

 **Metro** | *Agenda*

Meeting: Metro Council  
Date: Thursday, May 26, 2016  
Time: 2 p.m.  
Place: Metro Regional Center, Council Chamber

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**CALL TO ORDER AND ROLL CALL**

**1. CITIZEN COMMUNICATION**

**2. CONSENT AGENDA**

2.1 **Resolution No. 16-4710**, For the Purpose of Amending  
Resolution No. 14-4589

2.2 Consideration of Council Meeting Minutes for May 5, 2016

**3. RESOLUTIONS**

3.1 **Resolution No. 16-4704**, For the Purpose of Re-Adopting  
Metro Code 7.03 (Investment Policy) for Fiscal Year 2016-2017

**Calvin Smith, Metro**

**4. ORDINANCES (SECOND READ)**

4.1 **Ordinance No. 16-1374**, For the Purpose of Annexing to the  
Metro District Boundary Approximately 93.51 Acres Located  
West of NW Kaiser Road and North of NW Brugger Road in the  
North Bethany Area of Washington County

**Tim O'Brien, Metro**

**5. CHIEF OPERATING OFFICER COMMUNICATION**

**6. COUNCILOR COMMUNICATION**

**ADJOURN**

**Television schedule for May 26, 2016 Metro Council meeting**

<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 Call or visit web site for program times.	<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 Call or visit web site for program times.
<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 Call or visit web site for program times.	<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 Call or visit web site for program times.
<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.	

**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.

# Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964 and related statutes that ban discrimination. If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights) or call 503-797-1536. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1890 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet's website at [www.trimet.org](http://www.trimet.org).

## 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](http://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](http://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](http://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](http://www.oregonmetro.gov/civilrights). Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullamada 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](http://www.oregonmetro.gov/civilrights). 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1890를 호출합니다.

## Metroの差別禁止通知

Metroでは公民権を尊重しています。Metroの公民権プログラムに関する情報について、または差別苦情フォームを入手するには、[www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)。までお電話ください公開会議で言語通訳を必要とされる方は、Metroがご要請に対応できるよう、公開会議の5営業日前までに503-797-1890（平日午前8時～午後5時）までお電話ください。

## សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានក្បួនលក្ខណ៍រើសអើងសម្រាប់សេវាកម្មរបស់ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។  
បើលោកអ្នកត្រូវការការបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទលេខ 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](http://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](http://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](http://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.

## Уведомление о недопущении дискриминации от Metro

Metro уважает гражданские права. Узнать о программе Metro по соблюдению гражданских прав и получить форму жалобы о дискриминации можно на веб-сайте [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Если вам нужен переводчик на общественном собрании, оставьте свой запрос, позвонив по номеру 503-797-1890 в рабочие дни с 8:00 до 17:00 и за пять рабочих дней до даты собрания.

## 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](http://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](http://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. 2.1

**Resolution No. 16-4710**, For the Purpose of Amending  
Resolution No. 14-4589

*Consent Agenda*

Metro Council Meeting  
Thursday, May 26, 2016  
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING ) RESOLUTION NO. 16-4710  
RESOLUTION NO. 14-4589 )  
 ) Introduced by Councilor Bob Stacey

WHEREAS, Metro regulates solid waste disposal generated within the Metro region through issuance of non-system licenses and designated facility agreements, pursuant to Metro’s constitutional, statutory, and charter authority as set forth in Metro Code Chapter 5.05; and

WHEREAS, in Resolution No. 14-4589 (“For the Purpose of Directing the Chief Operating Officer to Develop a Landfill Capacity Policy”), the Metro Council directed the Chief Operating Officer “to proceed, as part of the Solid Waste Roadmap, with the development of a Landfill Capacity Policy to evaluate the disposal capacity of waste at new, existing, or expanded landfills and to recommend changes to the Metro Code to implement the policy” on or before June 30, 2016; and

WHEREAS, the Metro Council would like to amend that direction; now therefore

BE IT RESOLVED that the Metro Council:

Finds that the Chief Operating Officer has met the direction to develop a draft Landfill Capacity Policy by June 30, 2016; and

Directs that Metro Council consideration of the Metro Code amendments needed to implement this draft policy be deferred; and

Directs that the Chief Operating Officer seek direction from the Metro Council no sooner than December 1, 2016 on scheduling these code changes for Council action.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_ 2016.

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

Approved as to Form:

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

Agenda Item No. 2.2

Consideration of Council Meeting Minutes on May 5, 2016

*Consent Agenda*

Metro Council Meeting  
Thursday, May 26, 2016  
Metro Regional Center, Council Chamber

Agenda Item No. 3.1

**Resolution No. 16-4704**, For the Purpose of Re-Adopting  
Metro Code 7.03 (Investment Policy) for Fiscal Year 2016-2017

*Resolutions*

Metro Council Meeting  
Thursday, May 26, 2016  
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RE-ADOPTING METRO ) RESOLUTION NO. 16-4704  
CODE CHAPTER 7.03 (INVESTMENT POLICY) )  
FOR FISCAL YEAR 2016-2017 ) Introduced by Martha Bennett Chief  
Operating Office in concurrence with  
Council President Hughes

WHEREAS, Metro Code Chapter 7.03 contains the investment policy which applies to all cash-related assets held by Metro; and

WHEREAS, the Investment Advisory Board reviews and approves the Investment Policy for submission to Metro Council; and

WHEREAS, the Investment Coordinator has proposed no changes to the Investment Policy and the Investment Advisory Board has voted to recommend that Metro Coded Title 7.03 remain unchanged; and

WHEREAS, the Investment Advisory Board submits the Investment Policy to the Metro Council for review and re-adoption under Metro Code Section 7.03.100; now therefore

BE IT RESOLVED

- 1. The Metro Council has reviewed Metro Code Chapter 7.03; and
- 2. The Metro Council re-adopts Metro Code Chapter 7.03, a copy of which is attached hereto as Exhibit A.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

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

Approved as to Form:

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



## CHAPTER 7.03

## INVESTMENT POLICY\*\*

SECTION	TITLE
7.03.010	Scope
7.03.020	General Objectives
7.03.030	Standards of Care
7.03.040	Transaction Counterparties, Investment Advisers and Depositories
7.03.050	Safekeeping and Custody
7.03.060	Suitable and Authorized Investments
7.03.070	Investment Parameters
7.03.080	Prohibited Investments
7.03.090	Reporting
7.03.100	Policy Adoption and Re-Adoption
7.03.110	List of Documents Used in Conjunction with this Policy
7.03.120	Definitions

\*\*Former Chapter 2.06 (readopted April 9, 1998; amended December 10, 1998; readopted April 15, 1999; readopted April 27, 2000; readopted December 11, 2001; readopted October 3, 2002; renumbered by Ordinance No. 02-976, Sec. 1; readopted June 12, 2003; amended and readopted April 7, 2005, by Ordinance No. 05-1075; readopted April 20, 2006; readopted June 21, 2007; amended and readopted June 26, 2008, by Ordinance No. 08-1190; amended and readopted June 25, 2009, by Ordinance No. 09-1216; amended and readopted June 17, 2010, by Ordinance No. 10-1243; readopted June 23, 2011, by Resolution No. 11-4272; amended and readopted June 21, 2012 by Ordinance No. 12-1280; and amended and readopted May 9, 2013 by Ordinance No. 13-1303).

