to transportation on progress toward implementing the land use and transportation scenarios required under House Bill 4078 (2009). (Oregon Laws 2009, chapter 865, section 38(3)).
4. **December 31, 2014** – Metro to ". . . amend the regional framework plan and the regional growth concept to select and incorporate a preferred land use and transportation scenario that meets [the 2035] targets. . ." (OAR 660-044-0040(1)).<sup>1</sup>

**Commitment to Adopted Plans.**

The importance of our commitment to our adopted plans must be paramount to our implementation efforts under the Climate Smart Scenarios project. The implementing rules for the Climate Smart Scenarios project provide that the purpose of scenario planning is intended:

*. . .to be a means for local governments in metropolitan areas to explore ways that urban development patterns and transportation systems would need to be changed to*

<sup>1</sup> The requirements for the preferred land use and transportation scenario are set forth in OAR 660-0040(3), which is attached to this letter.



Framework Plan amendments and the *Draft Climate Smart Strategy*. As the Toolbox is not one of the required components necessary for adoption of the preferred strategy, we recommend that Metro convene a working group to refine the Toolbox over the next few months.

Our general concerns with the Toolbox are:

- Undefined terms throughout, such as “Vision Zero strategy” (in the Making biking and walking safe and convenient strategy) and “EcoRule” (in the policy regarding the provision of information and incentives to expand the use of travel options). Without definition or additional context, it is impossible to evaluate the monetary implications of such strategies. Moreover, such tools are likely to be underutilized if there is no understanding on what they are, potentially creating a lost opportunity for the region.
- Too broad a spectrum of policies. Climate smart cannot be the cure-all for any perceived shortcomings in our land use regulatory system. For example, we were surprised to see removing the ban on inclusionary zoning as a strategy.<sup>3</sup> Similarly, there needs to be more of a connection of Brownfield redevelopment with achieving the greenhouse gas reduction target.
- Need for additional emphasis on development patterns in new urban growth areas. While there should be emphasis on development in existing centers and corridors, new expansion areas, such as South Hillsboro, South Cooper Mountain and River Terrace, offer opportunities to further the region’s efforts towards achieving the greenhouse gas targets. These new areas can be developed to accommodate alternative modes of transportation, such as walking, biking and transit, from the outset, versus expensive retrofitting. As these expansion areas are being planned as complete communities, they will offer the opportunity for new residents to reduce or eliminate vehicular trips for every day needs such as shopping, dining, education and recreation. Another area that will bring benefit to the region is the ability to place more emphasis on using best practices to reduce greenhouse gas emissions from the built environment (i.e., green building practices).<sup>4</sup>
- Overbroad statements on local funding for transit and road maintenance. In several locations, Metro is tasked with considering local funding. More description is needed on how Metro will be involved in local funding - Will Metro be assisting local jurisdictions in securing funding? What is the source of such funding? What impact will there be to existing funding mechanisms? We would also like to see further discussion about the role and function of the proposed funding coalition.
- Managed Parking. There needs to be consistency that managed parking is an option only in areas served by frequent transit and active transportation connections.
- Analysis and discussion is necessary on how the Metro draft Toolbox compares to the state toolbox ([www.oregon.gov/ODOT/TD/TP/Pages/ghgtoolkit\\_categories.aspx#cat2](http://www.oregon.gov/ODOT/TD/TP/Pages/ghgtoolkit_categories.aspx#cat2))?

Given that the Toolbox will guide implementation over the next 20 years, we should take great care in getting this right and getting a better regional understanding of the tools and their implications.

#### **More information needed to determine compliance with OAR 660-044-0040.**

More information and analysis is necessary to determine compliance with the following to provisions of OAR 660-044-0040:

- Funding. OAR 660-044-0040(2)(i) requires that *“If the preferred scenario relies on new investments or funding sources to achieve the target [Metro shall] evaluate the feasibility of the*

<sup>3</sup> Under the policy for implementing the 2040 Growth Concept and local adopted land use and transportation plans, the strategy for supporting the restoration of *“local control of housing policies and programs. . .”*

<sup>4</sup> While buildings and the built environment are not part of the Climate Smart Strategies, greenfield development provides an opportunity to help reduce greenhouse gas emissions. Such efforts are consistent with the State Ten-Year Energy Action Plan, Goal 1 (Maximize energy efficiency and conservation to meet 100 percent of new electric load Growth).



**OAR 660-044-0040****Cooperative Selection of a Preferred Scenario; Initial Adoption**

(1) Metro shall by December 31, 2014, amend the regional framework plan and the regional growth concept to select and incorporate a preferred land use and transportation scenario that meets targets in OAR 660-044-0020 consistent with the requirements of this division.

