



Metro  
600 NE Grand Ave.  
Portland, OR 97232-2736

## Council meeting agenda

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Thursday, January 21, 2021

2:00 PM

<https://zoom.us/j/93558032526> or

**(253)215-8782**

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### Revised 1/19

Please note: To limit the spread of COVID-19, Metro Regional Center is now closed to the public.

This meeting will be held electronically. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/93558032526> or by calling (253) 215-8782 .

If you wish to attend the meeting, but do not have the ability to attend by phone or computer, please contact the Legislative Coordinator at least 24 hours before the noticed meeting time by phone at 503-797-1916 or email at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov).

#### 1. Call to Order and Roll Call

#### 2. Public Communication

Public comment may be submitted in writing and will also be heard by electronic communication (videoconference or telephone). Written comments should be submitted electronically by emailing [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Written comments received by noon on the day of the meeting will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-797-1916 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Those requesting to comment during the meeting can do so by using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Individuals will have three minutes to testify unless otherwise stated at the meeting.

#### 3. Consent Agenda

- 3.1 Consideration of the Council Meeting Minutes for the  
January 07, 2021.

[20-5502](#)

Attachments: [010721c](#)

#### 4. Resolutions

- 4.1 Resolution No. 21-5152, For the Purpose of Adopting an Agenda for the 2021 Oregon Legislative Session [RES 21-5152](#)

Presenter(s): Randy Tucker, Metro  
Anneliese Koehler, Metro  
Andy Shaw, Metro

Attachments: [Ordinance No. 21-5152](#)  
[Exhibit A to Ordinance No. 21-5152](#)  
[Exhibit B to Ordinance No. 21-5152](#)  
[Staff Report](#)

**5. Ordinances (Second Reading)**

- 5.1 Ordinance No. 21-1455, For the purpose of annexing to the Metro District Boundary approximately 16.25 acres located at the corner of SW Frog Pond Lane and Stafford Road in Wilsonville. [ORD 21-1455](#)

Presenter(s): Tim O'Brien, Metro

Attachments: [Ordinance No. 21-1455](#)  
[Exhibit A](#)  
[Staff Report](#)  
[Attachment 1](#)

- 5.2 Ordinance No. 21-1456, For the purpose of annexing to the Metro District Boundary approximately 38.49 acres located generally west of NE Constable Street in Hillsboro. [ORD 21-1456](#)

Presenter(s): Tim O'Brien, Metro

Attachments: [Ordinance No. 21-1456](#)  
[Exhibit A](#)  
[Staff Report](#)  
[Attachment 1](#)

**6. Ajourn to Work Session**

*Work Session Begins at 2:30*

**1. Call to Order and Roll Call**

**2. Work Session Topics:**

2.1 Property Acquisition Discussion- Metro West

[20-5501](#)

Presenter(s): Roy Brower, Metro  
Dan Blue, Metro  
Matt Tracy, Metro  
Gloria Pinzon, Metro

Attachments: [Work Session Worksheet](#)  
[Exhibit A - Metro West](#)  
[Exhibit B - Metro West](#)

**3. Chief Operating Officer Communication**

**4. Councilor Communication**

**5. Adjourn**

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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](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 503-797-1700 (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 503-797-1700 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503-797-1700（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 kullanka dadweynaha, wac 503-797-1700 (8 galka hore illaa 5 galka dambe maalmaha shaqada) shan maalmaha shaqo 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) 503-797-1700를 호출합니다.

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### សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

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

### إشعار بعدم التمييز من Metro

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

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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 503-797-1700 (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

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 503-797-1700 (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

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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](http://www.oregonmetro.gov/civilrights). Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1700 (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 503-797-1700 (8 teev sawv ntxov txog 5 teev tsaus ntuj weekdays) 5 hnub ua hauj lwm ua ntej ntawm lub rooj sib tham.

**Television schedule for Metro Council meetings**

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

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

Agenda Item No. 3.1

**Consideration of the Council Meeting Minutes for January 07, 2021**

*Consent Agenda*

Metro Council Meeting  
Thursday, January 21, 2021

# **Metro**

*600 NE Grand Ave.  
Portland, OR 97232-2736  
oregonmetro.gov*



**Metro**

## **Minutes**

**Thursday, January 7, 2021**

**2:00 PM**

**<https://zoom.us/j/615079992> or 888-475-4499 (toll free)**

**Council meeting**

**1. Call to Order and Roll Call**

**Present:** 7 - Council President Lynn Peterson, Councilor Shirley Craddick, Councilor Bob Stacey, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Mary Nolan, and Gerritt Rosenthal

**2. Public Communication**

Council President Peterson opened up the public comment portion of the meeting and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gaveled out of public comment.

**3. Consent Agenda**

Approval of the Consent Agenda

**A motion was made by Councilor Lewis, seconded by Councilor Stacey, that this was approved the Consent Agenda.. The motion carried by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Craddick, Councilor Stacey, Councilor Lewis, Councilor Gonzalez, Nolan, and Rosenthal

3.1 Consideration of the Council Meeting Minutes for the December 17, 2020 Minutes.

3.2 Resolution No. 21-5153, For the Purpose of Organizing the Metro Council and Confirming Committee Members

3.3 Resolution No. 20-5151, For the Purpose of Amending Five Existing and Adding Six New Projects to the 2021-24 Metropolitan Transportation Improvement Program (MTIP) Impacting Clackamas County, Metro, ODOT, SMART, and Trimet (DC21-05-DEC)

**4. Ordinances (First Reading and Public Hearing)**

4.1 Ordinance No. 21-1455, For the purpose of annexing to the Metro District Boundary approximately 16.25 acres located at the corner of SW Frog Pond Lane and Stafford Road in Wilsonville.

Presenter(s): Tim O'Brien, Metro

Council President Peterson introduced Tim O'Brien to



present on Ordinance No. 21-1455. Metro Attorney Carrie MacLaren reviewed legal procedure required when Council passes annexations. Mr. O'Brien reviewed the land in Wilsonville that staff suggests to be annexed.

*Council Discussion*

There was none.

- 4.2 Ordinance No. 21-1456, For the purpose of annexing to the Metro District Boundary approximately 38.49 acres located generally west of NE Constable Street in Hillsboro.

Presenter(s): Tim O'Brien, Metro

Mr. O'Brien reviewed the land in Hillsboro that Metro staff suggested to be annexed. Additionally, he explained that these annexations will continue to happen because in 2009 the Oregon State Legislature passed a bill stating that Metro's boundary will grow with the urban growth boundary.

*Council Discussion*

There was none.

- 4.2.2 Public Hearing for Ordinance No. 21-1455 & Ordinance No. 21-1456

Council President Peterson opened up a public hearing on Ordinance No. 21-1455 and Ordinance No. 21-1456 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gavelled out of the public hearing. She noted that the Metro Council would hold a second hearing and vote on January 21, 2021.

**5. Chief Operating Officer Communication**

Ms. Madrigal shared that there will be a tri-county zoom event that will address questions on Covid-19 like vaccine distribution.

**6. Councilor Communication**

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Councilor Lewis shared an update on the Parks Bond liaison committee and that they are close to developing an oversight committee. She asked her fellow councilors to look out for a request from the Opportunity Study committee to schedule a meeting.

