

# A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736  
TEL 503 797 1542 | FAX 503 797 1793



**METRO**

## Agenda

MEETING: METRO COUNCIL WORK SESSION MEETING  
DATE: February 15, 2005  
DAY: Tuesday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

### CALL TO ORDER AND ROLL CALL

- |         |    |   |            |
|---------|----|---|------------|
| 2:00 PM | 1. | <b>DISCUSSION OF AGENDA FOR COUNCIL<br/>REGULAR MEETING, FEBRUARY 17, 2005/<br/>ADMINISTRATIVE/CHIEF OPERATING OFFICER<br/>AND CITIZEN COMMUNICATIONS</b>     |            |
| 2:15 PM | 2. | <b>IMPACT OF FAST GROWTH ON EDUCATION</b>   | Newman     |
| 3:15 PM | 3. | <b>BREAK</b>  |            |
| 3:20 PM | 4. | <b>REGIONAL SOLID WASTE MANAGEMENT PLAN<br/>PROPOSED VALUES</b>   | Matthews   |
| 3:40 PM | 5. | <b>MEASURE 37 BRIEFING</b>  | Neill      |
| 4:00 PM | 6. | <b>FISH AND WILDLIFE HABITAT PROGRAM -<br/>PERFORMANCE OBJECTIVES</b>   | Deffebach  |
| 4:30 PM | 7. | <b>Resolution No. 05-3539, For the Purpose of<br/>Approving a Voluntary Exit Incentive Program<br/>For Metro Employees. (resolution available at meeting)</b> | Burkholder |
| 4:40 PM | 8. | <b>COUNCIL BRIEFINGS/COMMUNICATION</b>  |            |

**ADJOURN**

Agenda Item Number 4.0

***REGIONAL SOLID WASTE MANAGEMENT PLAN PROPOSED VALUES***

Metro Council Work Session  
Tuesday, February 15, 2005  
Metro Council Chamber

## **METRO COUNCIL**

### **Work Session Worksheet**

Presentation Date: 02/15/05

Time: 3:20

Length: 20 minutes

Presentation Title: Regional Values for the Regional Solid Waste Management Plan (RSWMP)

Department: Solid Waste & Recycling

Presenter: Janet Matthews

### **ISSUE & BACKGROUND**

The following framework is proposed for the updated RSWMP.

1. Plan vision
2. Regional values
3. Regional policies
4. Toxicity and waste reduction goals and objectives
5. Facilities and services goals and objectives

At last week's work session Council reviewed the current RSWMP vision statement and several new vision statement drafts. Staff received direction on a number of concepts that Council felt should be included in a revised Plan vision statement.

This work session is intended to review a new addition to the RSWMP framework: Regional values. Staff proposes a short list of regional values (attachment 1) for the Plan as a bridge between a lofty Plan vision and the more grounded regional policies. Regional values are meant to reflect ideals held in common among all who have a role in the regional solid waste system, and to guide the development of future policies and programs.

Council articulated its values for the solid waste system in fall 2003. Council values are reflected in both the proposed regional values and regional policies for the updated Plan (attachment 2).

### **OPTIONS AVAILABLE**

1. Council agrees regional values should be added to the direction-setting framework of the updated RSWMP.
2. Council determines regional values are not necessary or appropriate for inclusion in the Plan framework.

### **IMPLICATIONS AND SUGGESTIONS**

If Council concurs with staff's recommendation for adding regional values to the updated Plan, staff will develop a revised list of regional values based on comments received from Council and the Regional Solid Waste Advisory Committee.

Council will have further opportunities for review and comment on the RSWMP framework over the coming months, prior to the release of a draft updated Plan.

**QUESTION(S) PRESENTED FOR CONSIDERATION**

1. Do councilors concur with staff on adding Regional Values to the updated RSWMP framework?
2. If so, do the draft regional values adequately reflect ideals suitable for the updated RSWMP?

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION** \_\_ Yes  No

**DRAFT IS ATTACHED** \_\_ Yes  No

**SCHEDULE FOR WORK SESSION**

Department Director Approval \_\_\_\_\_

Chief Operating Officer Approval \_\_\_\_\_

## **Potential Regional Values**

1. Environmental Sustainability
  - Conserve natural resources
  - Reduce toxicity
  - Reduce the generation of waste
2. Public Health and Safety
  - Ensure sound facility operations
  - Prevent/eradicate illegal dumps
3. Shared Responsibility
  - Reduce product impacts through producer role in design and end-of-life management
  - Shift disposal costs to product manufacturers and users
  - Provision of services ensured by government
4. Life-long Learning
  - Deliver information the public needs
  - Promote an awareness of sustainable living
  - Encourage best practices
5. Coordination and Cooperation
  - Develop regional programs in partnership
  - Eliminate unnecessary duplication of efforts
  - Involve public and private sector in working groups to address regional issues
6. Performance
  - Ensure efficiency in programs and services
  - Maintain reasonable rates
  - Develop measures to determine program effectiveness
  - Evaluate programs and policies for relevance and results on a regular basis
7. Access
  - Provide equitable distribution of recovery and disposal facilities in the region
  - Preserve public access to recovery and disposal services

## Regional Policies

Transfer facilities in the solid waste system will be both publicly and privately owned.

All generators in the region will pay a user charge sufficient to fund the costs of the solid waste system.

The regional solid waste system will perform in a manner that is environmentally sound.

Regional fees and taxes will be applied in a manner that encourages material recovery.

Publicly owned facilities should ensure public access to services, leverage reasonable rates, and provide a strategic balance to vertically integrated operations in the region.

The regional solid waste system will perform in a manner that is acceptable to the public.

Integrated public drop-off services, including source-separated recycling, disposal and household hazardous waste collection will be provided by regional transfer facilities.

The regional solid waste system will perform in a manner that is regionally balanced.

Charges to users of facilities in the region will be reasonably related to services received.

Potential ratepayer impacts will be evaluated when new facilities or regional programs or policies are being considered.

The regional solid waste system will perform in a manner that is cost-effective.

