 **Metro | Agenda**

Meeting: Metro Council
Date: Thursday, August 27, 2015
Time: 2 p.m.
Place: Metro Regional Center, Council Chamber

REVISED 08/27/15

CALL TO ORDER AND ROLL CALL

1. **CITIZEN COMMUNICATION**
2. **9TH EDITION OF BIKE THERE! MAP PRESENTATION** **Marne Duke, Metro
Matthew Hampton, Metro**
3. **CONSIDERATION OF COUNCIL MEETING MINUTES FOR
AUGUST 6, 2015**
4. **ORDINANCES (FIRST READ)**
- 4.1 **Ordinance No. 15-1360**, For the Purpose of Annexing to **Tim O'Brien, Metro**
the Metro District Boundary Approximately 89 Acres
located East and West of SW Roy Rogers Road and West of
SW 150th Avenue in the River Terrace area of Tigard
- 4.1.1 **Public Hearing on Ordinance No. 15-1360**
- 4.2 **Ordinance No. 15-1359**, For the Purpose of Annexing to **Rebecca Hamilton, Metro**
the Metro District Boundary Approximately 8.4 Acres
Located at Tax Lot 1N117A000500 in the North Bethany
Area of Washington County
- 4.2.1 **Public Hearing on Ordinance No. 15-1359**
5. **CHIEF OPERATING OFFICER COMMUNICATION**
6. **COUNCILOR COMMUNICATION**

ADJOURN

AN EXECUTIVE SESSION WILL BE HELD IMMEDIATELY FOLLOWING THE PUBLIC MEETING PURSUANT TO ORS 192.660(2)(h), TO CONSULT WITH YOUR ATTORNEY REGARDING YOUR LEGAL RIGHTS AND DUTIES IN REGARD TO CURRENT LITIGATION OR LITIGATION THAT IS MORE LIKELY THAN NOT TO BE FILED AND PURSUANT TO ORS 192.660(2)(e), TO CONDUCT DELIBERATIONS WITH PERSONS YOU HAVE DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.

Television schedule for August 27, 2015 Metro Council meeting

Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 Call or visit web site for program times.	Portland Channel 30 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 Call or visit web site for program times.
Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 Call or visit web site for program times.	Washington County and West Linn Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 Call or visit web site for program times.
Oregon City and Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.	

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times. Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities.

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Thông báo về sự Metro không kỳ thị của

Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong www.oregonmetro.gov/civilrights. Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếp xúc hay ngôn ngữ, xin gọi số 503-797-1890 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

Повідомлення Metro про заборону дискримінації

Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт www.oregonmetro.gov/civilrights або Якщо вам потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1890 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

Metro 的不歧视公告

尊重民權。欲瞭解Metro民權計畫的詳情，或獲取歧視投訴表，請瀏覽網站 www.oregonmetro.gov/civilrights。如果您需要口譯方可參加公共會議，請在會議召開前5個營業日撥打503-797-1890（工作日上午8點至下午5點），以便我們滿足您的要求。

Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo www.oregonmetro.gov/civilrights. Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullaan dadweyne, wac 503-797-1890 (8 gallinka hore illaa 5 gallinka dambe maalmaha shaqada) shan maalmo shaqa ka hor kullanka si loo tixgaliyo codsashadaada.

Metro의 차별 금지 관련 통지서

Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 www.oregonmetro.gov/civilrights. 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1890를 호출합니다.

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សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានក្បួនលំអររើសអើងសូមចូលទស្សនាការប្រកាស www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការការបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1890 (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. إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1890 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

Paunawa ng Metro sa kawalan ng diskriminasyon

Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang www.oregonmetro.gov/civilrights. Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1890 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan. Notificación de no discriminación de Metro.

Notificación de no discriminación de Metro

Metro respeta los derechos civiles. Para obtener información sobre el programa de derechos civiles de Metro o para obtener un formulario de reclamo por discriminación, ingrese a www.oregonmetro.gov/civilrights. Si necesita asistencia con el idioma, llame al 503-797-1890 (de 8:00 a. m. a 5:00 p. m. los días de semana) 5 días laborales antes de la asamblea.

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Avizul Metro privind nediscriminarea

Metro respectă drepturile civile. Pentru informații cu privire la programul Metro pentru drepturi civile sau pentru a obține un formular de reclamație împotriva discriminării, vizitați www.oregonmetro.gov/civilrights. Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1890 (între orele 8 și 5, în timpul zilelor lucrătoare) cu cinci zile lucrătoare înainte de ședință, pentru a putea să vă răspunde în mod favorabil la cerere.

Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txoj cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib www.oregonmetro.gov/civilrights. Yog hais tias koj xav tau lus kev pab, hu rau 503-797-1890 (8 teev sawv ntxov txog 5 teev tsaus ntuj weekdays) 5 hnub ua hauj lw m ua ntej ntawm lub rooj sib tham.