#### 7.03.010 Scope

These investment policies apply to all cash-related assets included within the scope of Metro's audited financial statements and held directly by Metro.

Funds held and invested by trustees or fiscal agents are excluded from these policies; however, such funds are subject to the regulations established by the state of Oregon.

Funds of Metro will be invested in compliance with the provisions of ORS Chapter 294 and other applicable statutes. Investments will be in accordance with these policies and written administrative procedures. Investment of any tax-exempt

borrowing proceeds and of any debt service funds will comply with the Internal Revenue Code of 1986 provisions and any subsequent amendments thereto.

(Ordinance No. 90-365; Ordinance No. 97-684, Sec. 1; Ordinance No. 02-976, Sec. 1; Ordinance No. 05-1075; Ordinance No. 09-1216, Sec. 1; Ordinance No. 15-1353, Sec. 1.)

### 7.03.020 General Objectives

Due to Metro's fiduciary responsibility, safety of capital and availability of funds to meet payment requirements are the overriding objectives of the investment program. Investment return targets are secondary.

a) Safety. Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall portfolio and security of funds and investments. The objective will be to mitigate credit risk and interest rate risk.

1) Credit Risk. Metro will minimize credit risk, the risk of loss due to the financial failure of the security issuer or backer, by:

- Limiting exposure to poor credits and concentrating the investments in the safest types of securities.
- Pre-qualifying the financial institutions, broker/dealers, and advisers with which Metro will do business.
- Diversifying the investment portfolio so that potential losses on individual securities will be minimized. For securities not backed by the full faith and credit of the federal government, diversification is required in order that potential losses on individual securities would not exceed the income generated from the remainder of the portfolio.
- Actively monitoring the investment portfolio holdings for ratings changes, changing economic/market conditions, etc.

2) Interest Rate Risk. Metro will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
  - The portfolio should consist largely of securities with active secondary or resale markets. A portion of the portfolio may be placed in the Local Government Investment Pool (LGIP) which offers next-day liquidity.
- b) Liquidity. The investment officer shall assure that funds are constantly available to meet immediate payment requirements, including payroll, accounts payable and debt service.
- c) Return on Investment. The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into consideration the safety and liquidity needs of the portfolio. Section 7.03.090 contains additional details on the return objectives.
- Although securities are purchased with the intent to hold to maturity, securities may be sold prior to their maturity in order to improve the quality, net yield, or maturity characteristic of the portfolio.
- d) Legality. Funds will be deposited and invested in accordance with statutes, ordinances and policies governing Metro.

(Ordinance No. 87-228, Sec. 3; Ordinance No. 90-365; Ordinance No. 02-976, Sec. 1; Ordinance No. 05-1075; Ordinance No. 15-1353, Sec. 1.)

#### 7.03.030 Standards of Care

- a) Prudence. The standard of prudence to be applied by the investment officer shall be the "prudent person" rule: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent person

rule shall be applied in the context of managing the overall portfolio.

- b) Ethics and Conflicts of Interest. Officers and employees involved in the investment process shall refrain from personal activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. Disclosure shall be made to the governing body. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of Metro. Officers and employees shall, at all times, comply with the State of Oregon Government Standards and Practices code of ethics set forth in ORS Chapter 244.
- c) Delegation of Authority. The Chief Operating Officer is the investment officer of Metro. The authority for investing Metro funds is vested with the investment officer, who, in turn, designates the investment manager to manage the day-to-day operations of Metro's investment portfolio, place purchase orders and sell orders with dealers and financial institutions, and prepare reports as required.
- d) Investment Advisory Board (IAB). There shall be an investment advisory board composed of five (5) members.
- 1) Terms of Service. The term of service for citizens appointed to the IAB shall be three (3) calendar years. The term of appointment shall be staggered so that not more than two (2) members' terms expire in any calendar year.
  - 2) Appointment. The investment officer shall recommend to the Council for confirmation the names of persons for appointment to the IAB.

- 3) Duties. The IAB shall meet quarterly. The IAB will serve as a forum for discussion and act in an advisory capacity for investment strategies, banking relationships, the legality and probity of investment activities and the establishment of written procedures for the investment operations.
- e) Monitoring the Portfolio. The investment manager will routinely monitor the contents of the portfolio comparing the holdings to the markets, relative values of competing instruments, changes in credit quality, and benchmarks. If there are advantageous transactions, the portfolio may be adjusted accordingly.
- f) Indemnity Clause. Metro shall indemnify the investment officer, chief financial officer, investment manager, staff and the IAB members from personal liability for losses that might occur pursuant to administering this investment policy. The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported to the council as soon as practicable.
- g) Internal Controls. The investment officer shall maintain a system of written internal controls, which shall be reviewed annually by the IAB and the independent auditor. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation or imprudent actions.

Metro's independent auditor at least annually shall audit investments according to generally accepted auditing standards and this ordinance.

(Ordinance No. 05-1075; Ordinance No. 15-1353, Sec. 1.)

#### 7.03.040 Transaction Counterparties, Investment Advisers and Depositories

- a) Broker Dealers. The Investment Officer shall determine which broker/dealer firms and registered representatives are authorized for the purposes of investing funds within

the scope of this investment policy. A list will be maintained of approved broker/dealer firms and affiliated registered representatives.

The following minimum criteria must be met prior to authorizing investment transactions. The Investment Officer may impose more stringent criteria.

- i. Broker dealers must meet the following minimum criteria:
  - A. Be registered with the Securities and Exchange Commission (SEC);
  - B. Be registered with the Financial Industry Regulatory Authority (FINRA);
  - C. Provide most recent audited financials;
  - D. Provide FINRA Focus Report filings.

A periodic (at least annual) review of all authorized broker/dealers will be conducted by the Investment Officer.

- b) Investment Advisers. The Investment Officer may engage the services of one or more external investment advisers to assist in the management of Metro's investment portfolio in a manner consistent with this investment policy. If Metro hires an investment adviser to provide investment management services, the adviser is authorized to transact with its direct dealer relationships on behalf of Metro.

Approved investment adviser firms must be registered with the Securities and Exchange Commission (SEC) or licensed by the state of Oregon; (Note: Investment adviser firms with assets under management > \$100 million must be registered with the SEC, otherwise the firm must be licensed by the state of Oregon).

A periodic (at least annual) review of all authorized investment advisers will be conducted by the Investment Officer to determine their continued eligibility within the portfolio guidelines.

- c) Depositories. All financial institutions who desire to become depositories must be qualified Oregon Depositories pursuant to ORS Chapter 295.
- d) Competitive Transactions. The Investment Officer shall obtain and document competitive bid information on all

investments purchased or sold in the secondary market. Competitive bids or offers should be obtained, when possible, from at least three separate brokers/financial institutions or through the use of a nationally recognized trading platform. In the instance of a security for which there is no readily available competitive bid or offering on the same specific issue, then the Investment Officer shall document quotations for comparable or alternative securities. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities at the same original issue price. However, the Investment Officer is encouraged to document quotations on comparable securities. If an investment adviser provides investment management services, the adviser must retain documentation of competitive pricing execution on each transaction and provide upon request.

(Ordinance No. 15-1353, Sec. 1.)