## Councilor Values for the System

1. Protect the public investment in the solid waste system.

2. "Pay to Play" ensure that participants and users of the system pay appropriate fees and taxes.

3. Environmental sustainability - ensure the system performs in a sustainable manner.

4. Preserve public access to the disposal options (location & hours).

5. Ensure regional equity - equitable distribution of disposal options.

7. Ensure reasonable/affordable rates.

## Solid Waste

## Regional Values

Environmental Sustainability: Conserve natural resources, Reduce toxicity, Reduce the generation of waste.

Shared Responsibility: Reduce product impacts through producer role in design and end of life management.

Access: Preserve public access to recovery and disposal services.

Access: Provide equitable distribution of recovery and disposal facilities in the region.

Performance: Ensure efficiency in programs and services, Maintain reasonable rates.

Agenda Item Number 5.0

***MEASURE 37 BRIEFING***

Metro Council Work Session  
Tuesday, February 15, 2005  
Metro Council Chamber

**METRO COUNCIL**

**Work Session Worksheet**

Presentation Date: February 15, 2005 Time: \_\_\_\_\_ Length: 20 minutes

Presentation Title- Update on Measure 37 work and Task Force Formation

Department: Planning

Presenter: Lydia Neill, Principal Regional Planner

**ISSUE & BACKGROUND:** Staff received direction from Council to assist Councilors Liberty and Hosticka to form the Measure 37 Task Force and to develop a work program. A draft roster, duties and responsibilities and agenda will be available for review. A preliminary work program has also been prepared and is available for discussion.

**OPTIONS AVAILABLE:** Briefing purposes only at this time.

**IMPLICATIONS AND SUGGESTIONS:** The depth and breadth of the work program activities have budget implications. Staff is prepared to discuss general FTE requirements associated with work tasks.

**QUESTION(S) PRESENTED FOR CONSIDERATION:** What should Metro's role be in providing public education on this measure? Should claims tracking information be confined to filing information or would the council prefer to have staff prepare and analysis of individual claims?

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION** \_\_Yes \_\_X  
\_No

**DRAFT IS ATTACHED** \_\_Yes \_\_No

**SCHEDULE FOR WORK SESSION**

Department Director/Head Approval \_\_\_\_\_

Chief Operating Officer Approval \_\_\_\_\_



**A G E N D A**

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736  
TEL 503 797 1542 | FAX 503 797 1793



**METRO**

**Agenda**

**MEETING:** METRO MEASURE 37 TASK FORCE  
**DATE:** February 15, 2005  
**DAY:** Tuesday  
**TIME:** 5:30 PM  
**PLACE:** Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

- 5:30 PM**      1.      **WELCOME AND INTRODUCTIONS**
- 5:35 PM**      2.      **DISCUSSION OF COMMITTEE ORGANIZATION,  
PURPOSE AND WORK PLAN**
- 6:05 PM**      3.      **OVERVIEW OF CLAIMS FILED**
- 6:15 PM**      4.      **LEGISLATIVE UPDATE**
- 6:25 PM**      5.      **REVIEW PROPOSED AGENDA FOR MARCH 1<sup>st</sup>  
MEETING**

**ADJOURN**

# Draft

## Duties and Responsibilities of the Metro Measure 37 Task Force February 10, 2005

### 1. Name of the Task Force:

This committee shall be known as Measure 37 Task Force. Hereinafter referred to as "M37 Task Force."

### 2. Members of Measure 37 Task Force:

The following people are appointed to the M37 Task Force.

[ADD NAMES HERE]

### 3. Work Program and Purpose:

M37 Task Force shall review and advise the Metro Council on the impacts of Measure 37 claims on property owners, the ability of Metro to manage the urban growth boundary (UGB) and the implementation of growth management policies and goals contained in the 2040 Growth Concept. Citizens, interest groups and jurisdictions that have an interest in fairness shall populate the M37 Task Force, understanding growth management and the technical issues that will arise in the implementation of the measure. The M37 Task Force shall provide a forum to discuss property owner rights, fiscal tools to allow compensation of landowners and impacts on quality of life.

The Task Force's work will include education, research, evaluation and recommendations for responses.

#### **Research, Educate and Inform Metro, Other Decision-Makers and the Public**

The task force will help educate decision-makers and the public about the implementation of Measure 37 and address questions of fairness. This work will include:

- Providing information about the location and type of claims that have been filed in the region including amounts of compensation or types of waiver requested.
- Identifying opportunities for Metro to provide data, funding, and technical assistance in analyzing the impacts of claims.
- Understanding the provisions of Measure 37 and consideration of issues of interpretation that are unresolved;
- Share information between local governments on how they are responding procedurally and substantively to claims;
- Identifying and cooperating with state agencies that are addressing the implementation of Measure 37;
- And other research, education and informational activities that are relevant and appropriate.

#### **Estimate Implications of Measure 37 for the Region**

The task force will review and discuss the long-range implications of Measure 37. To understand these implications, staff and members will collect and evaluate information on

- Estimates of the long range impacts of claims on the farm industry;
- The impacts of claims and local government responses to those claims on maintaining a compact urban form and unintended consequences of implementing the measure;
- The estimated economic impacts of paying claims;
- The estimated economic impacts of granting claims on the provision of services such as sanitary sewer, transportation, water services and emergency services (police and fire);
- Evaluate potential impacts of Measure 37 on the execution of Metro's existing regional planning efforts and responsibilities, including all activities affected by land supply calculations and transportation planning that may be implicated by the implementation of Measure 37;
- And other matters that are useful and appropriate.

**Make Recommendations for Reconciling Measure 37's Mandate for Fairness with Metro's 2040 Growth Concept and Mandate to Protect our Environment and Quality of Life**

The Task Force will consider and make recommendations to Metro regarding how to achieve both fairness to landowners and to carry out Metro's 2040 Growth Concept and Metro's mandate to protect the region's quality of life and environment. This work will include:

- Discussing issues of fairness to property owners in general and in the context of Measure 37.
- How to inform and involve the public in the claims process and the policy issues raised by Measure 37; Review and evaluate proposed legislative changes that balance the intent of the voters and the fundamental goals of the Oregon land use system
- Developing and proposing methods for both executing Measure 37 and achieving the 2040 Growth Concept, including considering and making recommendations regarding funding mechanisms or programs to compensate owners of property entitled to compensation under Measure 37.
- And other matters that are useful and appropriate.