Councilor Stacey shared two updates from the WPES liaison meeting. He reviewed the site acquisition strategies for Clackamas and Westside recycling center and legislative updates pertaining to changes in waste collection. He explained that there are no new proposals but that there was an update shared with the new councilor liaisons.

Councilor Craddick reviewed the Division Transit Project and shared that Tri-Met completed 40% of this project.

Councilor Rosenthal thanked staff and Council for their work on the 2021 Inauguration.

**7. Adjourn**

Seeing no further business, Council President Lynn Peterson adjourned the Metro Council work session at 2:31 p.m.

Respectfully submitted,

*Pilar Karlin*

Pilar Karlin, Council Policy Assistant

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 07, 2021**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>3.1</b>	Minutes	01/07/21	Council Meeting Minutes for December 17, 2020	010721c-01

Agenda Item No. 4.1

**Resolution No. 21-5152, For the Purpose of Adopting an Agenda for the 2021  
Oregon Legislative Session**

*Resolution*

Metro Council Meeting  
Thursday, January 21, 2021

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 21-5152, FOR THE PURPOSE OF ADOPTING AN AGENDA FOR THE 2021 OREGON LEGISLATIVE SESSION**

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Date: January 14, 2021  
Department: GAPD  
Meeting Date: January 21, 2021

Prepared by: Randy Tucker, x1512,  
randy.tucker@oregonmetro.gov

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## **ISSUE STATEMENT**

This resolution articulates the Metro Council's agenda for the 2021 Oregon legislative session and directs staff to pursue legislative outcomes consistent with the Council's policy priorities and principles.

## **ACTION REQUESTED**

Staff recommends approval of Resolution 21-5152.

## **IDENTIFIED POLICY OUTCOMES**

See Exhibits A and B.

## **POLICY QUESTION(S)**

See Exhibits A and B.

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

N/A. (Note: staff will continue to seek policy direction from the Council throughout the legislative session as issues change and new issues arise.)

## **STAFF RECOMMENDATIONS**

Specific recommendations on policy direction are included in Exhibits A and B.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

- **How does this advance Metro's racial equity goals?** Several of the legislative priorities described in Exhibit A support outcomes that will advance Metro's racial equity goals, including but not limited to support for

- both funding and policy related to affordable housing and supportive housing services, including legislation to ensure that people affected by COVID-19 can stay in their homes;
- legislation to modernize the state’s recycling system that includes elements aimed at reducing inequities in the system;
- legislation addressing ongoing harm to communities of color caused by past and current transportation policies and investments, as well as the failure to invest in safety and multimodal improvements on state-owned highways that serve areas disproportionately populated by communities of color; and
- BIPOC-led policy and funding proposals that create meaningful law enforcement reform.

Moreover, the legislative principles in Exhibit B have been updated to include two new principles addressing racial equity in the solid waste and transportation systems.

- **How does this advance Metro’s climate action goals?** The agenda directs staff to seek funding to support implementation of the Climate Smart Strategy, and to work to ensure other transportation legislation (e.g., on pricing) is structured in ways that lead to reduced carbon emissions. Staff is also directed to support legislation to modernize the recycling system and introduce producer responsibility for specific product types, which will reduce waste and conserve energy. Other items support efficient land uses which reduce the need to drive, thereby reducing per capita greenhouse gas emissions.
- **Known Opposition:** None.
- **Legal Antecedents:** None applicable.
- **Anticipated Effects:** Provides direction to Metro staff with respect to issues before the 2021 Oregon Legislature.
- **Financial Implications (current year and ongoing):** Funding for Metro’s legislative advocacy is included in the budget for Government Affairs and Policy Development and is supported by Metro’s general fund. Certain substantive elements of the legislative agenda have financial implications for Metro, its regional partners, and the larger regional economy (e.g., personnel or public contracting requirements or the availability of funds to support regional projects and programs), but those implications cannot be known at this time with any specificity.

## **BACKGROUND**

The Metro Council has taken formal positions on legislation since its inception. The first such action was in Resolution No. 79-23 whereby the Council took a position on Senate Bill 66, which dealt with economic development. Since that time, the Metro Council has taken formal and informal positions on legislation that impacts the agency and the region.

The priorities and principles described in Exhibits A and B were developed by Metro's legislative affairs manager, Randy Tucker, and state and regional affairs advisor, Anneliese Koehler, in consultation with the Metro Council and Metro staff. Most of the specific legislative issues described in Exhibit A have benefited from consultation with legislative liaisons and other staff in Metro departments; staff colleagues also developed the equity-related updates to the principles. The priorities and principles were discussed with the Metro Council in work sessions that occurred on October 13, November 10, and December 15, 2020, and January 12, 2021.

Where applicable, the legislative principles described in Exhibit B also reflect previously adopted Metro policy as embodied in the Regional Framework Plan, the Regional Waste Plan and other documents.

As issues arise and develop during the 2021 session, the Council will have the opportunity to take positions on specific pieces of legislation and to modify its agenda as it sees fit.

#### **ATTACHMENTS**

Exhibit A, Metro Council Legislative Priorities, 2021 Legislative Session

Exhibit B, Metro Council 2021 Legislative Principles

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING AN ) RESOLUTION NO. 21-5152  
AGENDA FOR THE 2021 OREGON )  
LEGISLATIVE SESSION ) Introduced by Council President Lynn  
 ) Peterson  
 )

WHEREAS, Metro has an interest in bills before the 2021 Oregon Legislature; and

WHEREAS, the Metro Council and Metro staff will represent Metro’s interest during the upcoming legislative session; and

WHEREAS, the Metro Council wishes to establish a united position on important legislative proposals and provide direction to its staff in order to represent the will of the agency; and

WHEREAS, the attached Exhibit “A” of this resolution lists specific expected and potential 2021 issues that are of concern to Metro and the metropolitan region and gives guidance to staff on the Metro Council’s position on these issues; and

WHEREAS, the attached Exhibit “B” states the Metro Council’s principles regarding categories of potential legislation in order to provide guidance to staff in representing Metro; now therefore

BE IT RESOLVED that the Metro Council hereby directs the Metro Chief Operating Officer, the Metro Attorney, and Metro staff to communicate the agency’s position on a variety of legislative proposals to the 2021 Oregon Legislature consistent with Exhibits “A” and “B” attached hereto.

ADOPTED by the Metro Council this \_\_\_\_\_ day of January, 2021.

\_\_\_\_\_  
Lynn Peterson, Council President

Approved as to Form:

\_\_\_\_\_  
Carrie Maclaren, Metro Attorney



**METRO COUNCIL LEGISLATIVE PRIORITIES**  
**2021 Legislative Session**



**COVID RESPONSE**

- **Immediate needs:** Support legislation that addresses the immediate needs of those impacted by COVID-19, including policy changes and funding assistance for businesses, employment support, health care, housing, food, and other basic needs.
- **Equitable and efficient vaccine distribution:** Support efforts to administer vaccines to all Oregonians, with priority for the most vulnerable and for disproportionately impacted communities.

**WASTE MANAGEMENT AND WASTE REDUCTION**

- **Recycling system modernization:** Support legislation to overhaul and update Oregon's recycling statutes to address changes in markets and materials; reduce contamination; provide statewide consistency and transparency; eliminate inequities throughout the system; and require producers to share responsibility for end-of-life management of packaging and paper products.
- **Producer responsibility:** Establish waste management programs based on producer responsibility and product stewardship principles to facilitate safe and environmentally sound disposal of mattresses, household hazardous waste, carpeting and medical sharps.