#### 7.03.050 Safekeeping and Custody

- a) Delivery vs. Payment. All securities purchased pursuant to this investment policy will be delivered by either book entry or physical delivery to a third party for safekeeping by a bank designated as custodian. Purchase and sale of all securities will be on a payment versus delivery basis. Delivery versus payment will also be required for all repurchase transactions and with the collateral priced and limited in maturity in compliance with ORS 294.035(2)(j). Notwithstanding the preceding, an exception to the delivery versus payment policy is made when purchasing State and Local Government Series Securities (SLGS) from the United States Treasury's Bureau of Public Debt to satisfy arbitrage yield restriction requirements of the Internal Revenue Code for tax-exempt bond issues.
- b) Custody/Safekeeping. The trust department of the bank designated as custodian will be considered to be a third party for the purposes of safekeeping of securities purchased from that bank. The custodian shall issue a

safekeeping receipt to Metro listing the specific instrument, rate, maturity and other pertinent information.

(Ordinance No. 05-1075; Ordinance No. 15-1353, Sec. 1.)

#### 7.03.060 Suitable and Authorized Investments

(Definitions of terms and applicable authorizing statutes are listed in the "Summary of Investments Available to Municipalities" provided by the State Treasurer).

a) Investment Types. The following investments are permitted by this policy and ORS 294.035 and 294.810.

1) Lawfully issued general obligations of the United States, the agencies and instrumentalities of the United States or enterprises sponsored by the United States Government and obligations whose payment is guaranteed by the United States, the agencies and instrumentalities of the United States or enterprises sponsored by the United States Government. Maximum percent of portfolio allocation is 100%. No more than 40% of the portfolio in any one agency, instrumentality, or sponsored enterprise.

2) Certificates of Deposit (CD) from commercial banks in Oregon and insured by the Federal Deposit Insurance Corporation (FDIC). Maximum percent of portfolio allocation is 100%. Investments in Certificates of Deposit invested in any one institution shall not exceed 5% of the total available funds and 15% of the equity of the financial institution.

3) Repurchase Agreements (Repo's) purchased from any qualified institution provided the master repurchase agreement is effective and the safekeeping requirements are met. The repurchase agreement must be in writing and executed in advance of the initial purchase of the securities that are the subject of the repurchase agreement.

i. ORS 294.035 (3)(j) requires repurchase agreement collateral to be limited in maturity to three years and priced according to percentages prescribed by written policy of the Oregon Investment Council or the Oregon Short-Term Fund Board.



ii. ORS 294.135 (2) limits the maximum term of any repurchase agreement to 90 days.

iii. Acceptable collateral:

A. US Treasury Securities: 102%

B. US Agency Discount and Coupon Securities: 102%

Maximum percent of portfolio allocation is 50%. The investment officer shall not enter into any reverse repurchase agreements.

- 4) Banker's Acceptances (BA) that are (i) guaranteed by, and carried on the books of, a qualified financial institution, (ii) eligible for discount by the Federal Reserve System, and (iii) issued by a qualified financial institution whose short-term letter of credit rating is rated in the highest category (A-1, P-1, F-1) by one or more nationally recognized statistical rating organization.

Qualified institution means a financial institution that is located and licensed to do banking business in the state of Oregon; or a financial institution located in the states of California, Idaho, or Washington that is wholly owned by a bank holding company that owns a financial institution that is located and licensed to do banking business in the state of Oregon.

Maximum percent of portfolio allocation is 25%. Investments in Bankers' Acceptances invested in any one institution shall not exceed 5% of the total available funds and 15% of the equity of the financial institution.

- 5) Corporate indebtedness subject to a valid registration statement on file with the Securities and Exchange Commission or issued under the authority of section 3(a)(2) or 3(a)(3) of the Securities Act of 1933, as amended. Must be issued by a commercial, industrial or utility business enterprise, or by or on behalf of a financial institution, including a holding company owning a majority interest in a qualified financial institution. Maximum allocation of 35%. No more than 5% of the total portfolio with any one corporate entity.

- a) Commercial Paper (CP) rated on the trade date P-1 or better by Moody's Investors Service or A-1 or better by Standard & Poor's Corporation or equivalent rating by any nationally recognized statistical rating organization.
  - b) Corporate indebtedness must be rated on trade date AA or better by Moody's Investors Service or AA or better by Standard & Poor's Corporation or equivalent by any nationally recognized statistical rating organization.
  - c) Notwithstanding subparagraph (a) and (b) of this paragraph, the corporate indebtedness must be rated on the trade date P-2 or A or better by Moody's Investors Service or A-2 or A or better by Standard & Poor's Corporation or equivalent rating by any nationally recognized statistical rating organization when the corporate indebtedness is:
    - i.) Issued by a business enterprise that has its headquarters in Oregon, employs more than 50 percent of its permanent workforce in Oregon or has more than 50 percent of its tangible assets in Oregon; or
    - ii.) Issued by a holding company owning not less than a majority interest in a qualified financial institution, as defined by ORS 294.035, located and licensed to do banking business in Oregon or by a holding company owning not less than a majority interest in a business enterprise described in sub-subparagraph (i) of this subparagraph.
- 6) Lawfully issued debt obligations of the agencies and instrumentalities of the State of Oregon or its political subdivisions with a long-term rating of A or an equivalent rating or better or the highest category for short term municipal debt.

Lawfully issued debt obligations of the States of California, Idaho and Washington or their political subdivisions with a long-term rating of AA or an equivalent rating or better or the highest category for short term municipal debt.

Maximum percent of portfolio allocation is 25%. No more than 5% of the total portfolio in any one issuing entity.

Such obligations may be purchased only if there has been no default in payment of either the principal of or the interest on the obligations of the issuing county, port, school district or city, for a period of five years next preceding the date of the investment, per ORS 294.040.

7) State of Oregon Investment Pool. Maximum allowed per ORS 294.810, with the exception of pass-through funds (in and out within 10 days). A thorough investigation of the pool/fund is required prior to investing, and on a continual basis. Metro shall perform a periodic review of:

- i) Pool's investment policy and objectives
- ii) Interest calculations and how it is distributed
- iii) How the securities are safeguarded
- iv) How often the securities are priced

8) Market Interest Accounts and Checking Accounts. Metro shall maintain necessary allocation needed for daily cash management efficiency.

b) Callable securities. The maximum percent of callable securities in the portfolio shall be 35%.

c) Summary of Permitted Investments.

Investment Type	Maximum Maturity	Maximum Portfolio Allocation	Maximum Allocation Per Issuer	Minimum Rating
U.S. Treasuries	5 years	100%	100%	-
Federal Agencies	5 years	100%	40%	-
Time CDs	5 years	100%	5%	FDIC insured
Repurchase Agreements	90 days	50%	-	Collateralized
Bankers Acceptances	180 days	25%	5%	A-1
Corporate notes	5 years	35%	5%	AA A if OR
Commercial Paper	270 days		5%	A-1 A-2 if OR

OR munis	5 years	25%	5% (per issuing entity)	A
ID, CA, WA munis	5 years		5% (per issuing entity)	AA
OSTF	-	Amount established by ORS 294.810	-	-
Market interest and checking accounts	-	Amount necessary for daily cash mgmt	-	-

(Ordinance No. 05-1075; Ordinance No. 09-1216, Sec. 1; Ordinance No. 12-1280, Sec. 1.; Ordinance No. 13-1303; Ordinance No. 15-1353, Sec. 1.)

#### 7.03.070 Investment Parameters

- a) Diversification by Maturity. Only investments which can be held to maturity shall be purchased. Investments shall not be planned or made predicated upon selling the security prior to maturity. This restriction does not prohibit the use of repurchase agreements under ORS 294.135(2).