Councilors Liberty and Hosticka will represent the M37 Task Force recommendations to the Metro Council, the Metro Policy Advisory Committee, and the Oregon Land Conservation and Development Commission no later than September 1, 2005.

The M37 Task Force may consult with other committees such as the Metro Technical Advisory Committee, Joint Policy Advisory Committee on Transportation and Transportation Alternatives Policy Advisory Committee as necessary.

**4. Membership, chairs and term of service:**

M37 Task Force is composed of representatives of the local government agencies (cities and counties); economists; advocacy groups; and citizens. Metro Councilor Robert Liberty shall serve as chair of the task force and Metro Councilor Carl Hosticka will serve as the vice-chair.

**5. Meetings:**

The M37 Task Force will meet twice monthly until the sunset of the M37 Task Force in September 2005. The meeting times and locations will be jointly agreed upon by task force members and the program staff. All meetings are open to the public.

A quorum of the M37 Task Force shall be a majority of the members (e.g., if there are \_\_\_ positions on the M37 Task Force, \_\_\_ members constitute a quorum).

The chair and program staff shall develop agenda items for the meetings. M37 Task Force members may suggest future agenda items to the program staff.

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Agenda Item Number 6.0

***FISH AND WILDLIFE HABITAT PROGRAM – PERFORMANCE OBJECTIVES***

Metro Council Work Session  
Tuesday, February 15, 2005  
Metro Council Chamber

## METRO COUNCIL

### Work Session Worksheet

Presentation Date: 2/15/05

Time:

Length: 45 min

Presentation Title: Performance Objectives for the Fish and Wildlife Habitat Program

Department: Planning

Presenters: Deffebach, Ketcham, Wilkinson

#### ISSUE & BACKGROUND

Resolution 04-3506A, adopted by the Metro Council on December 9, 2004 directed staff to develop regional outcome measures to evaluate the region's progress toward meeting the vision of conserving, protecting, and restoring fish and wildlife habitat in the region. The resolution also calls for an annual assessment of progress, including but not limited to an evaluation of the habitat inventory.

Outcome measures, or performance objectives, can serve to motivate and inspire individual actions to preserve and restore habitat as well as provide guidance for monitoring and potentially for choosing targets for future acquisition. Staff is currently working on draft Functional Plan language to implement a regional habitat protection plan, including a range of methods for local compliance. One approach under consideration is to allow a city or county to demonstrate that their comprehensive plan and implementing ordinance will achieve performance objectives through a combination of regulatory and voluntary, incentive-based tools. Performance objectives that include an identified target provide additional direction for flexible local compliance and greater specificity for the region's habitat goals. However, such targets can be difficult to set from both a technical and policy perspective.

Outcome measures can be defined in several different ways. The purpose of the presentation at the work session is to discuss the choices and seek additional Council direction on how to finalize them in the Fish and Wildlife Habitat Program. The attached memo summarizes outcome measure choices and implications.

#### OPTIONS AVAILABLE

The attached memo outlines three options, each referring to performance objectives, rather than outcome measures:

- Qualitative objectives and monitoring.
- Qualitative objectives, monitoring, and 1-2 targets for each objective.
- Quantitative objective and monitoring.

## **IMPLICATIONS AND SUGGESTIONS**

The way that the outcome measures, or performance objectives, are defined have implications for how long it takes to develop them and how much guidance and clarity they lend to the region's habitat protection. Some of the issues are:

- Targets can be time consuming and difficult to define
- Targets can provide guidance for cities and counties who want flexibility in how they reach compliance with Functional Plan
- The wording of the objectives is important because they bring an opportunity to communicate the region's goals.
- How the objectives and targets are defined, if selected, influence the design of the monitoring program.

## **QUESTION(S) PRESENTED FOR CONSIDERATION**

- How would you like to see outcome measures defined in the fish and wildlife program?
- To what extent would you like to see the measures focus on qualitative measures and what extent would you like to set explicit targets for fish and wildlife habitat goals?

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION** \_\_Yes \_\_No  
**DRAFT IS ATTACHED** \_\_Yes \_\_No

## **SCHEDULE FOR WORK SESSION**

Department Director/Head Approval \_\_\_\_\_

Chief Operating Officer Approval \_\_\_\_\_

# M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736  
TEL 503 797 1700 | FAX 503 797 1794



**METRO**

DATE: February 8, 2005  
TO: Metro Council  
FROM: Chris Deffebach, Long Range Planning Manager  
RE: Options for Performance Objectives

## **Role and origin of performance objectives**

Resolution 04-3506A, adopted by the Metro Council on December 9, 2004 directed staff to develop regional outcome measures to evaluate the region's progress toward meeting the vision of conserving, protecting, and restoring fish and wildlife habitat in the region. The resolution also calls for an annual assessment of progress including, but not limited to, an evaluation of the habitat inventory.

We propose changing the term "outcome measures" to "performance objectives" to further clarify their use to measure the region's performance in fish and wildlife habitat protection and restoration over time. Performance objectives can serve to motivate and inspire individual actions and broadly supported cooperative efforts to preserve and restore habitat as well as provide guidance for monitoring and potentially for choosing targets for future acquisition.

Staff is currently working on draft Functional Plan language to implement a regional habitat protection plan, including a range of methods for local compliance. One approach under consideration is to allow cities or counties to demonstrate that their comprehensive plans and implementing ordinances will achieve performance objectives through a combination of regulatory and voluntary, incentive-based tools. Performance objectives that include an identified target provide additional direction for flexible local compliance and greater specificity for the region's habitat goals. However, such targets can be difficult to set from both a technical and policy perspective.