Agenda Item No. 3.0

Consideration of Council Meeting Minutes for August 6, 2015

Metro Council Meeting
Thursday, August 27, 2015
Metro Regional Center, Council Chamber

Agenda Item No. 4.1

Ordinance No. 15-1360, For the Purpose of Annexing to the Metro District Boundary Approximately 89 Acres located East and West of SW Roy Rogers Road and West of SW 150th Avenue in the River Terrace area of Tigard

Ordinances (First Read)

Metro Council Meeting
Thursday, August 27, 2015
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) Ordinance No. 15-1360
METRO DISTRICT BOUNDARY APPROXI-)
MATELY 89 ACRES LOCATED EAST AND) Introduced by Chief Operating Officer
WEST OF SW ROY ROGERS ROAD AND) Martha J. Bennett with the Concurrence of
WEST OF SW 150TH AVENUE IN THE RIVER) Council President Tom Hughes
TERRACE AREA OF TIGARD)

WHEREAS, Polygon Northwest has submitted a complete application for annexation of 89 acres (“the territory”) located east and west of SW Roy Rogers Road and west of SW 150th Avenue in the River Terrace area to the Metro District; and

WHEREAS, the Metro Council added the River Terrace area to the UGB, including the territory, by Ordinance No. 02-969B 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 August 27, 2015; 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 August 6, 2015, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this _____ day of September, 2015.

Tom Hughes, Council President

Attest:

Approved as to form:

Alexandra Eldridge, Recording Secretary

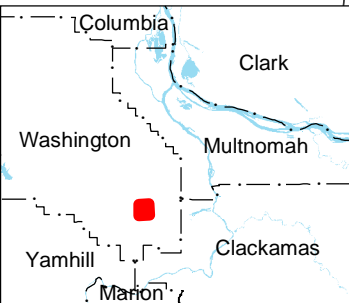
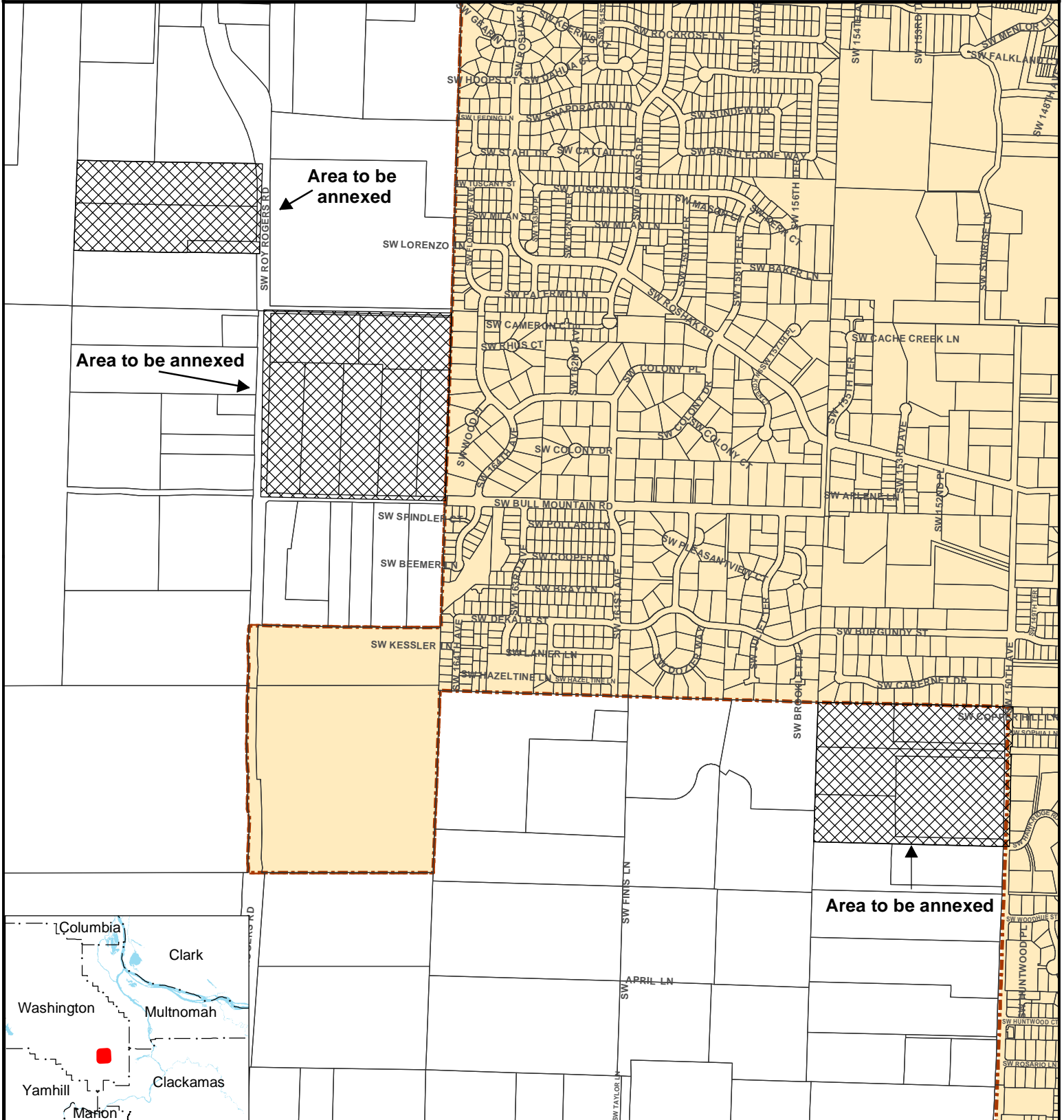
Alison R. Kean, Metro Attorney