**LAND USE AND HOUSING**

- **Affordable housing:** Support legislation to increase state housing funding, improve tenant protections, expand affordable home ownership options, increase home ownership for BIPOC households, and provide additional tools and authority to local governments to address housing supply and affordability.
- **Supportive housing services:** Support legislation that ends homelessness in the greater Portland region and statewide. Advance solutions that leverage and integrate local, state and federal investments to implement comprehensive supportive housing and wraparound services. Ensure sustained state homeless services investments in the region.
- **Urban growth management:** Ensure that the Legislature establishes the policy framework and process for local land use decisions and respects the authority of local governments, including Metro, to make specific decisions on local land use matters. Oppose efforts to legislatively determine specific land use designations in the region or to distort the process of assessing land need by mandating inaccurate analysis.

**TRANSPORTATION**

- **Climate Smart transportation:** Seek funding to achieve reductions in transportation-related greenhouse gas emissions required by the Portland region's Climate Smart Strategy and to implement the Oregon Climate Agenda.

- **State funding for state-owned highways:** Secure ongoing state funding for investments to improve safety and multimodal mobility on state highways that operate as urban arterials.
- **Major transportation projects:** Support legislative decisions that: carry out commitments of 2017 transportation package related to freeway bottlenecks in Portland region; consider freeways as a system with respect to both project development and tolling/pricing approach; advance the Interstate 5 bridge replacement project in ways that accommodate community concerns, measurably reduce greenhouse gas emissions and minimize other environmental impacts; and address ongoing harm to communities of color caused by past and current transportation policies and investments.
- **Willamette Falls Locks:** Support funding to repair and reopen the Locks and transfer ownership to a public corporation.
- **Transportation pricing:** Support transportation pricing mechanisms that significantly and measurably reduce congestion, minimize carbon emissions, advance equity and improve safety.
- **Emerging transportation technologies:** Ensure that legislation establishing statewide policy frameworks for ride-hailing companies, automated vehicles and other technology-driven transportation innovations do not unreasonably limit local government authority or access to data needed for sound transportation management and planning.

## RACIAL EQUITY

- **Racial justice:** Support legislation that acknowledges past and ongoing discrimination, eliminates current disparities and promotes substantive inclusion in decisions about public programs, services, facilities and policies, including Black, Indigenous and People of Color-led policy and funding proposals that create meaningful law enforcement reform.

## ECONOMIC PROSPERITY

- **Emergency relief for visitor venues:** Seek funding to address financial crisis caused by pandemic-related closure or severely limited operation of Oregon Convention Center, Oregon Zoo and other venues owned and/or operated by Metro, and to ensure these venues can quickly reopen when it is safe to do so in order to support economic recovery.
- **Brownfield cleanup and redevelopment:** Support \$10 million allocation to recapitalize the state's Brownfields Redevelopment Fund; creation of a complementary new fund with an additional \$5 million for a grant program to incentivize cleanups of privately owned brownfields; and legislation to authorize claims against insurance assets of dissolved companies responsible for environmental contamination.
- **Industrial site readiness:** Provide funding to implement statute authorizing loans to make land inside urban growth boundaries available for industrial development and job creation through infrastructure investment, brownfield cleanup, land aggregation, and other means.
- **Columbia River levees:** Provide funding to support recertification of Columbia River levees.
- **Geographic data:** Support legislation to create and fund central state repository for standardized geographic "framework" data.

## METRO COUNCIL 2021 LEGISLATIVE PRINCIPLES<sup>1</sup>

### GENERAL PRINCIPLES:

- 1. Successful Communities:** Metro supports policy and funding solutions that facilitate the achievement of the six desired outcomes for successful communities that have been agreed upon by the region: vibrant, walkable communities; economic competitiveness and prosperity; safe and reliable transportation choices; leadership in minimizing contributions to climate change; clean air, clean water and healthy ecosystems; and equitable distribution of the burdens and benefits of growth and change.<sup>2</sup>
- 2. Racial Diversity, Equity and Inclusion:** Metro envisions a region and state where a person's race, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Metro therefore supports legislation that acknowledges past discrimination, addresses current disparities and promotes inclusion in public programs, services, facilities and policies.<sup>3</sup>
- 3. Climate Change:** Metro supports efforts to combat and adapt to climate change and to meet the state's goals for reducing greenhouse gas emissions. To this end, Metro supports state policy and funding solutions that can help to reduce emissions in all of its main lines of business: land use and transportation planning and investment, housing and homeless services, solid waste management and prevention, parks and natural areas, and operation of visitor venues.
- 4. Pre-emption:** With respect to issues related to matters of regional concern, Metro's policy and funding authority should not be pre-empted or eroded.
- 5. Funding:** To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all of their citizens, Metro and the region's counties, cities, and other service providers must have the financial resources to provide sustainable, quality public services. Accordingly, the Legislature should remove existing restrictions on local and regional revenue-raising authority and avoid enacting new limitations or pre-emptions, and all state mandates should be accompanied by funding.

### SPECIFIC PRINCIPLES:

#### HOUSING:

- 6. Affordable Housing:** Metro supports efforts to ensure that housing choices are available to people of all incomes in every community in our region; to reduce the number of households that are burdened by the combined costs of housing and transportation; to support people experiencing homelessness or at risk of losing housing; and to increase affordable opportunities for home ownership.<sup>4</sup> To achieve these outcomes, Metro supports legislative actions consistent with Oregon's land use laws that increase the supply of both regulated affordable housing and market-rate housing; provide funding for both housing development and services that support lower-income renters and people experiencing homelessness; and provide reasonable protections for renters against arbitrary and unfair actions.

**LAND USE AND URBAN GROWTH MANAGEMENT:**

7. **Oregon's Land Use System:** Oregon's land use planning system provides an important foundation for the prosperity, sustainability and livability of our region; this system reflects the values of Oregonians and enjoys strong public support.<sup>5</sup> The Legislature should exercise restraint and care when considering changes to Oregon's land use system.
8. **Local Land Use Decisions:** Management of the urban growth boundary is a complex undertaking that involves extensive analysis, public input, and a balancing of many factors. Urban growth management decisions have profound impacts not just on land at the boundary, but on communities within the boundary and on farms and other rural lands outside the boundary. For these reasons, the Legislature should establish the process and policy framework for local land use decisions and should affirm the authority of local governments, including Metro, to make specific decisions on local land use matters.
9. **Efficient Use of Existing Urban Land:** Land within the urban growth boundary should be used efficiently before the boundary is expanded.<sup>6</sup> Metro supports policy and funding strategies to facilitate efficient use of existing urban land, including investments in brownfield cleanup and industrial site readiness, as well as policy and zoning reforms that authorize and/or encourage more efficient development in residential and commercial areas.
10. **Need:** The UGB should not be expanded in the absence of demonstrated need.<sup>7</sup>
11. **Integration of Land Use and Transportation:** Land use and transportation planning should be coordinated so land uses do not undermine the efficiency and reliability of the transportation system and transportation investments do not lead to unintended or inefficient land uses.<sup>8</sup>
12. **Annexation:** Cities are the preferred governing structure for providing public services to urban areas, and Metro supports reforms that will facilitate, or reduce barriers to, orderly annexation and incorporation.
13. **Fiscal Responsibility:** Funding to support urban development should be generated at least in part by fees on those who directly benefit from that development.