Staff developed four performance objectives that are derived from the Vision Statement and the ecological function criteria that serve as the basis of the Habitat Inventory. These performance objectives are:

1. Preserve and improve streamside, wetland, and floodplain habitat and connectivity.
2. Preserve large areas of contiguous habitat and avoid fragmentation.
3. Preserve and improve connectivity for wildlife between riparian corridors and upland habitat.
4. Preserve and improve special habitats of concern.



Staff also identified two implementation objectives to guide efforts to minimize the impacts of existing and new development on habitat:

- A. Increase the use of habitat-friendly development throughout the region.
- B. Increase restoration and mitigation actions to compensate for adverse effects of new and existing development on ecological function.

Staff also identified several indicators that could be used to monitor progress towards each of the objectives. Most of the indicators are based on the habitat inventory; however, some require additional data collection at either a local or regional level.

### **Options for Performance Objectives**

The six performance objectives described above provide guidance for measuring regional progress in habitat protection and restoration. There are several ways the performance objectives could be used. Staff has identified three approaches for the Council to consider that would allow Metro to measure progress in habitat protection and restoration. Examples are shown using the first objective of streamside habitat connectivity.

#### *A. Qualitative objectives and monitoring.*

In this approach, the Council would adopt qualitative, general objectives and monitor several indicators for each objective. For example:

**Objective:** Preserve and improve streamside, wetland, and floodplain habitat and connectivity.

**Sample indicators:** Existing conditions for area within 50 feet on each side of streams and wetlands, this data can be shown by watershed and by jurisdiction. Below is a regional summary of two indicators:

- 64% of acres (in the region) within 50 feet of streams (on each side) and wetlands are vegetated (forest, low-structure vegetation, undeveloped soils)
- 39% of acres (in the region) within 50 feet of streams (on each side) and wetlands are forested

This approach provides direction for improvement of habitat but does not indicate how much improvement is enough. Progress towards each performance objective would be measured using selected indicators. This approach is similar to that taken with Metro's Performance Measures report.

#### *B. Qualitative objectives, monitoring, and 1-2 (or more) targets for each objective.*

In this approach Council would adopt the same qualitative objectives described in Option A, but would also adopt a select number of targets for some or all of the indicators. Targets are specific values established for environmental indicators that represent desirable outcomes. Theoretically they should represent the proper level of function for a given performance objective within an urban context. These targets would consider current conditions, extent of local protection in

place, and factors affecting future conditions, including the ESEE decision and public ownership of habitat. An example for one objective is shown below:

**Objective:** Preserve and improve streamside, wetland, and floodplain habitat and connectivity.

**Targets:** Evaluate existing conditions by watershed, categorize watersheds, and provide targets for each category. For example, measure the percent of area within 50 feet of streams and wetlands that is vegetated, set a target, and measure progress over time. Attachment 1 includes a table showing existing conditions of vegetation within 50 feet of streams by watershed in the region. The following targets could be established:

- no net loss of vegetation within 50 feet for high performing watersheds (existing conditions approximately 80% or more of area within 50 feet of streams/wetlands is vegetated, currently 9 watersheds)
- improve conditions by 5-10% for medium performing watersheds (existing conditions 65-79% of area within 50 feet of streams/wetlands is vegetated, 12 watersheds):
- improve conditions by 10-20% for low performing watersheds (existing conditions less than 65% of area within 50 feet of streams/wetlands is vegetated, 8 watersheds):

A target for a second indicator, 50-150 feet from a stream, would be set lower because less land is currently protected and proposed protections are less likely to have as much effect. Targets are inherently difficult to establish and defend. However, if expressed as aspirations, they can serve as an important management tool to guide local implementation efforts.

### *C. Quantitative objective and monitoring.*

In this approach Council would combine the qualitative objectives from Options A and B with a measurable outcome by adopting a simplified, quantitative objective that can be measured over time. These objectives should be inspirational and serve to motivate progress towards habitat protection and restoration goals. The indicators used to measure progress would be the same as in the other options. Examples of a quantitative objective include:

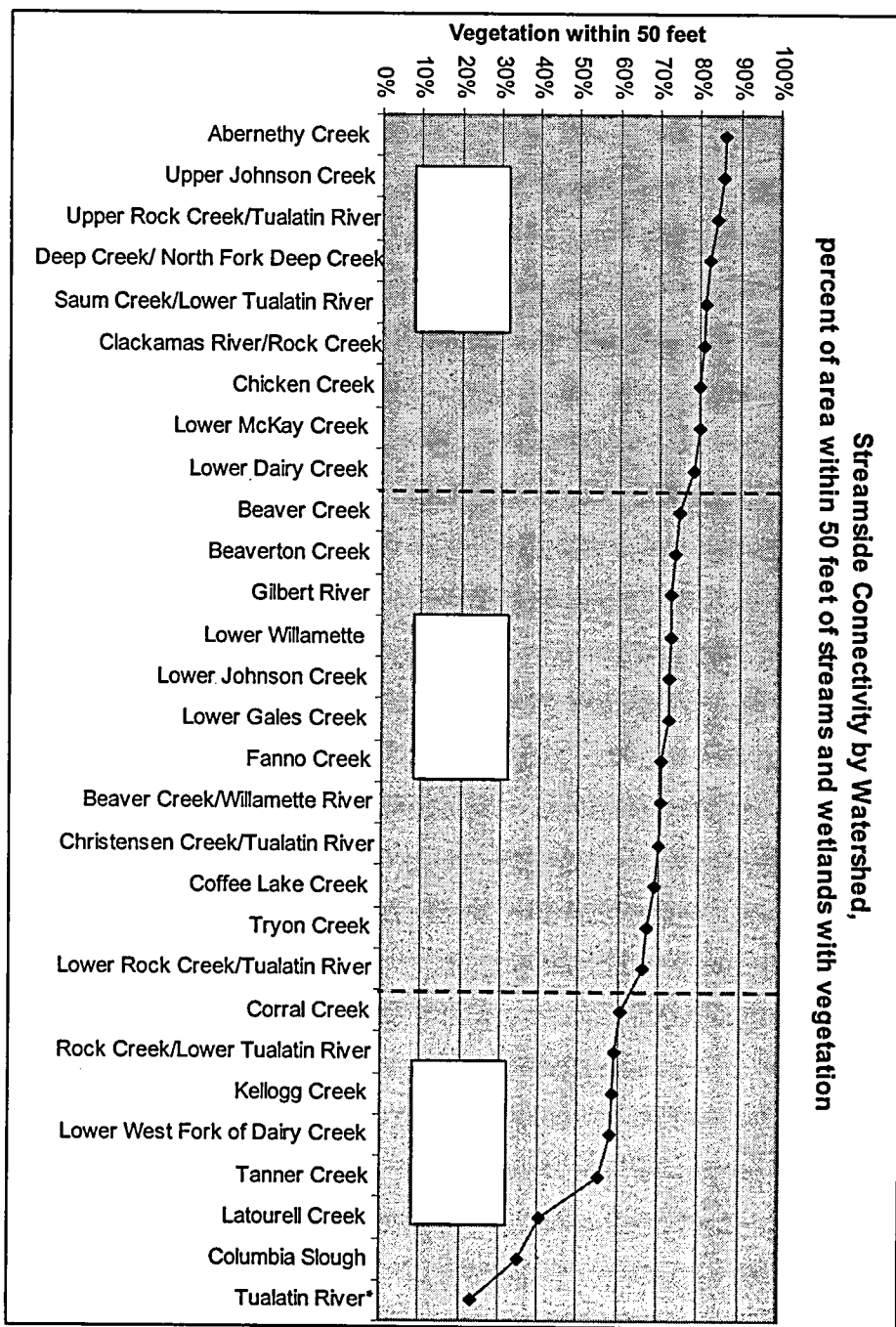
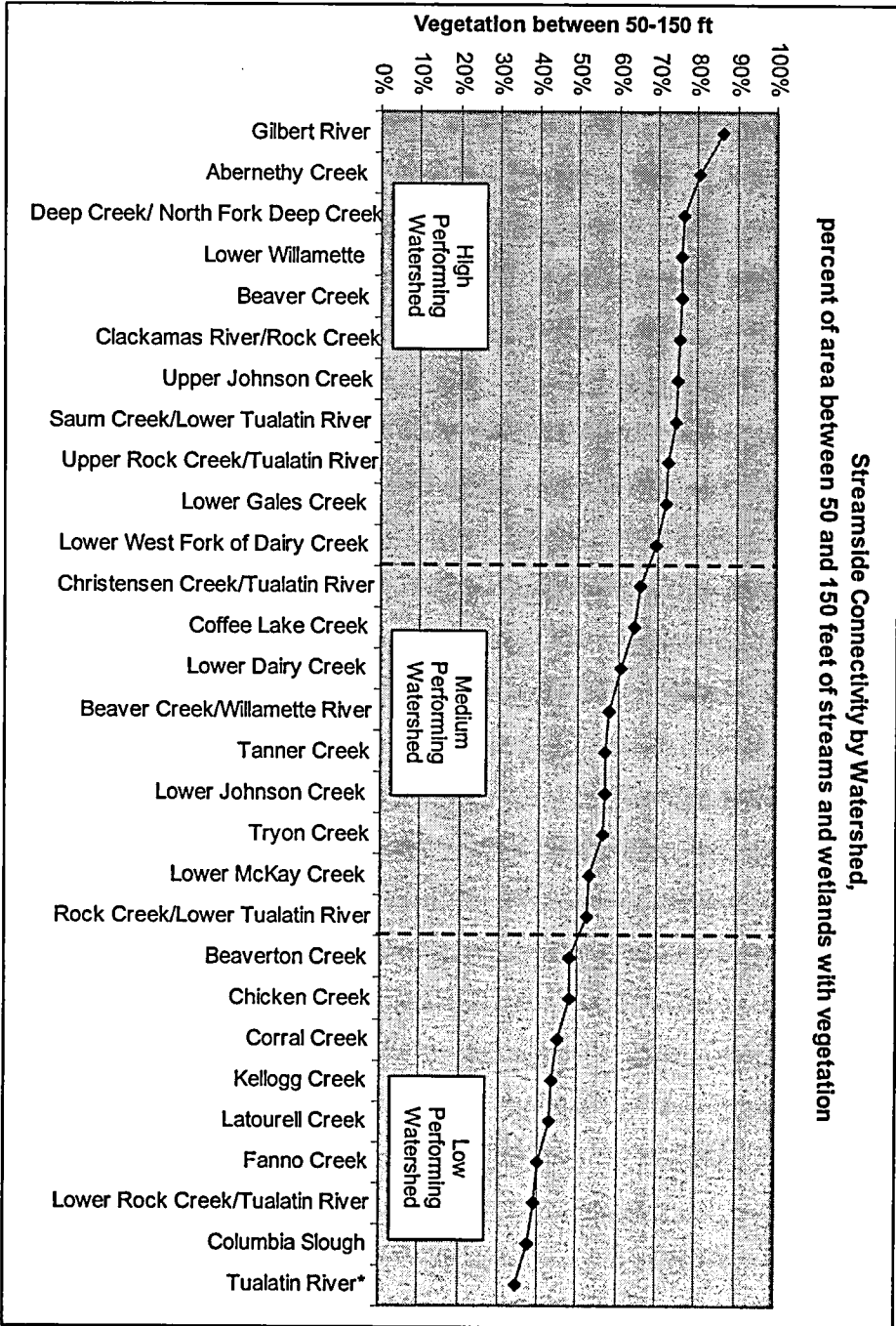
- Improve streamside, wetland, and floodplain habitat connectivity by 10 percent at the regional level.
- Maintain half of the most valuable upland habitat within UGB.
- Preserve 75% of the scarce habitats of concern within the UGB.
- Develop using habitat-friendly development practices in all regionally significant habitat areas.
- Restore ecological functions and habitat connectivity through new partnerships and added cooperation to maintain or improve habitat quality in an urban environment.