Proposal No. AN-0415

2S1W06, 2S1W07, 2S1W08




Annexation to the Metro District Boundary

Washington County

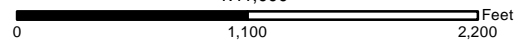


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 (503) 797-1742
<http://www.oregonmetro.gov/drc>

Proposal No. AN-0415 Metro District Boundary

-  Area to be annexed
-  Taxlots
-  Metro District Boundary

1:11,000



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 15-1360, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 89 ACRES LOCATED EAST AND WEST OF SW ROY ROGERS ROAD AND WEST OF SW 150TH AVENUE IN THE RIVER TERRACE AREA OF TIGARD

Date: August 6, 2015

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0415, Annexation to Metro District Boundary

PETITIONER: Polygon Northwest Co. LLC
109 E 13th Street
Vancouver, WA 98660

PROPOSAL: The petitioner requests annexation of 15 parcels to the Metro District boundary. The applicant is currently in the process of annexing the subject property to the Clean Water Services service district.

LOCATION: The parcels are located east and west of SW Roy Rogers Road and west of SW 150th Avenue in the River Terrace area of Tigard and total 89 acres in size. A map of the area can be seen in Attachment 1.

ZONING: The property is zoned for residential use (R-4.5, R-7 and R-25) by Tigard.

The land was added to the UGB in 2002 and is part of the River Terrace Community Plan that was adopted by Tigard. 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. 02-969B.

- 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. 02-969B 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 applied the Future Development 20 (FD-20) zone to the expansion area. The subject property was annexed to Tigard in August 2011 and January 2013 and the River Terrace Community Plan was adopted in 2014. The applicant is currently moving forward with annexation to Clean Water Services. 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 Tigard's River Terrace Community Plan Area, adopted by the City of Tigard in 2014. The proposed annexation is consistent with the community plan and is required by Tigard as part of a land use application. The inclusion of the property within the Metro District is consistent with applicable cooperative urban service agreements.

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 89 acres to the Metro District. The land is currently within the UGB and within the City of Tigard. Approval of this request will allow for the urbanization of the parcels to occur consistent with the River Terrace Community 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