**SOLID WASTE:**

14. **Life Cycle Approach:** Metro supports efforts to minimize the health, safety, environmental, economic and social impacts associated with consumer products and packaging throughout all stages of a product's life cycle, beginning with resource extraction and continuing through design, manufacturing, consumption and disposal.<sup>9</sup>
15. **Product Stewardship/Producer Responsibility:** Metro supports legislation providing that whoever designs, produces, sells or uses a product bears responsibility for minimizing the product's environmental impact throughout all stages of the product's life cycle. Under this market-based approach, the life-cycle costs of a product are internalized into its price rather than being forced onto the general public. This approach also provides an incentive for manufacturers to design and produce their goods in a way that minimizes waste, environmental impact and management costs.
16. **Equity in the Solid Waste System:** The Regional Waste Plan aims to eliminate disparities experienced by people of color and historically marginalized communities from the full life cycle of products and packaging used and disposed in the region. Metro supports legislation that achieves this by advancing: community restoration, community partnerships and community investment; access to recycling, waste and reuse services and information; good jobs with improved worker health and safety, compensation and career pathways; business

opportunities in the local economy; and community health through minimized impacts from system operations - locally and in end markets - and from toxic chemicals in products and packaging. Legislation should require the establishment of targets, standards and compliance processes, as appropriate, to ensure progress toward equity goals.

**TRANSPORTATION:**

- 21. Transportation Funding:** Providing adequate funding for all transportation modes that move people and freight supports economic prosperity, community livability, public health and environmental quality. For these reasons, Metro supports an increase in overall transportation funding, investments in a safe and balanced multimodal transportation system that addresses the needs of all users, and flexibility in the system to provide for local solutions to transportation problems.
- 22. Climate Change:** Metro and its regional partners are committed to the Climate Smart Strategy, which includes actions needed to achieve state targets for reducing greenhouse gas emissions from transportation. The state should provide financial support for implementation of the Climate Smart Strategy.
- 23. Safe and Equitable Transportation:** Our region has adopted policies and developed programs to make it safer to walk and bike to school and other destinations, reduce serious traffic crashes and deaths, and reduce the disproportionate impact of traffic crashes and traffic enforcement in low income communities and communities of color.<sup>10</sup> Metro supports legislation that advances safe and equitable transportation, including more effective and equitable enforcement of speed limits and other safety regulations, greater investment in infrastructure that improves safety (especially in disadvantaged communities), and greater authority for local governments to safely manage their transportation networks.

**PARKS, NATURE AND CONSERVATION:**

- 24. Parks and Natural Areas:** Our region has invested heavily in protecting water quality and wildlife habitat and providing residents with access to nature and outdoor activity. Parks and natural areas are regional assets that support public health, environmental quality, strong property values and economic prosperity. For these reasons, Metro supports measures to increase local and regional authority to raise revenues to support parks and natural areas and to increase the level of state funding distributed to local governments for acquisition, capital improvements, and park operations.
- 25. Species Conservation:** Metro supports efforts to protect and restore wildlife habitat, to recover threatened and endangered species, and to create a better future for wildlife, both in Oregon and globally.
- 26. Conservation Education:** Metro supports efforts to provide stable and reliable funding to conservation education.

**ECONOMIC PROSPERITY:**

- 28. Metro Venues:** Because the Oregon Convention Center, Expo Center, Portland's Centers for the Arts and Oregon Zoo contribute millions of dollars to the state and regional economies, Metro supports policy and funding solutions that facilitate the success of these venues in attracting visitors and enhancing the quality of their experiences.

**AGENCY OPERATIONS:**

- 29. Firearms and Public Facilities:** Metro supports legislation that increases Metro’s authority to regulate the carrying of firearms on Metro properties and public venues, and opposes legislation that limits or reduces that authority.
- 30. Disaster Preparedness:** Metro supports legislative efforts to improve community disaster preparedness and resilience, with the goal of enabling the Portland region to provide for the immediate needs of its residents and businesses after a catastrophic event and facilitating the region’s short- and long-term recovery.

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<sup>1</sup> Unless otherwise noted, endnotes refer to applicable policy statements in Metro’s [Regional Framework Plan](#) (RFP).

<sup>2</sup> RFP Chapter 1 (Land Use).

<sup>3</sup> [Strategic plan to advance racial equity, diversity and inclusion](#).

<sup>4</sup> RFP Policy 1.3 (Housing Choices and Opportunities).

<sup>5</sup> See <http://oregonvaluesproject.org/findings/top-findings/> (specifically item 5, Natural Resource Protections for Future Generations)

<sup>6</sup> RFP Policy 1.1 (Compact Urban Form).

<sup>7</sup> RFP Policy 1.9 (Urban Growth Boundary).

<sup>8</sup> RFP Policy 1.3.13 (Housing Choices and Opportunities); Transportation Goal 1 (Foster Vibrant Communities and Efficient Urban Form).

<sup>9</sup> [2030 Regional Waste Plan](#), page 11.

<sup>10</sup> [2018 Regional Transportation Plan, Chapter 3](#), Safety and Security Policies 1-9 and Transportation Equity Policies 1-7.

Agenda Item No. 5.1

**Ordinance No. 21-1455**, For the purpose of annexing to the Metro District Boundary approximately 16.25 acres located at the corner of SW Frog Pond Lane and Stafford Road in Wilsonville.

*Ordinance (Second Reading)*

Metro Council Meeting  
Thursday, January 21, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE ) ORDINANCE NO. 21-1455  
METRO DISTRICT BOUNDARY )  
APPROXIMATELY 16.25 ACRES LOCATED ) Introduced by Chief Operating Officer  
AT THE CORNER OF SW FROG POND LANE ) Marissa Madrigal with the Concurrence of  
AND STAFFORD ROAD IN WILSONVILLE ) Council President Lynn Peterson

WHEREAS, West Hills Development, LLC has submitted a complete application for annexation of 16.25 acres located at the corner of SW Frog Pond Lane and Stafford Road in Wilsonville (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the Frog Pond area to the urban growth boundary (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 January 7, 2021; 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 December 17, 2020, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this \_\_\_ day of January 2021.