A quantitative performance objective that is simple and inspirational but that also guides monitoring of the habitat inventory is difficult to write. Such objectives may need substantial clarification through the indicators to show how they will be measured, but they do provide directional goals and an indication of how much progress is enough.

**Summary**

All of the three options for Performance Objectives include indicators for monitoring purposes. Some of the pros and cons of the three options are described below:

<b>Option</b>	<b>Pros</b>	<b>Cons</b>
A. Qualitative objectives and monitoring	<ul style="list-style-type: none"> <li>- Does not require setting targets or benchmarks, which could be time consuming and difficult</li> </ul>	<ul style="list-style-type: none"> <li>- Does not provide specific guidance for flexible local compliance with Functional Plan</li> </ul>
B. Qualitative objectives, monitoring, and 1-2 (or more) targets	<ul style="list-style-type: none"> <li>- Provides guidance for flexible local compliance with functional plan</li> <li>- Targets can incorporate ESEE decision, and provide direction for voluntary, incentive-based efforts</li> </ul>	<ul style="list-style-type: none"> <li>- Much more difficult to identify targets than to simply define objectives and indicators for monitoring</li> <li>- Could result in program delay if early agreement on targets is not achieved</li> </ul>
C. Quantitative objective and monitoring	<ul style="list-style-type: none"> <li>- Simplifies objective and target into one statement</li> <li>- Possibly simpler to explain to public</li> <li>- Allows for flexible local compliance, but with less specificity than Option B</li> </ul>	<ul style="list-style-type: none"> <li>- Difficult to devise a single quantitative objectives for each outcome measure, may need more objectives</li> <li>- If used for local compliance, the result may not be consistent because of broad interpretation</li> </ul>



\*Tualatin River subwatershed only includes a small area near Forest Grove - most of it is outside Metro's jurisdiction.

021505c-01

A G E N D A

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TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING  
DATE: February 17, 2005  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. METRO CENTRAL ENHANCEMENT GRANT SLATE 2005-06 Burkholder/Blauer  
AND ACKNOWLEDGEMENT OF SERVICE

4. OREGON STATE MARINE BOARD'S ANNUAL AWARD FOR Desmond/Kromer  
PROFESSIONAL SERVICE

5. METRO LEADERSHIP IN RIPARIAN RESTORATION ALONG THE Zonick  
CLACKAMAS RIVER

6. CONSENT AGENDA

6.1 Consideration of Minutes for the February 10, 2005 Metro Council Regular Meeting.

6.2 Resolution No. 05-3538, For the Purpose of Confirming the Appointment of Loretta Pickerell to the Regional Solid Waste Advisory Committee (SWAC).

7. ORDINANCES - SECOND READING

7.1 Ordinance No. 05-1072, For the Purpose of amending the FY 2004-05 budget Burkholder and appropriations schedule Accepting \$850,000 of Federal Funds from the Oregon Department of Transportation (ODOT) for a Regional Travel Options Marketing Campaign; recognizing \$150,000 of the New Grant Funds to increase the Materials and Services Budget of the Planning Department to Hire Consultants to Develop and Implement the Marketing Campaign; transferring \$54,655 of TriMet Grant Funds from Contracted Services to Personal Services to add 1.0 FTE Regional Travel Options Program Manager (Manager 1); and Declaring an Emergency.

- 7.2 **Ordinance No. 05-1073**, For the Purpose of Amending the FY 2004-05 Budget Newman and Appropriations Schedule recognizing \$48,820 in Grant Funds and Private Contributions for Specific Projects in the Zoo Operating Fund; adding \$48,820 to Revenue and Operating Expenses in the Zoo Operating Fund; and Declaring an Emergency.

**8. RESOLUTIONS**

- 8.1 **Resolution No. 05-3544**, For the Purpose of Endorsing an Updated 2005 Regional position on reauthorization of Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). Burkholder
- 8.2 **Resolution No. 05-3548**, For the Purpose of Approving Portland Regional Federal Transportation Priorities for Federal Fiscal Year 2006 Appropriations. Burkholder

**9. CHIEF OPERATING OFFICER COMMUNICATION**

**10. COUNCILOR COMMUNICATION**

**ADJOURN**

**Television schedule for February 17, 2005 Metro Council meeting**

<b>Clackamas, Multnomah and Washington counties, and Vancouver, Wash.</b> Channel 11 -- Community Access Network <a href="http://www.yourtv.org">www.yourtv.org</a> -- (503) 629-8534 2 p.m. Thursday, Feb. 17 (live)	<b>Portland</b> Channel 30 (CityNet 30) -- Portland Community Media <a href="http://www.pcatv.org">www.pcatv.org</a> -- (503) 288-1515 8:30 p.m. Sunday, Feb. 20 2 p.m. Monday, Feb. 21
<b>Gresham</b> Channel 30 -- MCTV <a href="http://www.mctv.org">www.mctv.org</a> -- (503) 491-7636 2 p.m. Monday, Feb. 21	<b>Washington County</b> Channel 30 -- TVTV <a href="http://www.yourtv.org">www.yourtv.org</a> -- (503) 629-8534 11 p.m. Saturday, Feb. 19 11 p.m. Sunday, Feb. 20 6 a.m. Tuesday, Feb. 22 4 p.m. Wednesday, Feb. 23
<b>Oregon City, Gladstone</b> Channel 28 -- Willamette Falls Television <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> -- (503) 650-0275 Call or visit website for program times.	<b>West Linn</b> Channel 30 -- Willamette Falls Television <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> -- (503) 650-0275 Call or visit website for program times.

**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 Clerk of the Council, Chris Billington, (503) 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website [www.metro-region.org](http://www.metro-region.org) and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING A	)	RESOLUTION NO. 05-3539
VOLUNTARY EXIT INCENTIVE PROGRAM	)	
FOR METRO EMPLOYEES	)	Introduced by Chief Operating Officer
	)	Michael Jordan with Concurrence of Council
	)	President David Bragdon

WHEREAS, the Metro Council is committed to a multi-year process for aligning Metro's cost structure with forecasted revenue to provide responsive public services; and

WHEREAS, a program of accelerated attrition through voluntary employee resignations will facilitate Metro reorganization and reduce costs; and

WHEREAS, a program of voluntary exit incentives is a cost-effective way to encourage voluntary attrition, reward public service, and maintain employee morale, now therefore

BE IT RESOLVED that the Metro Council:

1. Approves an employee Voluntary Exit Incentive program to be offered in a form substantially similar to the attached Exhibit A, and
2. Authorizes the Metro Chief Operating Officer to take all actions necessary to carry out the provisions of this resolution.