Funds will be invested to coincide with projected cash needs or with the following serial maturity:

- 20% minimum to mature under three months;
- 25% minimum to mature under 18 months;
- 100% minimum to mature under five years.

At all times, Metro will maintain a minimum amount of funds to meet liquidity needs for the next three months, which can be through a combination of cash and investments. The duration of Metro's portfolio shall not exceed 2.5 years.

Investments may not exceed five (5) years. Investment maturities beyond 18 months may be made when supported by cash flow projections which reasonably demonstrate that liquidity requirements will be met.

- b) Diversification by Investment. The investment officer will diversify the portfolio to avoid incurring unreasonable

risks inherent in over-investing in specific instruments, individual financial institutions, or maturities.

- c) Collateralization. Deposit-type securities (i.e., Certificates of Deposit) and all bank deposits for any amount exceeding FDIC coverage shall be collateralized through the Public Funds Collateralization Program as required by ORS Chapter 295. ORS Chapter 295 governs the collateralization of Oregon public funds and provides the statutory requirements for the Public Funds Collateralization Program. Bank depositories are required to pledge collateral against any public funds deposits in excess of deposit insurance amounts. ORS 295 sets the specific value of the collateral, as well as the types of collateral that are acceptable.
- d) Total Prohibitions. The investment officer may not make a commitment to invest funds or sell securities more than 14 business days prior to the anticipated date of settlement of the purchase or sale transaction and may not agree to invest funds or sell securities for a fee other than interest. Purchase of standby or forward commitments of any sort are specifically prohibited.
- e) Adherence to Investment Diversification. Diversification requirements must be met on the day an investment transaction is executed. If due to unanticipated cash needs, investment maturities or marking the portfolio to market, the investment in any security type, financial issuer or maturity spectrum later exceeds the limitations in the policy, the investment officer is responsible for bringing the investment portfolio back into compliance as soon as is practical.

(Ordinance No. 05-1075; Ordinance No. 08-1190; Ordinance No. 13-1302; Ordinance No. 15-1353, Sec. 1.)

#### 7.03.080 Prohibited Investments

- a) Private Placement or 144A Securities. Private placement or "144A" securities are not allowed. "144A" securities include commercial paper issued under section 4(2)144A (also known as "4(2)A") of the Securities Act of 1933.
- b) Mortgage-backed Securities are not allowed.

- c) Securities Lending. Metro shall not lend securities nor directly participate in a securities lending program.

(Ordinance No. 15-1353, Sec. 1.)

#### 7.03.090 Reporting

- a) Methods. A transaction report shall be prepared by the investment manager not later than one business day after the transaction, unless a trustee, operating under a trust agreement, has executed the transaction. The trustee agreement shall provide for a report of transactions to be submitted by the trustee on a monthly basis.
- b) Compliance. Quarterly reports shall be prepared for each regular meeting of the IAB to present historical information for the past 12-month period and that allows the IAB to ascertain whether investment activities during the reporting period have conformed to the investment policy. Copies shall be provided to the Chief Operating Officer and the Metro Council. At each quarterly meeting, a report reflecting the status of the portfolio will be submitted for review and comment by at least three (3) members of the IAB. Discussion and comment on the report will be noted in minutes of the meeting. If concurrence is not obtained, notification will be given to the investment officer, including comments by the IAB.
- c) Performance Standards. The overall performance of Metro's investment program is evaluated quarterly by the IAB using the objectives outlined in this policy. The quarterly report which confirms adherence to this policy shall be provided to the Metro Council as soon as practicable.

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. The primary benchmark of the portfolio will be the Bank of America Merrill Lynch 0-3 Year US Treasury Index. The Investment Officer may use other appropriate benchmarks including the Local Government Investment Pool's monthly average yield or a series of appropriate benchmarks

consistent with Metro's investment objectives for additional analysis. Metro will use these benchmarks to determine the effectiveness of the investment strategy and return relative to market. The Investment Officer, IAB, and the Investment Advisor will review benchmarks annually for appropriateness and consistency with Metro's investment objectives.

- d) Accounting Method. Metro shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies, including, but not necessarily limited to, the American Institute of Certified Public Accountants (AICPA); the Financial Accounting Standards Board (FASB); and the Government Accounting Standards Board (GASB).

(Ordinance No. 05-1075; Ordinance No. 15-1353, Sec. 1.)

#### 7.03.100 Policy Adoption and Re-adoption

- a) The investment policy must be reviewed by the IAB and the Oregon Short-Term Fund Board prior to adoption by the Metro Council. Adoption of this policy supersedes any other previous Council action or policy regarding Metro's investment management practices.
- b) This policy shall be subject to review and re-adoption annually by the Metro Council in accordance with ORS 294.135.

(Ordinance No. 05-1075; Ordinance No. 15-1353, Sec. 1.)

#### 7.03.110 List of Documents Used in Conjunction with this Policy

The following documents are used in conjunction with this policy and are available from the investment manager upon request:

- List of Authorized Brokers and Dealers
- List of Primary Dealers
- Calendar of Federal Reserve System Holidays
- Calendar of Local Government Investment Pool Holidays
- Broker/Dealer Request for Information

- Oregon State Treasury's Summary of Liquid Investments Available to Local Governments for Short-Term Fund Investment
- Oregon State Treasury's U.S. Government and Agency Securities for Local Government Investment Under ORS 294.035 and 294.040
- Oregon State Treasury's List of Qualified Depositories for Public Funds
- Attorney General's letter of advice: Certificates of Deposit, ORS 294.035 and ORS Chapter 295
- Oregon Revised Statute Chapter 294 - County and Municipal Financial Administration
- Oregon Revised Statute Chapter 295 - Depositories of Public Funds and Securities
- Government Finance Officers Association Glossary of Cash Management Terms

(Ordinance No. 05-1075; Ordinance No. 15-1353, Sec. 1.)

#### 7.03.120 Definitions

(a) "Accrued Interest" means interest earned but which has not yet been paid or received.

(b) "Benchmark Notes/Bonds" mean Benchmark Notes and Bonds are a series of FNMA "bullet" maturities (non-callable) issued according to a pre-announced calendar. Under its Benchmark Notes/Bonds program, 2, 3, 5, 10 and 30-year maturities are issued each quarter. Each Benchmark Notes new issue has a minimum size of \$4 billion, 30-year new issues having a minimum size of \$1 billion, with reopenings based on investor demand to further enhance liquidity. The amount of non-callable issuance has allowed FNMA to build a yield curve in Benchmark Notes and Bonds in maturities ranging from 2 to 30 years. The liquidity emanating from these large size issues has facilitated favorable financing opportunities through the development of a liquid overnight and term repo market. Issues under the Benchmark program constitute the same credit standing as other FNMA issues; they simply add organization and liquidity to the intermediate- and long-term Agency market.

(c) "Book Value" means the value at which a debt security is reflected on the holder's records at any point in time. Book value is also called "amortized cost" as it represents the



original cost of an investment adjusted for amortization of premium or accretion of discount. Also called "carrying value." Book value can vary over time as an investment approaches maturity and differs from "market value" in that it is not affected by changes in market interest rates.

(d) "Bullet Notes/Bonds" mean notes or bonds that have a single maturity date and are non-callable.

(e) "Callable Bonds/Notes" mean securities which contain an imbedded call option giving the issuer the right to redeem the securities prior to maturity at a predetermined price and time.