\_\_\_\_\_  
Lynn Peterson, Council President

Attest:

Approved as to form:

\_\_\_\_\_  
Jaye Cromwell, Recording Secretary

\_\_\_\_\_  
Carrie MacLaren, Metro Attorney



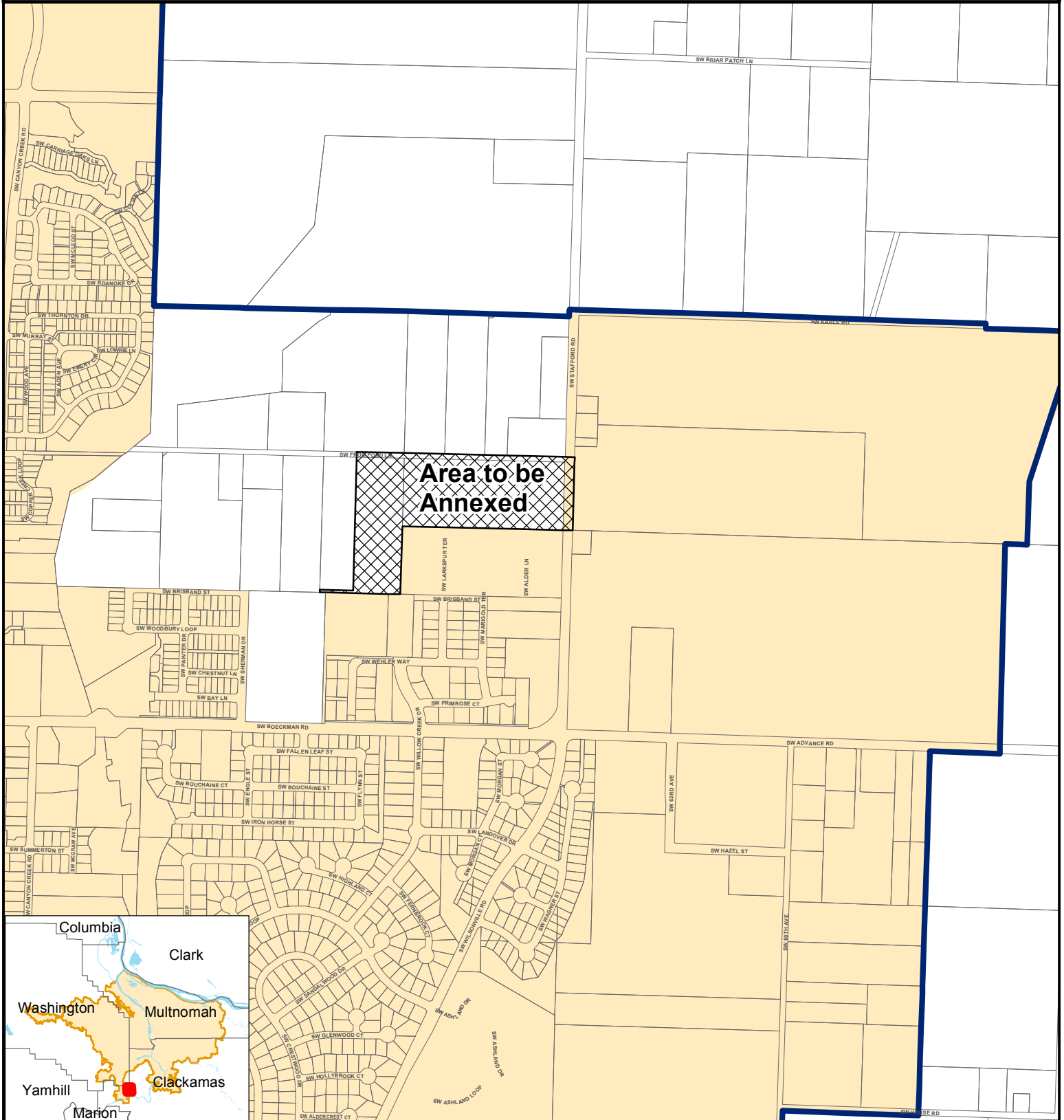
# Exhibit A

# Proposal No. AN0420

3S1W12

Annexation to the Metro Service District

Clackamas County



**Area to be Annexed**



Research Center  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1742

<http://www.oregonmetro.gov/drc>



Urban growth boundary



Taxlots

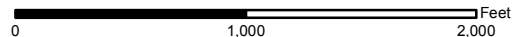


Metro District Boundary

Proposal No. AN0420



1:10,000



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## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 21-1455, FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 16.25 ACRES LOCATED AT THE CORNER OF SW FROG POND LANE AND STAFFORD ROAD IN WILSONVILLE

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Date: December 17, 2020  
Department: Planning & Development

Prepared by: Tim O'Brien  
Principal Regional Planner

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### BACKGROUND

CASE: AN-0420, Annexation to Metro District Boundary

PETITIONER: West Hills Land Development, LLC  
3330 NW Yeon Avenue, Suite 200  
Portland, OR 97210

PROPOSAL: The petitioner requests annexation of land in Wilsonville to the Metro District Boundary.

LOCATION: The land in Wilsonville is approximately 16.25 acres in size, is located at the corner of SW Frog Pond Lane and Stafford Road, and can be seen in Attachment 1.

ZONING: The land is zoned for residential use (RN).

The land was added to the urban growth boundary (UGB) in 2002 and is part of the Frog Pond Area Plan that was adopted by Wilsonville. 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 land in Wilsonville 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:**

Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. The City of Wilsonville adopted the Frog Pond Area Plan in 2015. As a follow-up to the area plan and in anticipation of forthcoming development Wilsonville adopted the Frog Pond West Master Plan in July 2017. The property was annexed to the City of Wilsonville in October 2020. 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 subject property is part of the Frog Pond Area Plan adopted by the City of Wilsonville in 2015 and the Frog Pond West Master Plan adopted by the City in 2017. The proposed annexation is required by Wilsonville as part of a land use application. The annexation is consistent with Wilsonville's Frog Pond Area Plan and Frog Pond West Master Plan. 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 16.25 acres in Wilsonville to the Metro District. The land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the Frog Pond Area 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. 21-1455.



Agenda Item No. 5.2

**Ordinance No. 21-1456**, For the purpose of annexing to the Metro District Boundary approximately 38.49 acres located generally west of NE Constable Street in Hillsboro.

*Ordinance (Second Reading)*

Metro Council Meeting  
Thursday, January 21, 2021

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE ) ORDINANCE NO. 21-1456  
METRO DISTRICT BOUNDARY )  
APPROXIMATELY 38.49 ACRES LOCATED ) Introduced by Chief Operating Officer  
GENERALLY WEST OF NE CONSTABLE ) Marissa Madrigal with the Concurrence of  
STREET IN HILLSBORO ) Council President Lynn Peterson

WHEREAS, the City of Hillsboro has submitted a complete application for annexation of 38.49 acres in the North Hillsboro Industrial Area of Hillsboro (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added this portion of the North Hillsboro Industrial Area to the urban growth boundary (UGB), including the territory, by Ordinance No. 05-1070A on November 17, 2005; 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 January 7, 2021; 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 December 17, 2020, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this \_\_\_ day of January 2021.

\_\_\_\_\_  
Lynn Peterson, Council President

Attest:

Approved as to form:

\_\_\_\_\_  
Jaye Cromwell, Recording Secretary

\_\_\_\_\_  
Carrie MacLaren, Metro Attorney

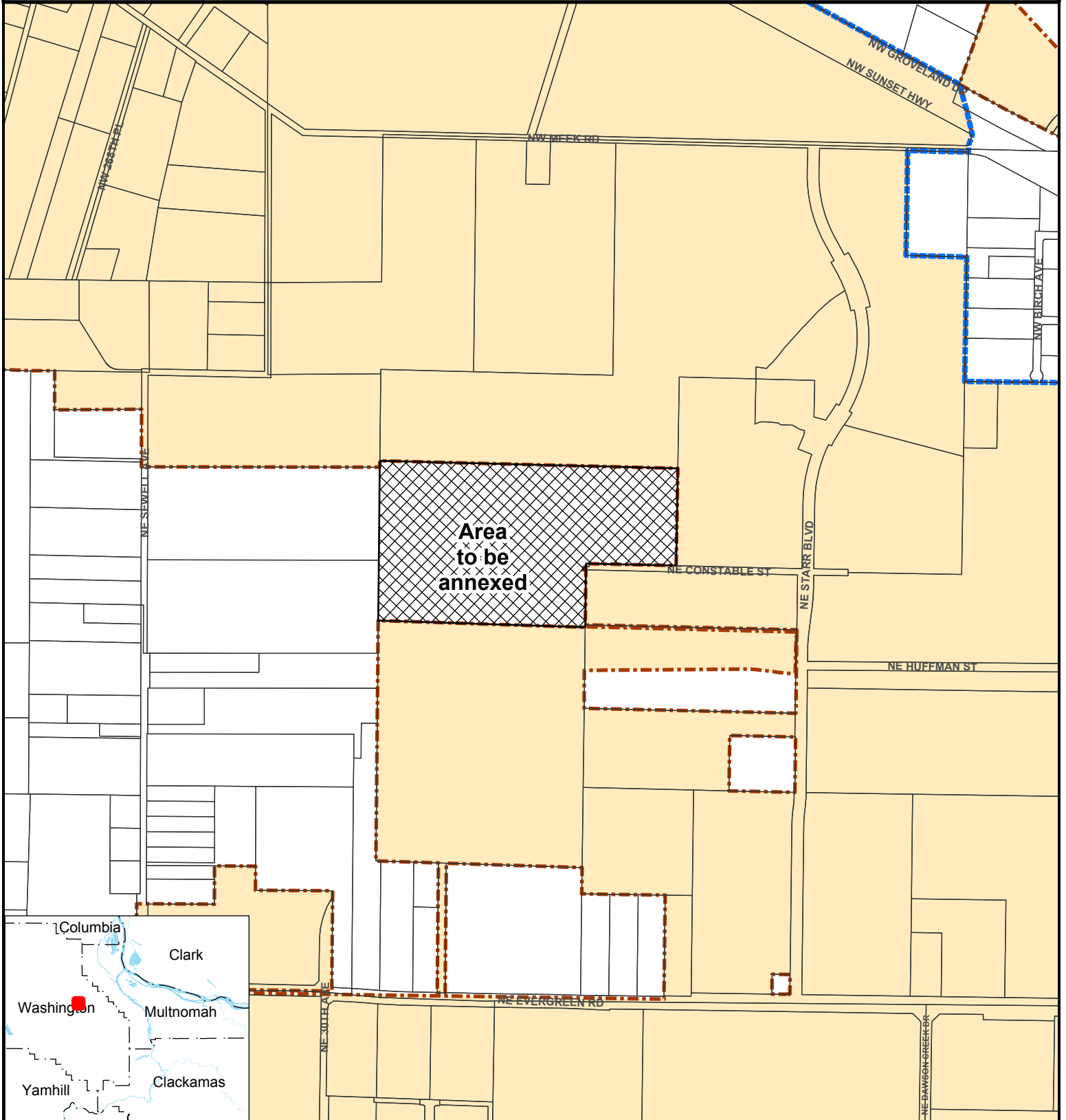
# Exhibit A

# Proposal No. AN 0520

1N2W21

Annexation to the Metro District Boundary

Washington County

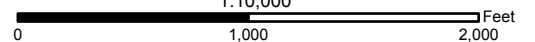


Research Center  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1742  
<http://www.oregonmetro.gov/drc>

- Taxlots
- Urban growth boundary
- Metro District Boundary



1:10,000



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## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 21-1456, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 38.49 ACRES LOCATED GENERALLY WEST OF NE CONSTABLE STREET IN HILLSBORO

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Date: December 17, 2020  
Department: Planning & Development

Prepared by: Tim O'Brien  
Principal Regional Planner

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### BACKGROUND

CASE: AN-0520, Annexation to Metro District Boundary

PETITIONER: City of Hillsboro  
Economic Development Council  
150 E Main Street, 5<sup>th</sup> Floor  
Hillsboro, OR 97123

PROPOSAL: The petitioner requests annexation of land in Hillsboro to the Metro District Boundary.

LOCATION: The parcel is located generally west of NE Constable Street, totals approximately 38.49 acres in size, and can be seen in Attachment 1.

ZONING: The land is zoned for industrial use (I-S) by Hillsboro.

The parcel was added to the urban growth boundary (UGB) in 2005 and is part of the North Hillsboro Industrial Area Plan District. 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 parcel was brought into the UGB in 2005 through the Metro Council's adoption of Ordinance No. 05-1070A. Thus the affected territory is within the UGB.

- 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. 05-1070A 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 also 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 Acres (FD-20) designation to all the land included in Ordinance No. 05-1070A to prevent premature urbanization of the expansion area prior to the completion of the comprehensive planning of the area and annexation to the City of Hillsboro. The subject property is in the process of annexing to the City of Hillsboro and Clean Water Services. Thus the affected territory is subject to measures that prevent urbanization until the territory is annexed to the City.

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 subject parcels proposed for annexation are part of Hillsboro's Evergreen Area Industrial Plan adopted by the City of Hillsboro in 2008. The Evergreen Area Industrial Plan area was incorporated into the North Hillsboro Industrial Area Plan District. The proposed annexation is consistent with these two plans and the Urban Planning Area Agreement between Washington County and the City of Hillsboro adopted in 2017. Thus the inclusion of the affected territory within the Metro District is consistent with all applicable plans and 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 one parcel totaling approximately 38.49 acres to the Metro District. The land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the North Hillsboro Industrial Area 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