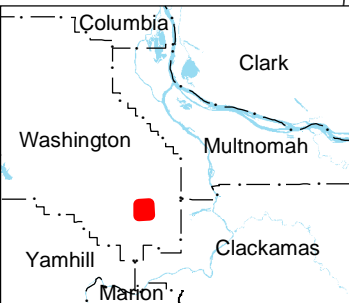
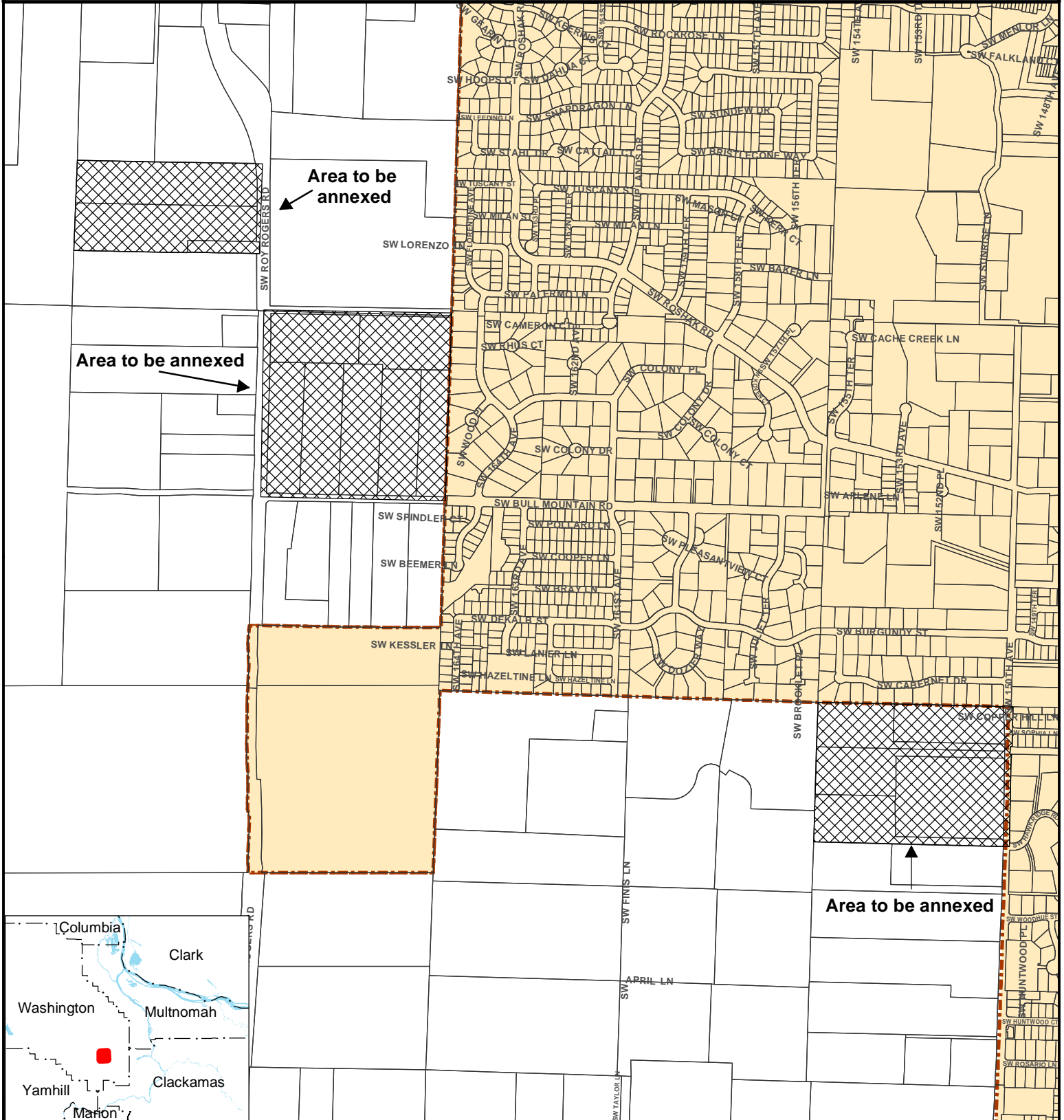
Staff recommends adoption of Ordinance No. 15-1360.

Proposal No. AN-0415

2S1W06, 2S1W07, 2S1W08




Annexation to the Metro District Boundary

Washington County

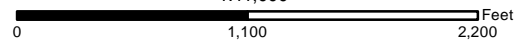


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Proposal No. AN-0415 Metro District Boundary

-  Area to be annexed
-  Taxlots
-  Metro District Boundary

1:11,000



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Agenda Item No. 4.2

Ordinance No. 15-1359, For the Purpose of Annexing to the
Metro District Boundary Approximately 8.4 Acres Located
North of NW Springville Road and East of NW Kaiser Road in
the North Bethany Area of Washington County

Ordinances (First Read)

Metro Council Meeting
Thursday, August 27, 2015
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE) Ordinance No. 15-1359
METRO DISTRICT BOUNDARY)
APPROXIMATELY 8.4 ACRES LOCATED AT) Introduced by Chief Operating Officer
TAX LOT 1N117A000500 IN THE NORTH) Martha J. Bennett with the Concurrence of
BETHANY AREA OF WASHINGTON COUNTY) Council President Tom Hughes

WHEREAS, Polygon Northwest Company has submitted a complete application for annexation of 8.4 acres (“the territory”) located at tax lot 1N117A000500 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 August 27, 2015; 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 Thursday, August 6, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this ___ day of September, 2015.

Tom Hughes, Council President

Attest:

Approved as to form:

Alexandra Eldridge, Recording Secretary

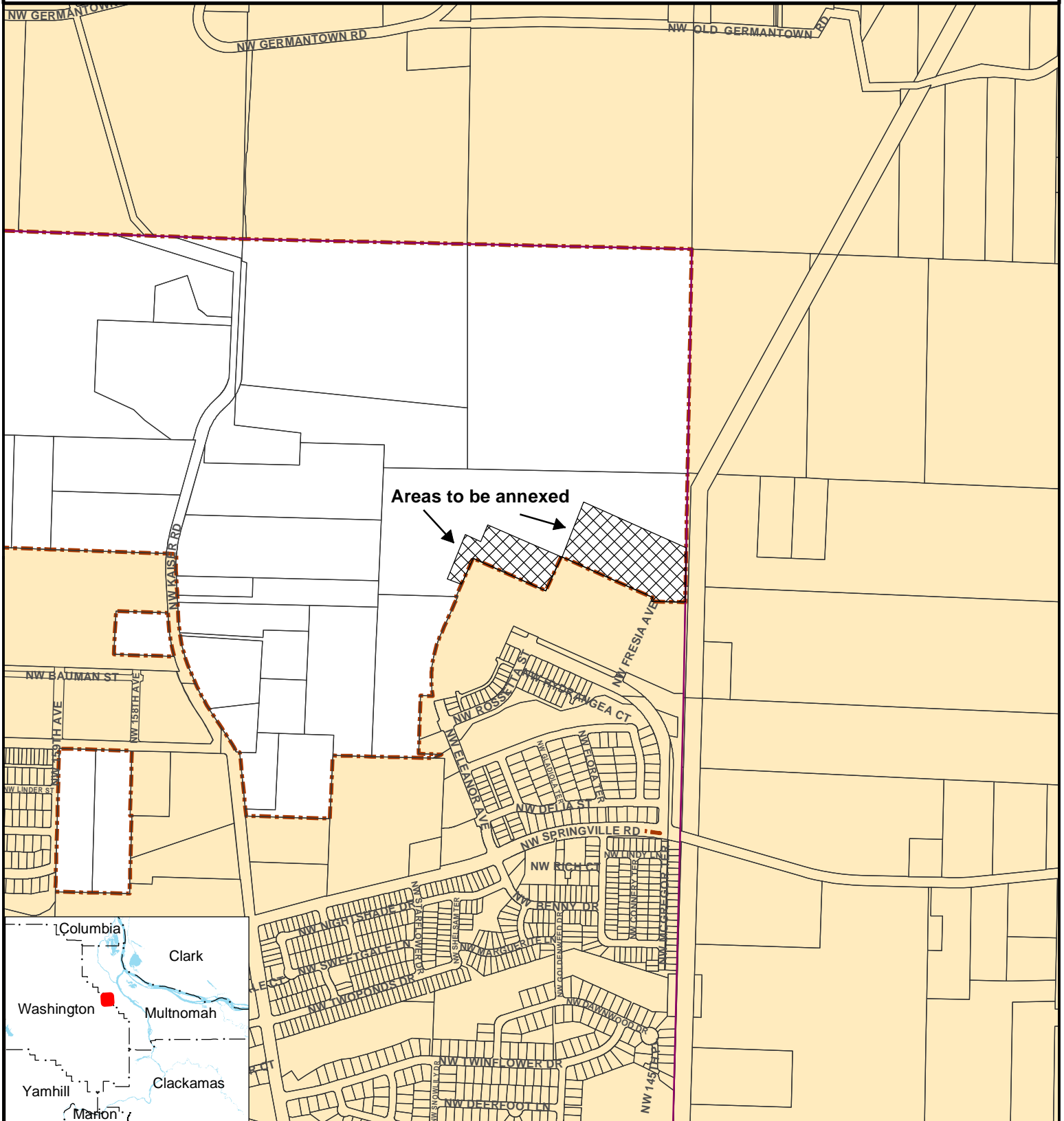
Alison R. Kean, Metro Attorney

Proposal No. AN-0315

1N1W17

Annexation to the Metro District Boundary

Washington County






Areas to be annexed

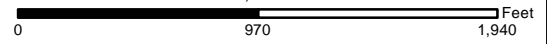


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Proposal No. AN-0315 Metro District Boundary

-  Area to be annexed
-  Taxlots
-  Metro District Boundary

1:9,316



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 15-1359, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 8.4 ACRES LOCATED AT TAX LOT 1N117A000500 IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: August 6, 2015

Prepared by: Rebecca Hamilton
Regional Planner, Ext. 1721

BACKGROUND

CASE: AN-0315, Annexation to Metro District Boundary

PETITIONER: Polygon Northwest Company
109 E. 13th Avenue
Vancouver, WA 98660

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 at tax lot 1N117A000500 in the North Bethany Area of Washington County. The parcel is 8.4 acres in size. A map of the area can be seen in Attachment 1.

ZONING: The property is zoned for residential use (R-9 NB, R-15NB, R-24NB) 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.