(f) "Certificate of Deposit Account Registry Service (CDARS)" means a private service that breaks up large deposits (from individuals, companies, nonprofits, public funds, etc.) and places them across a network of banks and savings associations around the United States. Allows depositors to deal with a single bank that participates in CDARS but avoid having funds above the FDIC deposit insurance limits in any one bank.

(g) "Commercial Paper" means a short term unsecured promissory note issued by a company or financial institution. Issued at a discount and matures for par or face value. Usually a maximum maturity of 270 days, and given a short-term debt rating by one or more NRSROs.

(h) "Coupon Rate" means the annual rate of interest on a debt security, expressed as a percentage of the bond's face value.

(i) "Discount Notes" mean unsecured general obligations issued by Federal Agencies at a discount. Discount notes mature at par and can range in maturity from overnight to one year.

(j) "Federal Agency Security" means a security issued by a federal agency or certain federally chartered entities (often referred to as government-sponsored enterprises or GSEs). Agency securities typically are not guaranteed by the federal government, particularly those of GSEs.

(k) "Federal Farm Credit Bank (FFCB)" means one of the large Federal Agencies. A Government Sponsored Enterprise (GS) system that is a network of cooperatively-owned lending institutions that provide credit services to farmers, agricultural cooperatives and rural utilities. The FFCBs act as financial intermediaries that borrow money in the capital markets and use the proceeds to make loans and provide other

assistance to farmers and farm-affiliated businesses. Consists of the consolidated operations of the Banks for Cooperatives, Federal Intermediate Credit Banks, and Federal Land Banks. Frequent issuer of discount notes, agency notes and callable agency securities. FFCB debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and agricultural industry.

(l) "Federal Home Loan Bank System (FHLB)" means one of the large Federal Agencies. A Government Sponsored Enterprise (GSE) system, consisting of wholesale banks (currently twelve district banks) owned by their member banks, which provides correspondent banking services and credit to various financial institutions, financed by the issuance of securities. The principal purpose of the FHLB is to add liquidity to the mortgage markets. Although FHLB does not directly fund mortgages, it provides a stable supply of credit to thrift institutions that make new mortgage loans. FHLB debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes and callable agency securities. Also issues notes under its "global note" and "TAP" programs.

(m) "Federal Home Loan Mortgage Corporation (FHLMC or "Freddie Mac")" means one of the large Federal Agencies. A government sponsored public corporation (GSE) that provides stability and assistance to the secondary market for home mortgages by purchasing first mortgages financed by the sale of debt and guaranteed mortgage backed securities. FHLMC debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S. financial system and housing market. Frequent issuer of discount notes, agency notes, callable agency securities and MBS. Also issues notes under its "reference note" program.

(n) "Federal National Mortgage Association (FNMA or "Fannie Mae")" means one of the large Federal Agencies. A government sponsored public corporation (GSE) that provides liquidity to the residential mortgage market by purchasing mortgage loans from lenders, financed by the issuance of debt securities and MBS (pools of mortgages packaged together as a security). FNMA debt is not an obligation of, nor is it guaranteed by the U.S. government, although it is considered to have minimal credit risk due to its importance to the U.S.

financial system and housing market. Frequent issuer of discount notes, agency notes, callable agency securities and MBS. Also issues notes under its "benchmark note" program.

(o) "Federal Reserve Bank" means one of the 12 distinct banks of the Federal Reserve System.

(p) "Global Notes" means notes designed to qualify for immediate trading in both the domestic U.S. capital market and in foreign markets around the globe. Usually large issues that are sold to investors worldwide and therefore have excellent liquidity. Despite their global sales, global notes sold in the U.S. are typically denominated in U.S. dollars.

(q) "Government National Mortgage Association (GNMA or "Ginnie Mae")" mean one of the large Federal Agencies. Government-owned Federal Agency that acquires, packages, and resells mortgages and mortgage purchase commitments in the form of mortgage-backed securities. Largest issuer of mortgage pass-through securities. GNMA debt is guaranteed by the full faith and credit of the U.S. government (one of the few agencies that is actually full faith and credit of the U.S.).

(r) "Government Sponsored Enterprise (GSE)" means a privately owned entity subject to federal regulation and supervision, created by the U.S. Congress to reduce the cost of capital for certain borrowing sectors of the economy such as students, farmers, and homeowners. GSEs carry the implicit backing of the U.S. Government, but they are not direct obligations of the U.S. Government. For this reason, these securities will offer a yield premium over Treasuries. Examples of GSEs include: FHLB, FHLMC, and FNMA.

(s) "Market Value" means the fair market value of a security or commodity. The price at which a willing buyer and seller would pay for a security.

(t) "Mortgage Backed Security (MBS)" means a type of asset-backed security that is secured by a mortgage or collection of mortgages. These securities must also be grouped in one of the top two ratings as determined by a accredited credit rating agency, and usually pay periodic payments that are similar to coupon payments. Furthermore, the mortgage must have originated from a regulated and authorized financial institution.

(u) "Nationally Recognized Statistical Rating Organization (NRSRO)" means a designated rating organization that the SEC has deemed a strong national presence in the U.S. NRSROs provide

credit ratings on corporate and bank debt issues. Only ratings of a NRSRO may be used for the regulatory purposes of rating. Includes Moody's, Standard and Poor's, Fitch and Duff & Phelps.

(v) "Par Value" means face value, stated value or maturity value of a security.

(w) "Primary Dealer" means any of a group of designated government securities dealers designated by to the Federal Reserve Bank of New York. Primary dealers can buy and sell government securities directly with the Fed. Primary dealers also submit daily reports of market activity and security positions held to the Fed and are subject to its informal oversight. Primary dealers are considered the largest players in the U.S. Treasury securities market.

(x) "Primary Market" means the market for new issues of securities, as distinguished from the Secondary Market, where previously issued securities are bought and sold. A market is primary if the proceeds of sales go to the issuer of the securities sold. The term also applies to government securities auctions.

(y) "Reference Bills" mean FHLMC's short-term debt program created to supplement its existing discount note program by offering issues from one month through one year, auctioned on a weekly or on an alternating four-week basis (depending upon maturity) offered in sizeable volumes (\$1 billion and up) on a cycle of regular, standardized issuance. Globally sponsored and distributed, Reference Bill issues are intended to encourage active trading and market-making and facilitate the development of a term repo market. The program was designed to offer predictable supply, pricing transparency and liquidity, thereby providing alternatives to Treasury bills. FHLMC's Reference Bills are unsecured general corporate obligations. This program supplements the corporation's existing discount note program. Issues under the Reference program constitute the same credit standing as other FHLMC discount notes; they simply add organization and liquidity to the short-term Agency discount note market.

(z) "Reference Notes" mean FHLMC's intermediate-term debt program with issuances of 2, 3, 5, 10 and 30-year maturities. Initial issuances range from \$2 - \$6 billion with reopenings ranging \$1 - \$4 billion. The notes are high-quality bullet structures securities that pay interest semiannually. Issues under the Reference program constitute the same credit standing

as other FHLMC notes; they simply add organization and liquidity to the intermediate- and long-term Agency market.

(aa) "Secondary Market" means markets for the purchase and sale of any previously issued financial instrument.