\* \* \*

(3) The preferred land use and transportation scenario shall include:

(a) A description of the land use and transportation growth concept providing for land use design types;

(b) A concept map showing the land use design types;

(c) Policies and strategies intended to achieve the target reductions in greenhouse gas emissions in OAR 660-044-0020;

(d) Planning assumptions upon which the preferred scenario relies including:

(A) Assumptions about state and federal policies and programs;

(B) Assumptions about vehicle technology, fleet or fuels, if those are different than those provided in OAR 660-044-0010;

(C) Assumptions or estimates of expected housing and employment growth by jurisdiction and land use design type; and

(D) Assumptions about proposed regional programs or actions other than those that set requirements for city and county comprehensive plans and land use regulations, such as investments and incentives;

(e) Performance measures and targets to monitor and guide implementation of the preferred scenario. Performance measures and targets shall be related to key elements, actions and expected outcomes from the preferred scenario. The performance measures shall include performance measures adopted to meet requirements of OAR 660-012-0035(5); and

(f) Recommendations for state or federal policies or actions to support the preferred scenario.

(4) When amending the regional framework plan, Metro shall adopt findings demonstrating that implementation of the preferred land use and transportation scenario meets the requirements of this division and can reasonably be expected to achieve the greenhouse gas emission reductions as set forth in the target in OAR 660-044-0020. Metro's findings shall:

(a) Demonstrate Metro's process for cooperative selection of a preferred alternative meets the requirements in subsections (2)(a)-(j);

(b) Explain how the expected pattern of land use development in combination with land use and transportation policies, programs, actions set forth in the preferred scenario will result in levels of greenhouse gas emissions from light vehicle travel that achieve the target in OAR 660-044-0020;

October 30, 2014



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**Testimony of Wilsonville Mayor Tim Knapp Before the Metro Council in Support of Ordinance No. 14-1344, “For the Purpose of Amending Metro Code Title V, Solid Waste, to Revise Chapter 5.06, Community Enhancement Programs”**

Good day Council President Hughes and Members of the Metro Council:

I am Tim Knapp, and I serve as Mayor for the City of Wilsonville. I am here today before you to express the support of Wilsonville for Ordinance No. 14-1344 that amends Metro Code pertaining to the Solid Waste Community Enhancement Fund Programs.

The City supports the recommendation to continue to base Metro’s Community Enhancement Program in state law and guided by the state statutory framework. Additionally, we support the recommendation to clarify which facilities are in and out of the program in order to remove ambiguity and differential treatment of similar facilities.

We favor the recommendation to implement the community enhancement program uniformly at all eligible facilities and establish a collaborative process for host local government notification and administration. Adopting a uniform approach treats all eligible facilities in a fair and equitable manner without preference or discrimination. We believe extending the community enhancement program to cover all eligible facilities is an important way to recognize the role of local communities hosting solid waste facilities that benefit the region.

We agree with the proposal to provide three options for program administration and distribution of funds; doing so provides flexibility for all parties and allows for accommodation of local situations. Of the three approaches outlined, the City would tend to favor adoption of an IGA between Metro and local government.

The City agrees with the recommendation to adjust the amount of the enhancement fee from \$0.50 to \$1.00 per ton. We note that the enhancement fees have not been increased since their inception in 1988. Inflation alone places the fees close to \$1/ton. Therefore, enhancement fee changes should be included in next year’s rate review process.

We concur with the recommendation to allow administrative cost reimbursement from the fund up to 20% or \$50,000 whichever is less. We believe that municipal administrative costs can certainly be covered with the proposed allotment.

We endorse the recommendation to allow local governments to sponsor projects from the fund as established through an IGA with Metro. We agree that the direct transfer and use of enhancement fees to a local government general fund should not be allowed, and that program funds cannot be used to replace other readily available federal, state or local funds.

We favor the recommendation to establish general program funding eligibility criteria that provide flexibility to meet the needs of different host communities.

We support the recommendation to establish general program funding goals that provide overall direction and purpose for use of the funds. We also agree with the recommendation to provide a dispute resolution process in advance of any kind of conflict that may arise so that all parties are clear about the process should it be necessary to use.

Overall, we commend Metro staff in working with many parties, including members of Metro's Solid Waste Alternatives Advisory Committee and local-government partners who will be engaged with Metro to successfully implement the program.

I also want to express the City Council's appreciation to your staff, namely Roy Brower and Bill Metzler, for their time to review the program with Council and City staff, including a February 2014 presentation made before the City Council.

On behalf of the Wilsonville City Council, I thank you for your time today and welcome any questions that you may have.