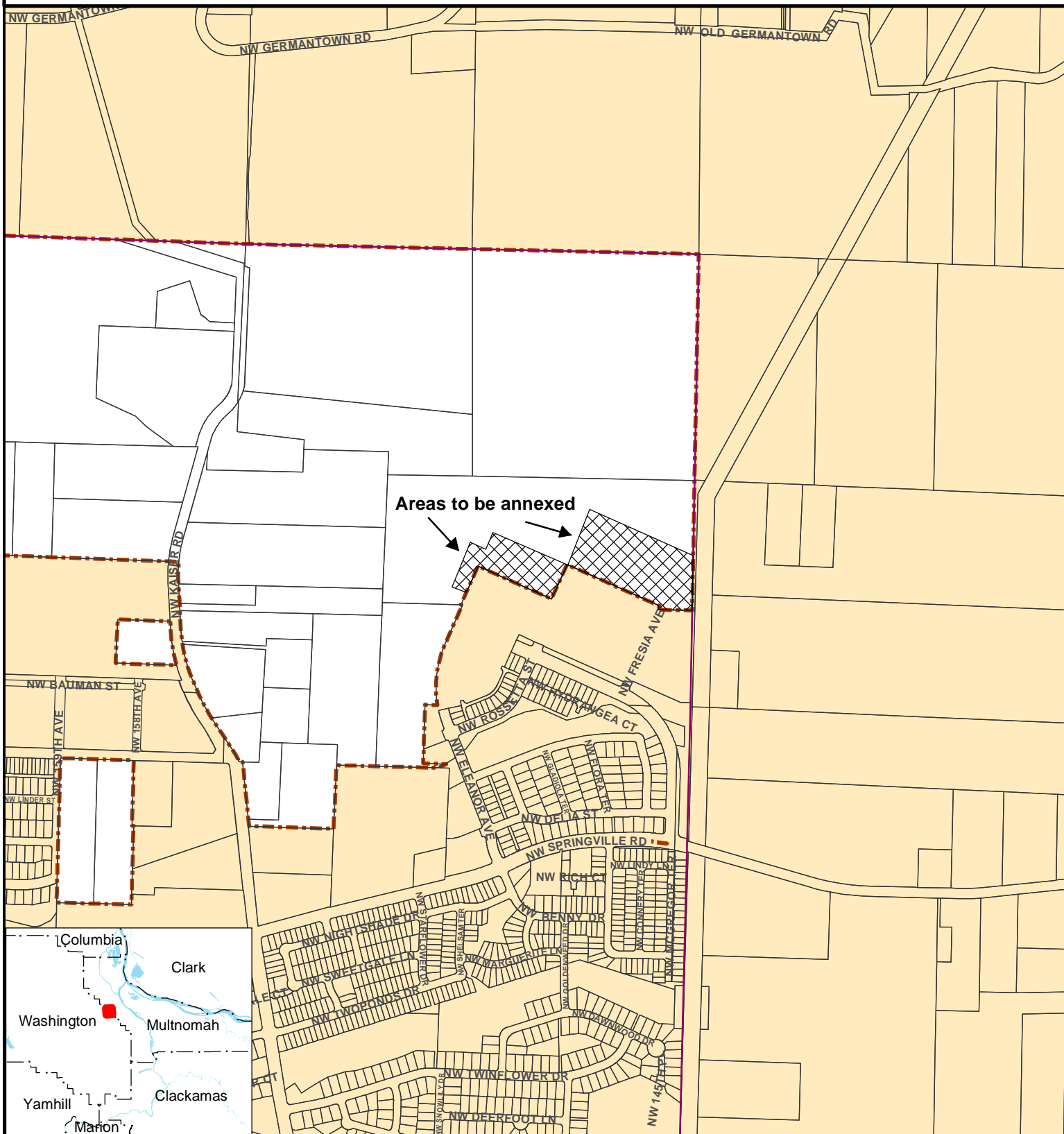
Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 8.4 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 parcels 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. 15-1359.






Areas to be annexed



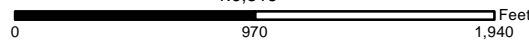
Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

Proposal No. AN-0315 Metro District Boundary

-  Area to be annexed
-  Taxlots
-  Metro District Boundary




1:9,316



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

Materials following this page were distributed at the meeting.

 **Metro | Agenda**

Meeting: Metro Council
Date: Thursday, August 27, 2015
Time: 2 p.m.
Place: Metro Regional Center, Council Chamber

REVISED 08/27/15

CALL TO ORDER AND ROLL CALL

1. **CITIZEN COMMUNICATION**
2. **9TH EDITION OF BIKE THERE! MAP PRESENTATION** **Marne Duke, Metro
Matthew Hampton, Metro**
3. **CONSIDERATION OF COUNCIL MEETING MINUTES FOR
AUGUST 6, 2015**
4. **ORDINANCES (FIRST READ)**
 - 4.1 **Ordinance No. 15-1360**, For the Purpose of Annexing to **Tim O'Brien, Metro**
the Metro District Boundary Approximately 89 Acres
located East and West of SW Roy Rogers Road and West of
SW 150th Avenue in the River Terrace area of Tigard
 - 4.1.1 **Public Hearing on Ordinance No. 15-1360**
 - 4.2 **Ordinance No. 15-1359**, For the Purpose of Annexing to **Rebecca Hamilton, Metro**
the Metro District Boundary Approximately 8.4 Acres
Located at Tax Lot 1N117A000500 in the North Bethany
Area of Washington County
 - 4.2.1 **Public Hearing on Ordinance No. 15-1359**
5. **CHIEF OPERATING OFFICER COMMUNICATION**
6. **COUNCILOR COMMUNICATION**