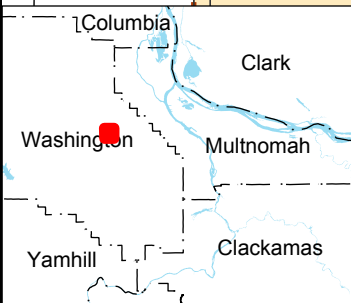
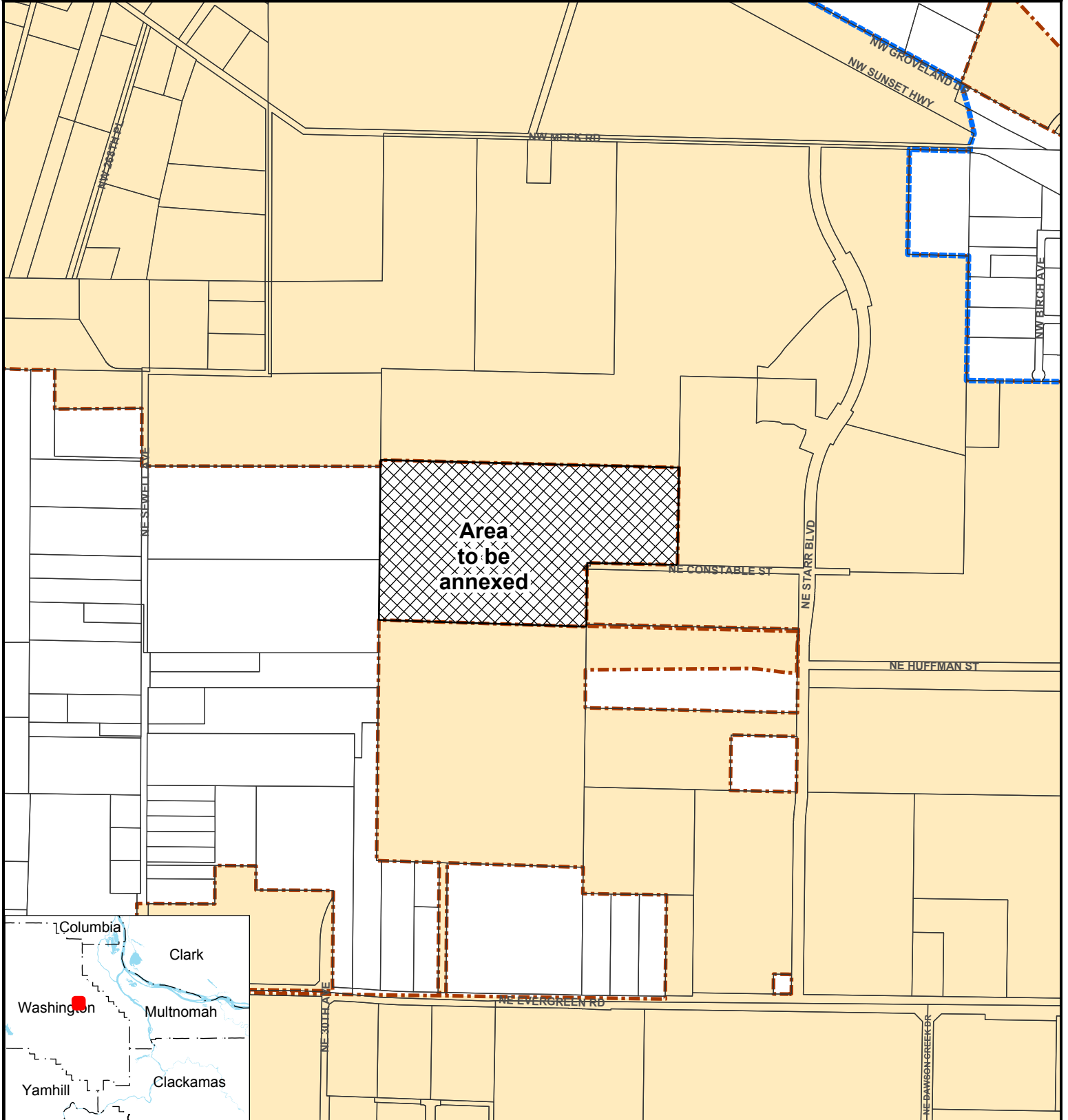
Staff recommends adoption of Ordinance No. 21-1456.

# Attachment 1 Proposal No. AN 0520

1N2W21

Annexation to the Metro District Boundary

Washington County

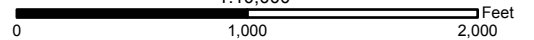


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- Taxlots
- Urban growth boundary
- Metro District Boundary



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**Property Acquisition Discussion—Metro West**

*Work Session Topics*

Metro Council Work Session  
Thursday, January 21, 2021

## PROPERTY ACQUISITION FOR FUTURE METRO WEST RECYCLING AND TRANSFER CENTER

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Date: Jan. 7, 2021

Department: Waste Prevention and Environmental Services

Meeting Date: Jan. 21, 2021

Prepared by: Dan Blue,  
[dan.blue@oregonmetro.gov](mailto:dan.blue@oregonmetro.gov) and Matt Korot,  
[matt.korot@oregonmetro.gov](mailto:matt.korot@oregonmetro.gov)

Presenter(s): Roy Brower, Dan Blue, Matt Tracy, Gloria Pinzon

Length: 45 minutes

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### ISSUE STATEMENT

In 2019, the Metro Council and Waste Prevention and Environmental Services (WPES) staff discussed potential Metro infrastructure investments to improve and modernize the regional solid waste system, and to support more equitable distribution of services into the western part of the region. Today's session is focused on one of those potential investments -- acquisition of property in Cornelius for a potential future west side recycling and transfer center.

Council is scheduled to make its decision on the purchase of property located in the Cornelius industrial area by resolution at its Feb. 4, 2021 meeting, which will be one day before Metro's Purchase and Sale Agreement for the site expires on Feb. 5, 2021. At the work session, staff will provide information on:

- The potential facility's grounding in the 2030 Regional Waste Plan and how land acquisition and future development relate to other potential and planned Metro policies and investments.
- The suitability and cost of the Cornelius property.
- The input received from a substantial community engagement effort undertaken over the last year.

On Feb. 4, 2021, Council will only make a decision on whether to purchase the Cornelius site. WPES will not proceed with the next phase (identify services to be provided or initiate facility design) without additional Council direction based on regional system plan and additional stakeholder/community engagement. Options for providing that direction are outlined in the Policy Questions and Policy Options sections below, and reflect that a decision on initiating work on the Cornelius facility intersects with funding and policy considerations for implementing other actions identified in Metro's 2030 Regional Waste Plan.

## **ACTION REQUESTED**

Seeking Council direction on whether to move forward with a resolution for the property purchase at its Feb. 4, 2021 meeting.

## **IDENTIFIED POLICY OUTCOMES**

The policy outcomes resulting from purchasing the Cornelius property tie primarily to the following goals in the 2030 Regional Waste Plan, which serves as the greater Portland area's blueprint for investing in our garbage and recycling system, reducing the environmental and health impacts of products that end up in this system, and advancing progress towards Metro's racial equity objectives:

*Goal 10: Provide regionally consistent services for garbage, recyclables and other priority materials that meet the needs of all users.*

*Goal 16: Maintain a system of facilities, from smaller recycling drop-off depots to larger full-service stations, to ensure equitable distribution of, and access to, services.*

*Action 16.5 Evaluate the feasibility of establishing a publicly owned facility in Washington County to accept and transfer garbage, recycling, food scraps, household hazardous waste and other materials.*

## **POLICY QUESTION(S)**

1. Should staff proceed with bringing the Cornelius property acquisition resolution to Council on Feb. 4, 2021, as currently scheduled?
2. If Metro acquires the Cornelius property, what is Council's guidance for how and when staff should initiate work related to the next phase for the development of a future facility? This phase would include extensive community and stakeholder engagement throughout the process to determine the best suite of services, amenities and impact mitigation strategies.

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

If Council proceeds with acquisition of the Cornelius property:

Option 1: Immediately begin work on the next phase of facility development and community engagement around design.

Option 2: Delay work on the next phase of facility development until a later time determined by Council.

Option 3: Direct staff to return to a Council work session to discuss issues of timing, costs, financing and intersecting policies related to development of new solid waste facilities in Cornelius and Clackamas County, as well as for implementing other significant elements of the 2030 Regional Waste Plan.

**[Note: Staff is planning to undertake a region-wide evaluation of current facilities and infrastructure to determine opportunities, investment needs and service gaps in the system. This solid waste system facilities plan will help to inform future direction for recycling and solid waste investment.**

**Pursuit of any of these options would entail significant ongoing engagement with the local community, members of the solid waste industry and haulers, local government staff and elected officials, the Regional Waste Advisory Committee, and the Committee on Racial Equity. Staff would also continue and expand the use of a local community engagement group of residents and businesses that are located nearby the proposed facility to determine the right mix of public and commercial services that are responsive to the community and help to further the aspirations of the Regional Waste Plan.]**

### **STAFF RECOMMENDATIONS**

1. Proceed with purchase of the Cornelius property.
2. Proceed with Policy Option 3.

### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

Through its role in planning, managing and overseeing the regional garbage and recycling system, Metro seeks to meet the needs of a growing population in western Washington County by evaluating whether to build a public multi-use modern transfer center to manage garbage, recyclables, household hazardous waste and more. This facility could also provide community services like waste reduction education, public meeting space for groups such as Master Recyclers and Environmental Promoters, public art from reused materials, and promote new and innovative recycling and reuse opportunities.