ADOPTED by the Metro Council this \_\_\_ day of \_\_\_\_\_, 2005

\_\_\_\_\_  
David Bragdon, Council President

Approved as to form:

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

Exhibit A  
Resolution No. 05-3539

Years of Service	\$100 Incentive Per Year	Total Incentive
1	\$ 100	\$ 100
2	\$ 200	\$ 300
3	\$ 300	\$ 600
4	\$ 400	\$ 1,000
5	\$ 500	\$ 1,500
6	\$ 600	\$ 2,100
7	\$ 700	\$ 2,800
8	\$ 800	\$ 3,600
9	\$ 900	\$ 4,500
10	\$ 1,000	\$ 5,500
11	\$ 1,100	\$ 6,600
12	\$ 1,200	\$ 7,800
13	\$ 1,300	\$ 9,100
14	\$ 1,400	\$ 10,500
15	\$ 1,500	\$ 12,000
16	\$ 1,600	\$ 13,600
17	\$ 1,700	\$ 15,300
18	\$ 1,800	\$ 17,100

Years of Service	\$100 Incentive Per Year	Total Incentive
19	\$ 1,900	\$ 19,000
20	\$ 2,000	\$ 21,000
21	\$ 2,100	\$ 23,100
22	\$ 2,200	\$ 25,300
23	\$ 2,300	\$ 27,600
24	\$ 2,400	\$ 30,000
25	\$ 2,500	\$ 32,500
26	\$ 2,600	\$ 35,100
27	\$ 2,700	\$ 37,800
28	\$ 2,800	\$ 40,600
29	\$ 2,900	\$ 43,500
30	\$ 3,000	\$ 46,500
31	\$ 3,100	\$ 49,600
32	\$ 3,200	\$ 52,800
33	\$ 3,300	\$ 56,100
34	\$ 3,400	\$ 59,500
35	\$ 3,500	\$ 63,000
36	\$ 3,600	\$ 66,600



TO: Carl Hosticka, Lydia Neill  
 FROM: Robert Liberty  
 DATE: February 8, 2005  
 RE: Measure 37 Task Force Workplan by Meeting  
 COPY: Linnea Nelson

Here is my first rough draft for a list and order for major topics for the Measure 37 Task Force.

Meeting #	Major Topics*
1	Duties, workplan & preliminary schedule
2	Understanding Measure 37, overview, key details & questions
3	Regional approaches to interpreting Measure 37 & processing claims
4	Public attitudes & perceptions on the subject
5	Background principles and thinking about property rights & fairness
6	Preliminary discussion of methods for realizing 2040 Growth Concept with Measure 37; recommendations for developing key ideas sooner
7	Legislative update & discussion regarding recommendations to Metro on legislation;
8	Implications for Metro and local government's planning work & responsibilities, including land need supply, regional infrastructure planning; mid-term review and re-evaluation of Committee workplan
9	Implication for Federal and State agency programs
10	Claims funding options
11	Forecast of long-range impact of potential claims; Discussion of options for how to implement 2040
12	Discussion regarding recommendations to MPAC and Metro on how implement 2040 & other matters
13	Recommendations to Metro Council on 2040 Growth Concept, adjustments to planning efforts, & future of the Committee.

\* Each meeting should include a standardized item regarding cumulative and pending claims, payments & waivers, an update on legislation and litigation and other news.

# measure 37 Task Force

Objective: assess the impacts of Measure 37 claims and develop a region-wide response

1 VUIKIE / KAMES

## Representatives

		Phone	Email
1	Robert Liberty, Metro Councilor, Committee Chair	(503) 797-1552	<a href="mailto:rliberty@metro.dst.or.us">rliberty@metro.dst.or.us</a>
2	Carl Hosticka, Metro Councilor, Committee Vice Chair	(503) 797- 1549	<a href="mailto:hostickac@metro.dst.or.us">hostickac@metro.dst.or.us</a>
3	John Leeper, Washington County Commissioner	(503) 846-2811	<a href="mailto:john_leeper@co.washington.or.us">john_leeper@co.washington.or.us</a>
4	Martha Schäder, Clackamas County Commissioner	(503) 655-8581	<a href="mailto:marthasch@co.clackamas.or.us">marthasch@co.clackamas.or.us</a>
5	Judy Hammerstad, Mayor Lake Oswego	(503) 635-0215	<a href="mailto:mayor@cl.oswego.or.us">mayor@cl.oswego.or.us</a>
6	Todd Scheaffer, NAIOP, Specht Development	(503) 646-2202	<a href="mailto:tscheaffer@spechtprop.com">tscheaffer@spechtprop.com</a>
7	Sheila Martin, Portland State Univ. Institute for Metropol. Studies	(503) 725-5170	<a href="mailto:sheilam@pdx.edu">sheilam@pdx.edu</a>
8	Doug Bowsby, Bank of America- Senior Vice President	(503) 275-1869	<a href="mailto:douglas.b.bowsby@bankoamerica.com">douglas.b.bowsby@bankoamerica.com</a>
9	Jim Chapman, Home Builders- President, Legend Homes-President	(503) 620-8080	<a href="mailto:jchapman@legendhomes.com">jchapman@legendhomes.com</a>
10	Mary Kyle McCurdy, 1000 Friends of Oregon	(503) 497-1000	<a href="mailto:mkm@friends.org">mkm@friends.org</a>
11	Bonny McKnight, Chair of Citywide Land Use Organization- Portland	(503) 253-6848	<a href="mailto:bonnymck@teleport.com">bonnymck@teleport.com</a>
12	Rabb Ariel Stone Halpern, Shaikvan Synagogue (unconfirmed)	(503) 282-1787	
13	Keith Fishback, Washington County farmer	(503) 324-4440	<a href="mailto:keith@fishbacknursery.com">keith@fishbacknursery.com</a>
14	Jack Hoffman, MPAC Chair, ex-official member	(503) 306- 5324	<a href="mailto:jd@h-dunn-camey.com">jd@h-dunn-camey.com</a>
15	Paul Iverson, Clackamas County farmer (unconfirmed)	(503) 634-2879	