ADJOURN

AN EXECUTIVE SESSION WILL BE HELD IMMEDIATELY FOLLOWING THE PUBLIC MEETING PURSUANT TO ORS 192.660(2)(h), TO CONSULT WITH YOUR ATTORNEY REGARDING YOUR LEGAL RIGHTS AND DUTIES IN REGARD TO CURRENT LITIGATION OR LITIGATION THAT IS MORE LIKELY THAN NOT TO BE FILED AND PURSUANT TO ORS 192.660(2)(e), TO CONDUCT DELIBERATIONS WITH PERSONS YOU HAVE DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.

Television schedule for August 27, 2015 Metro Council meeting

Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 Call or visit web site for program times.	Portland Channel 30 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 Call or visit web site for program times.
Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 Call or visit web site for program times.	Washington County and West Linn Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 Call or visit web site for program times.
Oregon City and Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.	

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times. Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities.

TESTIMONY TO METRO AUGUST 27, 2015

For the record, my name is Eric Wentland and I am testifying on behalf of Greenway Recycling, where I am the Operations Manager, secretary, HR department, special projects manager, and occasionally push a broom.

Council President and members of the Council,

Greenway Recycling has been in the Solid Waste business since 2003 and licensed by both DEQ and Metro since that time. We are the best performing Recycling company in the Metro region, diverting from the landfill a higher percentage of material than any other facility in the Transfer System. We exist as a profitable company because of, not in spite of, the Metro taxes on Solid Waste, which have been the primary driver of the increased rate of recycling in the metropolitan area. Last fiscal year, Greenway Recycling recovered 25,140 TONS of recycled commodities from the mixed waste stream. An additional 13,551 TONS of source separated material was processed for our customers, saving them money, as well as preserving landfill space for the residents of the State of Oregon. We accomplished this on a mere 2.5 acres of recovered Brownfield in the NW Industrial area.

Over the last 12 years we have had hundreds of interactions with Metro Staff and are very familiar with the myriad of Codes, Laws, Regulations and Requirements that govern Solid Waste and a Solid Waste Facility. We know and understand how this very complex system operates. I am here today to speak to the Council about the process for the Proposed updates to Metro's solid waste code as published on your website between August 6 and August 20. To date, there has been no formal notification of these proposed changes to anyone in the industry other than publishing them on your website. Staff has presented these Draft Ordinances and the changes they propose as follows: ***"The proposed revisions include: adding and updating defined terms, clarifying and narrowing certain licensing exemptions, removing certain licensing and franchising requirements, adding administrative procedure provisions, and various other technical corrections that will help make the Metro Code more accessible and easier to use."*** Further, the staff report attached to these proposed code changes refers to them as "housekeeping". Far from "housekeeping", these revisions are in 10 separate documents totalling 126 pages that interact and cross reference to a myriad of State of Oregon Statutes and Administrative Rules (an additional 200 pages between ORS and OAR), Federal EPA law, all of the Metro code, Metro Administrative Procedures, various city and county regulations and policies, as well as making sweeping changes to the entire Metro Solid Waste Transfer System. A

system that, I might add, has been built through extensive interaction and with substantial public-private partnership over the last 30 years and is currently operating quite efficiently and without detriment to the public good, health or safety.

These proposed changes to the Metro Code would be the single most significant set of changes enacted, involving the Solid Waste industry, since the initial formation of Metro. The net effect of the extent and intent of some of these ordinances will be to remove solid waste from private facilities and drive it to Metro facilities. The resulting anti-competitive measures will reduce recycling throughout Metro, as your facilities have never recycled solid waste at the same percentage level as private facilities. The Staff Report tells you that these proposed changes are merely technical corrections and a "leveling of the playing field". As far as we can see, the only business this will help is Metro, helping to resolve their inability to compete with the private facilities. This looks like Competition by Regulation, when Metro already exempts their facilities from the rules the rest of us operate under, does not seem to be a way to honor your partners in these public-private partnerships.

Greenway Recycling welcomes and embraces change. We have been closely involved with Metro and DEQ during these last 12 years, often leading the way in areas like shingle recycling, shaker fines for Alternative Daily Cover and the investment in equipment to better sort and process solid waste so Recycled material can be produced. We are proud of the business that has been built within the current Regulatory environment. Our business supports 21 families with living wages. Our lowest paid employees now are less than \$2.00 per hour away from the \$15.00 hourly target that has been talked about these last couple of years. We always trade with local vendors first when we have the opportunity. We have loyal customers who brag about the Recycling rates that we are able to accomplish. It seems that Metro should be studying us and how we accomplish this while making a profit rather than looking for ways to tax and regulate us out of existence.