(bb) "TAP Notes" mean Federal Agency notes issued under the FHLB TAP program. Launched in 6/99 as a refinement to the FHLB bullet bond auction process. In a break from the FHLB's traditional practice of bringing numerous small issues to market with similar maturities, the TAP Issue Program uses the four most common maturities and reopens them up regularly through a competitive auction. These maturities (2,3,5 and 10 year) will remain open for the calendar quarter, after which they will be closed and a new series of TAP issues will be opened to replace them. This reduces the number of separate bullet bonds issued, but generates enhanced awareness and liquidity in the marketplace through increased issue size and secondary market volume.

(cc) "Tennessee Valley Authority (TVA)" means a federally owned corporation in the United States created by congressional charter in May 1933 to provide navigation, flood control, electricity generation, fertilizer manufacturing, and economic development in the Tennessee Valley, a region particularly impacted by the Great Depression. The enterprise was a result of the efforts of Senator George W. Norris of Nebraska. TVA was envisioned not only as a provider, but also as a regional economic development agency that would use federal experts and electricity to rapidly modernize the region's economy and society.

(dd) "Treasury Bills (T-Bills)" mean short-term direct obligations of the United States Government issued with an original term of one year or less. Treasury bills are sold at a discount from face value and do not pay interest before maturity. The difference between the purchase price of the bill and the maturity value is the interest earned on the bill. Currently, the U.S. Treasury issues 4-week, 13-week and 26-week T-Bills

(ee) "Treasury Bonds" mean long-term interest-bearing debt securities backed by the U.S. Government and issued with maturities of ten years and longer by the U.S. Department of the Treasury.

(ff) "Treasury Notes" mean intermediate interest-bearing debt securities backed by the U.S. Government and issued with maturities ranging from one to ten years by the U.S. Department

of the Treasury. The Treasury currently issues 2-year, 3-year, 5-year, 7-year and 10-year Treasury Notes.

(gg) "U.S. Government Backed Securities" mean FDIC-guaranteed corporate debt issued under the Temporary Liquidity Guarantee Program (TLGP) and backed by the full faith and credit of the United States Government with a maximum final maturity of five years.

(hh) "Yield to Maturity (YTM) at Cost" means the percentage rate of return paid if the security is held to its maturity date at the original time of purchase. The calculation is based on the coupon rate, length of time to maturity, and original price. It assumes that coupon interest paid over the life of the security is reinvested at the same rate. The Yield at Cost on a security remains the same while held as an investment.

(Ordinance No. 15-1353, Sec. 1.)

## STAFF REPORT

### IN CONSIDERATION OF RESOLUTION NO. 16-4704 FOR THE PURPOSE OF AMENDING AND RE-ADOPTING METRO CODE 7.03 (INVESTMENT POLICY) FOR FISCAL YEAR 2016-2017

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Date: April 28, 2016

Prepared by: Calvin Smith  
Telephone: 503-797-1612

#### BACKGROUND

Metro Code, Chapter 7.03 contains the Investment Policy that applies to all cash-related assets held by Metro. Metro code requires the annual review and readopting with the assistance of the Investment Advisory Board who are appointed on staggered terms by the Council President. This Investment Policy is being submitted to Council for review and re-adoption in accordance with Section 7.03.080 of Metro Code.

The format of Metro's Investment Policy conforms to the Oregon State Treasury's Sample Investment Policy for Local Governments and the Government Finance Officers Association's (GFOA) Sample Investment Policy. This allows Metro's policy to be readily compared to investment policies of other local governments that have adopted the same GFOA format.

No changes to the investment policy are proposed as a part of this re-adoption. The Investment Manager feels the current policy is well suited for the current investment environment. The current policy was submitted last year to the Oregon State Short term Fund Board (OSTFB) for its review and approval. OSTFB only reviews those investment policies with changes as their prior review would hold. The current Metro policy meets the requisite due diligence with proposed processes.

#### ANALYSIS/INFORMATION

1. **Known Opposition:** None.
2. **Legal Antecedents:** Metro Code, Chapter 7.03, Investment Policy, Section 7.030.080(b) proscribes that the policy shall be subject to review and re-adoption annually by the Metro Council in accordance with ORS 294.155.

Chapter 7.03 was formerly Chapter 2.06 (readopted April 9, 1998; amended December 10, 1998; readopted April 15, 1999; readopted April 27, 2000; readopted December 11, 2001; readopted October 3, 2002; renumbered by Ordinance No. 02-976, Sec. 1; readopted June 12, 2003; amended and readopted April 7, 2005, by Ordinance No. 05-1075; readopted April 20, 2006, by Ordinance 06-1114; readopted June 21, 2007 by Ordinance 07-1149; readopted June 26, 2008 by Ordinance 08-1190; readopted June 25, 2009 by Ordinance 09-1216.;readopted June 17, 2010 by Ordinance 10-1243; readopted by Resolution 11-4272 June 23,2011; readopted by Ordinance 12-1280 June 21, 2012; readopted by Ordinance 13-1303 May 2.2013; readopted by Ordinance 14-1339 July 17,2014;readopted by Ordinance 15-1353 March 12,2015.)

**3. Anticipated Effects:** N/A

**4. Budget Impacts:** N/A

**RECOMMENDED ACTION:** Staff recommends re-adoption as amended of Metro Code Chapter 7.03 by Resolution No. 16-4704.



Agenda Item No. 4.1

**Ordinance No. 16-1374**, For the Purpose of Annexing to the Metro District Boundary Approximately 93.51 Acres Located West of NW Kaiser Road and North of NW Brugger Road in the North Bethany Area of Washington County

*Ordinances (Second Read)*

Metro Council Meeting  
Thursday, May 26, 2016  
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE ) ORDINANCE NO. 16-1374  
METRO DISTRICT BOUNDARY )  
APPROXIMATELY 93.51 ACRES LOCATED ) Introduced by Chief Operating Officer  
WEST OF NW KAISER ROAD AND NORTH OF ) Martha J. Bennett with the Concurrence  
NW BRUGGER ROAD IN THE NORTH ) of Council President Tom Hughes  
BETHANY AREA OF WASHINGTON COUNTY )

WHEREAS, West Hills Development and Noyes Development Group have submitted complete applications for annexation of a combined 93.51 acres (“the territory”) located west of NW Kaiser Road and north of NW Brugger 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 May 5, 2016; 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 May 14, 2016, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_ 2016.

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

Attest:

Approved as to form:

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

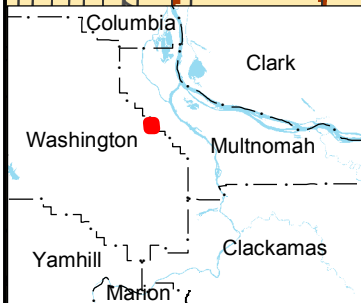
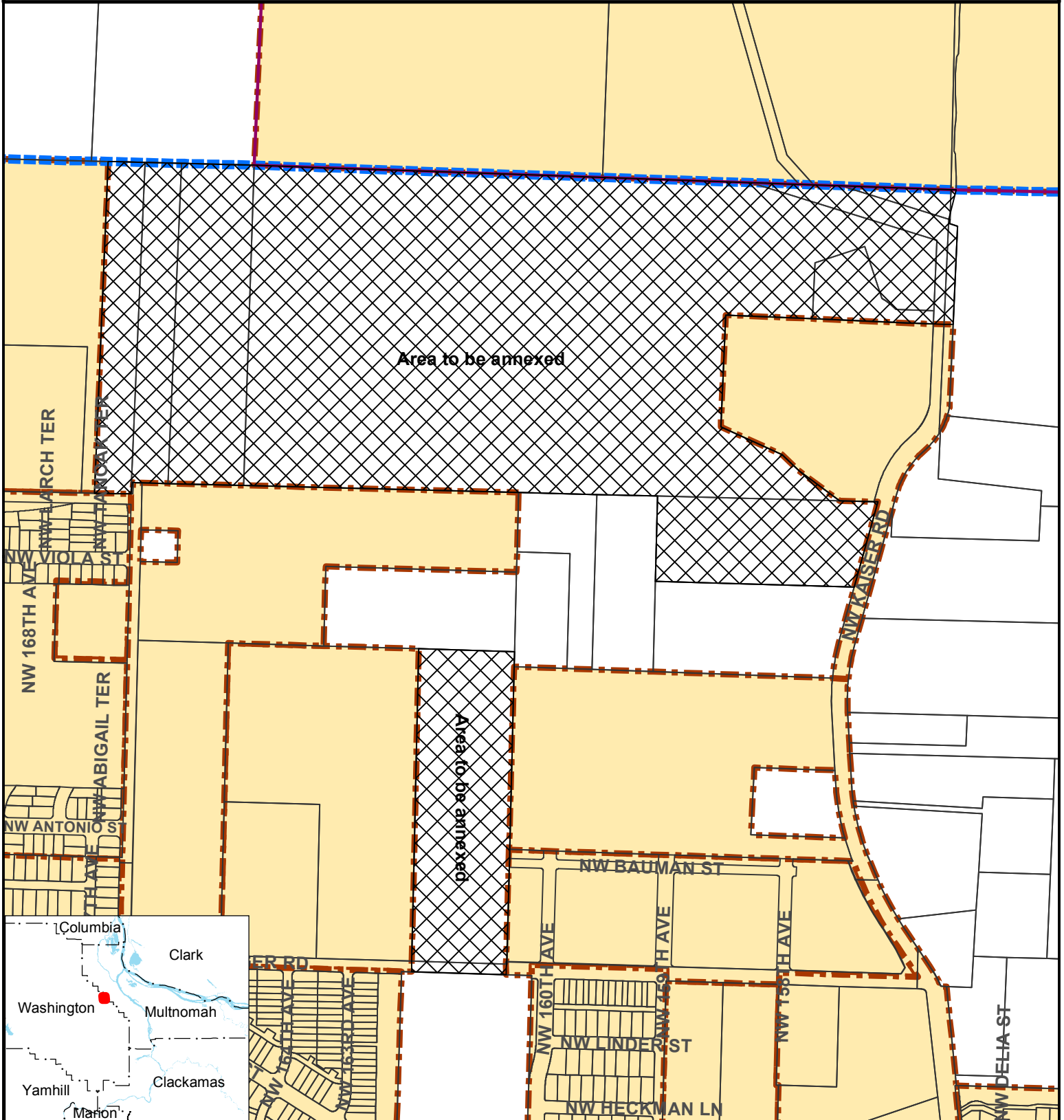
\_\_\_\_\_  
Alison R. Kean, Metro Attorney

# Proposal No. AN-0216





1N1W17, 1N1W18

Annexation to the Metro District Boundary

Washington County



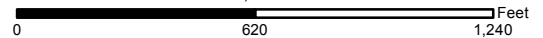
Research Center  
 600 NE Grand Ave  
 Portland, OR 97232-2736  
 (503) 797-1742  
<http://www.oregonmetro.gov/drc>

-  Area to be annexed
-  Taxlots
-  Urban growth boundary
-  Metro District Boundary

## Proposal No. AN-0216 Metro District Boundary



1:6,000



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## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 16-1374, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 93.51 ACRES LOCATED WEST OF NW KAISER ROAD AND NORTH OF NW BRUGGER ROAD IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

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Date: May 14, 2016

Prepared by: Tim O'Brien,  
Principal Regional Planner  
Ext. 1840

### BACKGROUND

CASE: AN-0216, Annexation to Metro District Boundary

PETITIONERS:	West Hills Development 735 SW 158 <sup>th</sup> Avenue Beaverton, OR 97006	Noyes Development Group 16305 NW Bethany Ct. #101 Beaverton, OR 97006
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PROPOSAL: West Hills Development proposes to annex one parcel (10.17 acres) located at 16125 NW Brugger Road and Noyes Development Group proposes to annex six parcels west of NW Kaiser Road and north of NW Brugger Road totaling 83.34 acres to the Metro Jurisdictional Boundary. The applicants are in the process of annexing the subject properties to the necessary service districts in Washington County.

LOCATION: The West Hills Development parcel is located at 16125 NW Brugger Road. The Noyes Development Group parcels are located west of NW Kaiser Road and north of NW Brugger Road. A map of the proposed annexation areas can be found in Attachment 1.

ZONING: The properties are zoned for residential use (R6 NB, R9 NB, R15 NB & R24 NB) and institutional use (INST 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 parcels were 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, which the applicants are in the process of completing. 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 93.51 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 applicants were required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

## **RECOMMENDED ACTION**

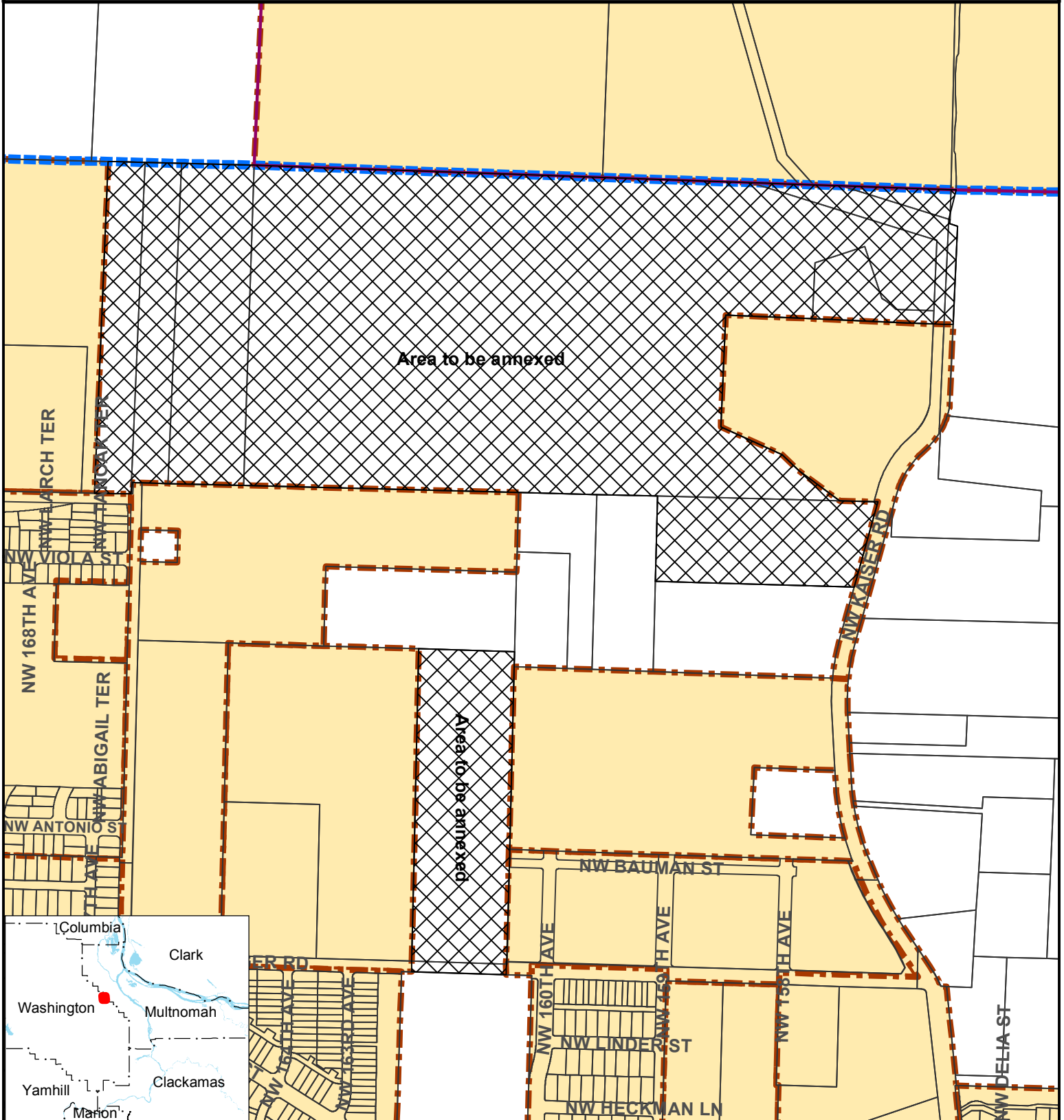
Staff recommends adoption of Ordinance No. 16-1374.