Dan Cooper  
 Lydia Neill  
 Jenny Stein

**Metro Council Project Proposal**  
February 15, 2005

**Lead Councilor:** Robert Liberty

**Councilor Liaisons:** Robert Liberty and Carl Hosticka

**Project Title:** Measure 37 Task Force

**Project Begin Date:** February 2005

**Estimated Date of Completion:** September 2005

**Project Description:**

The Measure 37 Task Force is being formed to assess the impacts of the measure on the implementation of the 2040 growth Concept and Metro's ability to manage the urban growth boundary. Other issues such as fairness to property owners, cumulative impacts of development due to local government waivers of zoning and development regulations, Metro's educational responsibilities and development of alternative funding mechanisms will be discussed and reviewed by the Task Force.

The Task Force's work will include education, research, evaluation and recommendations for responses.

**Research, Educate and Inform Metro, Other Decision-Makers and the Public**

The task force will help educate decision-makers and the public about the implementation of Measure 37 and address questions of fairness. This work will include:

- Providing information about the location and type of claims that have been filed in the region including amounts of compensation or types of waiver requested;
- Identifying opportunities for Metro to provide data, funding, and technical assistance in analyzing the impacts of claims;
- Understanding the provisions of Measure 37 and consideration of issues of interpretation that are unresolved, including the potentially personal nature of the claims, the scope of the exemptions;
- Share information between local governments on how they are responding procedurally and substantively to claims;
- Identifying and cooperating with state agencies that are addressing the implementation of Measure 37;
- And other research, education and informational activities that are relevant and appropriate.

**Estimate Implications of Measure 37 for the Region**

The task force will review and discuss the long-range implications of Measure 37. To understand these implications, staff and members will collect and evaluate information on:

- Estimates of the long range number, character and location of claims and waivers;
- Potential impacts of waivers of EFU zoning on the farm industry;
- The impacts of claims and local government responses to those claims on maintaining a compact urban form and unintended consequences of implementing the measure;

- The estimated economic impacts of paying claims;
- The estimated economic impacts of granting claims on the provision of services such as sanitary sewer, transportation, water services and emergency services (police and fire);
- Evaluate potential impacts of Measure 37 on the execution of Metro's existing regional planning efforts and responsibilities, including all activities affected by land supply calculations and transportation planning that may be implicated by the implementation of Measure 37;
- And other matters that are useful and appropriate.

Managing this effort will require planning and data resource staff to develop a methodology, supervise and coordinate data collection, map and analyze information from the study. Preliminary contacts with PSU have indicated that they have an interest in participating.

**Make Recommendations for Reconciling Measure 37's Mandate for Fairness with Metro's 2040 Growth Concept and Mandate to Protect our Environment and Quality of Life**  
 The Task Force will consider and make recommendations to Metro regarding how to achieve both fairness to landowners and to carry out Metro's 2040 Growth Concept and Metro's mandate to protect the region's quality of life and environment. This work will include:

- Discussing issues of fairness to property owners in general and in the context of Measure 37.
- Informing and involving the public in the claims process and the policy issues raised by Measure 37; Review and evaluation of proposed legislative changes that balance the intent of the voters and the fundamental goals of the Oregon land use system
- Developing and proposing methods for both executing Measure 37 and achieving the 2040 Growth Concept, including considering and making recommendations regarding funding mechanisms or programs to compensate owners of property entitled to compensation under Measure 37.
- And other matters that are useful and appropriate.

**Outcomes:**

The outcomes and products from this effort should be:

- Better knowledge of the measure's requirements and potential impacts by elected officials around the region, which will assist them in implementing the measure in ways that reduce deviation from Metro's 2040 Growth Concept
- Better understanding of the measure and its implications by citizens and various interests around the region.
- One or more plans or methods for implementing Measure 37 and/or broader principles of fairness, while still fulfilling Metro's mandate to protect and enhance the quality of life and the environment in the region, including carrying out the 2040 Growth Concept.

**Resources Required:**

Summary: 4.90 FTE (about \$600,000 to \$650,000 in personnel costs)  
\$31,000 in expenses, primarily for public information

- .75 FTE project management (Neill)
- .75 FTE for staffing the Task Force, basic claim tracking and mapping, management assistance (administrative and Data Resource Center)
- 2.5 FTE for Planning and Data Resource Center staff to complete research projects (data collection and analysis), FTE estimate is high due to the short timelines included in the work scope
- .25 FTE for intern assistance, data collection and tracking
- .65 FTE and \$25,000 to 30,000 materials and services for public information efforts. Initial communication efforts can be set up to inform the public about the purpose, workplan and future recommendations of the Task Force. A limited message neutral information/fact provision role would require FTE to write, design and distribute fact sheets, committee materials and web information. Printing can be done in-house.
- \$50.00 per meeting for materials and services for miscellaneous expenses.

This estimate does not include staffing for legislative or legal support.

**Connection to Council Goals and Objectives:**

The following Council goals and objectives apply to this project:

- Great Places Goal- "Residents of the region enjoy vibrant, accessible and physically distinct places to live, work and play."
- Environmental Health 2.5- "urban land is used efficiently and resource land is protected from urban encroachment."
- Smart Government Goal- " Metro leads a fiscally sound, efficient and congruent system of governance where public services are funded appropriately and provided by the most suitable units of government."  
4.3 "Metro provides services that fit its distinct competency or regional scope."
- Communications and Leadership Excellence 3.3- "Maintain open working relationships with other governments and organizations and provide a venue for regional collaboration."