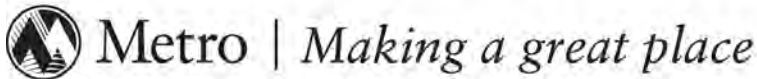
This successful public-private partnership is now threatened with extinction on barely 45 days notice. Yes, Metro published the proposed changes on its website. However, if you have never been regulated how would you know to even look? There are companies scheduled to be regulated that just this week are discovering its existence. Out of curiosity, at 11:00 this morning, I contacted the owner of Columbia Recycling; one of the facilities proposed to be licensed for the first time. He had absolutely no clue whatsoever what I was talking about. This is proof there has been no outreach to industry. Staff's handling of the situation suggests the plan is to pass the law and

then let everyone know about it. Is this what your partners in the industry are now to expect from Metro?

At first blush and even after some research, the changes proposed are sweeping and potentially devastating to our business. It appears that every private business involved in every facet of Solid Waste will be affected as well, some possibly to the point of putting them out of business. There is no immediate threat to public health or safety anywhere in the metropolitan region that creates the emergency status being given to these proposed changes. In the absence of some compelling reason to move forward in haste we are mystified as to this "need for speed", unless Council has directed Staff to make these changes by a particular deadline.

Just 6 months ago, Metro convened a Transfer System Configuration Project and invited all of the major stakeholders in the Solid Waste system to participate. Every private business in the industry sent a decisionmaker to the table to help inform that process. At the very first meeting the question was asked by Metro as to what needed to be changed and the unanimous answer around the table was that, although not perfect, the system as configured now, is working reasonably well. At no time during this process, where that task force has had monthly meetings with Metro, were any of these currently proposed code changes discussed or even mentioned by Staff. The proposed changes negate the entire Task Force process as it has been handled and appears to be Metro working in bad faith with industry.

We are asking that the Council direct Staff to withdraw these Draft Ordinances and start the process over and truly involve all of the stakeholders whose businesses will be directly influenced by changes in the system. We are also asking that this entire set of Draft Ordinances be put on hold until it can be better coordinated with the larger issue of what happens to our garbage in the future. With implications that will resonate for decades to come, spending a few months to get it right seems to be the prudent approach for an agency tasked with dealing with the taxpayers safety, well being and money.



METRO COUNCIL MEETING
Meeting Minutes
August 6, 2015
Metro Regional Center, Council Chamber

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

Councilors Excused: None

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

1. CITIZEN COMMUNICATIONS

Art Lewellen, Portland: Mr. Lewellen addressed the Metro Council on Low-Level I-5 Access to Hayden Island concept plans and provided Council with a handout, which was added to the record.

2. CONSIDERATION OF THE JULY 23 COUNCIL MEETING MINUTES

Motion:	Councilor Carlotta Collette moved to adopt the July 23 Council Meeting minutes.
Second:	Councilor Bob Stacey seconded the motion.

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

3. ORDINANCES (SECOND READ)

3.1 **Ordinance No. 15-1358A**, For the Purpose of Amending Metro Code Chapter 4.01 to Update Oregon Zoo Regulations

Motion:	Councilor Bob Stacey moved to approve Ordinance 15-1358A.
Second:	Councilor Kathryn Harrington seconded the motion.

Council discussion

There was none.

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

4. CHIEF OPERATING OFFICER COMMUNICATION

Mr. Scott Robinson provided an update on the following events or items: MERC work session on the OCC hotel project, parking garage, and plaza redesign, exceptional fiscal results for FY 2014 and 2015 at Metro venues, Oregon Zoo's Forest Hall was chosen as case study on bird-friendly design by Audubon Society of Portland, and August events and activities including: Expo PDX Drive-In Spectacular, GLEAN art opening at Disjecta, and Wicked at the Keller Auditorium.

5. COUNCILOR COMMUNICATION

Councilors provided updates on the following meetings or events: Oregon Zoo Foundation meeting, Senator Merkley's press conference on the Transportation Connections to Opportunities Act, update on an upcoming anti-ivory trade bill sponsored by Council President Hughes along with the Oregon Humane Society, and an introduction by Councilor Craddick of the new executive director for the East Metro Economic Alliance, Mr. Jarvez Hall.

6. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 2:23 p.m. The Metro Council will convene the next regular council meeting on Thursday, August 27, 2015 at 2 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,



Alexandra Eldridge, Regional Engagement & Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUG. 6, 2015

Item	Topic	Doc. Date	Document Description	Doc. Number
1.0	Handout	08/06/2015	Citizen testimony from Art Lewellan: Hayden Island "low-level" I-5 Access handout	080615c-01
2.0	Minutes	07/23/2015	Council Meeting Minutes from July 23, 2015	080615c-02