# Proposal No. AN-0216





1N1W17, 1N1W18

Annexation to the Metro District Boundary

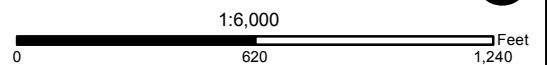
Washington County



Research Center  
 600 NE Grand Ave  
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<http://www.oregonmetro.gov/drc>

-  Area to be annexed
-  Taxlots
-  Urban growth boundary
-  Metro District Boundary

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Materials following this page were distributed at the meeting.



**METRO COUNCIL MEETING**  
Meeting Minutes  
May 5, 2016  
Metro Regional Center, Council Chamber

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

Councilors Excused: Councilor Craig Dirksen

Council President Tom Hughes called the regular council meeting to order at 2:02pm.

**1. CITIZEN COMMUNICATION**

Nancy Tracy, Portland: Ms. Tracy provided handouts and expressed her desire to see a park developed on SW 72<sup>nd</sup> Ave and SW Spruce St in Tigard.

**2. CONSENT AGENDA**

Motion:	Councilor Sam Chase moved to adopt items on the consent agenda.
Second:	Councilor Bob Stacey seconded the motion.

Vote: Council President Hughes, and Councilors Chase, Craddick, Collette, Harrington, and Stacey voted in support of the motion. The vote was 6 ayes, the motion passed.

**3. RESOLUTIONS**

3.1 **Resolution No. 16-4697**, For the Purpose of Adopting the Annual Budget for FY 2016-17, Making Appropriations, Levying Ad Valorem Taxes, and Authorizing an Interfund Loan

Council President Hughes noted that the Council held a work session discussion on the FY 2016-17 budget on Tuesday, April 19<sup>th</sup> and that following the public hearing today, the Council will consider a resolution approving the budget and sending it to the Tax Supervising and Conservation Commission for review.

Council President Hughes opened up a public hearing. Seeing no requests to testify, he closed the public hearing and noted that the second public hearing is scheduled for Thursday, June 16<sup>th</sup>, with Council consideration and vote scheduled for Thursday, June 23<sup>rd</sup>.

3.2 **Resolution No. 16-4696**, For the Purpose of Approving the FY 2016-17 Budget, Setting Property Tax Levies and Transmitting the Approved Budget to the Multnomah County Tax Supervising and Conservation Commission



Motion:	Councilor Kathryn Harrington moved to approve Resolution No. 16-4696.
Second:	Councilor Carlotta Collette seconded the motion.

Council President Hughes called on Mr. Tim Collier, Metro Finance and Regulatory Services Director, for a brief staff presentation. Mr. Collier noted that the resolution provides for three actions: it approves the FY 2016-17 budget, sets the maximum tax rates to be levied, and directs the Chief Operating Officer and staff to transfer it to the Multnomah County Tax Supervising and Conservation Commission for review. Mr. Collier also noted the three tax levies proposed for the next year.

***Council discussion:***

There was none.

Vote: 

Council President Hughes, and Councilors Chase, Craddick, Collette, Harrington, and Stacey voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> .
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**4. ORDINANCES (FIRST READ)**

**4.1 Ordinance No. 16-1374, For the Purpose of Annexing to the Metro District Boundary Approximately 93.51 Acres Located West of NW Kaiser Road and North of NW Brugger Road in the North Bethany Area of Washington County**

Metro Attorney Alison Kean and Council President Hughes read the requirements on holding a quasi-judicial hearing and Council President Hughes then introduced Metro staff, Mr. Tim O'Brien, to provide a brief staff report. Mr. O'Brien provided a brief report regarding the annexation request, explained the criteria required and that the request did meet the required criteria for annexation into the Metro District Boundary.

Council inquired about remaining parcels to be annexed in the North Bethany area and discussed the previous Council request to combine hearings. Mr. O'Brien noted that staff looked into the request to combine annexations, but found that it would not be possible at this time.

Council President Hughes opened up a public hearing on Ordinance No. 16-1374. Seeing no requests to testify, Council President Hughes closed the public hearing and noted that the second reading, Council consideration and vote were scheduled for Thursday, May 26, 2016.

**5. CHIEF OPERATING OFFICER COMMUNICATION**

Deputy Chief Operating Officer, Mr. Scott Robinson provided an update on the following events or items: a Vision Zero panel discussion co-hosted by Metro and Oregon Walks on May 10<sup>th</sup>, a series of stories regarding conservation work at the Oregon Zoo, Graham Oaks Nature Park Eco-Blitz on May 7<sup>th</sup>, and the Birds and Blooms of Canemah Bluff Mother's Day event.

**6. COUNCILOR COMMUNICATION**

Councilors provided updates on the following meetings or events: the Regional Disaster Preparedness Organization Committee meeting, Clean Diesel work group meeting, postponement of a landfill capacity ordinance, the Travel Portland Awards breakfast, the Oregon Community Foundation luncheon, and a Governor's Regional Solutions Team tour of the City of Cornelius.

**7. ADIURN**

There being no further business, Council President Hughes adjourned the regular meeting at 2:43 p.m. The Metro Council will convene at the next regular council meeting on Thursday, May 19, 2016 at 2 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alexandra Eldridge".

Alexandra Eldridge, Regional Engagement and Legislative Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 5, 2016**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
1.0	Testimony, Handout	05/05/2016	Written Testimony from Nancy Tracy	050516c-01
1.0	Testimony, Handout	04/18/2016	Testimony Handout from Nancy Tracy	050516c-02
1.0	Testimony, Handout	05/05/2016	Testimony Handout from Nancy Tracy	050516c-03
1.0	Testimony, Handout	05/05/2016	Testimony Handout from Nancy Tracy	050516c-04
2.1	Minutes	04/28/2016	Council Meeting Minutes on April 28, 2016	050516c-05
3.1	Handout	4/14/2016	FY 2016-17 Proposed Budget By the Numbers	050516c-06