The Metro Council adopted the *2030 Regional Waste Plan – Equity, Health and the Environment* in March 2019 after more than two years of extensive and collaborative community engagement work. The plan contains a comprehensive set of goals and actions intended to ensure that the garbage and recycling system would contribute to Metro meeting its six desired regional outcomes and fulfilling *Metro’s Strategic Plan to Advance Racial Equity, Diversity and Inclusion*. As noted above, one action focuses on determining whether to establish a publicly-owned garbage transfer facility in Washington County. Staff have found that efforts to invest in such new garbage and recycling infrastructure – whether to provide commercial garbage services or public services, such as self-haul, hazardous waste and recyclable collection – have been constrained by the availability of locating property that could meet the need for such a facility. Acquisition of this property helps to significantly lower barriers to future investment and development.

The inclusion of this action reflected strong input from local governments and community members in the western part of the county that such a facility was needed to provide garbage and recycling services to which residents and businesses did not have reasonable access, and to address high disposal rates charged by private facilities in the area.

### *Equity*

If Council proceeds with decisions to first acquire the Cornelius property and then to develop the new facility, the services provided could both address service gaps experienced by the significant Latinx population and others in the area and identify opportunities for other direct benefits. The specific work that has resulted in bringing the site acquisition decision to Council incorporated key equity principals from the Regional Waste Plan to involve marginalized communities that historically haven't had a voice in garbage and recycling decisions. Metro partnered with Centro Cultural to help recruit, select and engage the community advisory group established specifically to provide input and guidance to Metro.

### *Climate*

The emissions associated with the goods and services consumed in the greater Portland area represent a significant portion of the region's greenhouse gases. While those emissions occur at all stages of a product's life cycle, a meaningful amount are associated with how products are managed – through disposal, reuse or recycling – at the end of their life. In fact, recycling and composting efforts in the greater Portland area in 2017 reduced greenhouse gas emissions equivalent to removing approximately 306,000 cars from the road. A garbage and recycling transfer center in western Washington County would further strengthen the region's infrastructure for reuse and recycling by improving access to these services.

### *Known Support, Opposition and Community Feedback*

WPES and Communications Department staff conducted a comprehensive engagement process related to potential acquisition of the Cornelius site. In summary:

- The Washington County, Hillsboro, Cornelius and Forest Grove governments strongly support proceeding with acquisition of the site and development of the facility.
- There is support from the community members who took the opportunity to weigh in on the project.
- There is opposition from the City of Sherwood, which believes that its residents and businesses would contribute to paying the costs of a facility in Cornelius, but would derive little benefit. Some in the City of Gresham share this concern. Sherwood has asked to better understand the business case for a new facility.
- There is opposition from Pride Recycling, which owns and operates a transfer station in Sherwood and is concerned about a potential reduction or impact to its allocation of putrescible (wet) waste. There is no formal position from Waste Management, which owns and operates a transfer station nearby in Forest Grove.
- All partners and stakeholders are interested in further information on the business justification and costs of developing a facility in Cornelius.
- Neighboring residents and business had concerns about potential noise, odor, traffic and air quality impacts, but those who participated in stakeholder meetings mostly felt that their concerns could be addressed and supported Metro acquiring the property.

Detailed information on the engagements that Metro conducted is contained within an attachment to this worksheet.

### *Financial Implications*

The cost of acquiring the Cornelius site is \$3,100,000. If Council approves the purchase resolution on Feb. 4, 2021, then the Chief Operating Officer will proceed with contract finalization and purchase, using funds from the Solid Waste Reserve Fund already allocated within the current 20-21 fiscal year Capital Improvement Plan budget. There would be no rate impacts associated with the parcel acquisition. Costs of developing and operating a facility on the site would be determined after completion of a process of community input and obtaining Council direction on the services to be provided. Metro's real estate and legal staff believe that even if no facility was to be developed on the property, land-banking this parcel is prudent.

### **BACKGROUND**

As noted above, acquisition of the Cornelius site and potential development of a waste and recycling transfer station are strongly rooted in the 2030 Regional Waste Plan. As with many of the goals and actions associated with the plan, this one intersects with, affects and is affected by other policies, programs and investments identified in the plan. For example, the plan identifies future work to expand opportunities for reuse of products and materials, and to improve the systems for recycling food waste. A new facility in Washington County could help achieve both of those things. Additionally, one of Metro's long-standing roles, identified in the Plan, is to regulate the solid waste system for the public good. Part of that responsibility includes managing allocations of wet waste to be handled by private transfer stations. Building a new public transfer station will require Council to consider what changes would need to be made to the future allocations to continue to maximize public benefit, while reflecting the addition of a new facility. And finally, Metro needs to balance implementing infrastructure and program actions in the plan with the cost impacts that these actions will have on Metro and local government budgets and on the garbage and recycling collection rates paid by the region's residents and businesses. Metro staff are starting a system-wide facility planning review to evaluate the future needs of the regional system, determine how to improve current infrastructure, and fill gaps in the system to establish a more sustainable, efficient and modern system.

The examples above illustrate the complexity for Metro of managing the region's garbage and recycling system. While the decision to acquire the Cornelius property doesn't require immediate resolution of intersections with other Regional Waste Plan work, Council's direction on the policy options above, and Council engagement in 2021 on related policies, programs and investments, will set direction for how Metro approaches this work.

### **ATTACHMENTS**

Attachment A: Public Involvement Summary Report

Attachment B: Property Investigation & Due Diligence Summary

- Is legislation required for Council action?  Yes  No
- If yes, is draft legislation attached?  Yes  No
- What other materials are you presenting today? *PowerPoint presentation*





# Public Involvement Summary Report

**Metro Transfer Station - West**

January 2021

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

**So, hello. We’re Metro – nice to meet you.**

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## OVERVIEW SUMMARY

Through its role in planning, managing and overseeing the regional garbage and recycling system, Metro seeks to meet the needs of a growing population in western Washington County by evaluating whether to build a public multi-use modern transfer center to manage garbage, recyclables, household hazardous waste and more. This modern facility could also provide community services like waste reduction education, expanded recycling options, or public art.

Metro's 2030 Regional Waste Plan, created through extensive and collaborative community engagement work between 2017 and 2019 (adopted January 2019 by Metro Council), evaluates the feasibility of establishing a publicly owned garbage transfer facility in Washington County. The inclusion of this action reflected strong input from local governments in the western part of the county and community members that such a facility was needed in order to provide garbage and recycling related services that were lacking in that part of the region and to address high disposal rates charged by private facilities in the area.

The initial determinants for establishing whether a facility is feasible are the community's interest in, and acceptance of, such an operation. Because of the shortage of available industrial land in western Washington County, Metro's engagement with community ran simultaneously with acquiring an option to purchase a specific parcel of land and the due diligence on that property. This document summarizes the community engagement efforts and public input received between initiations of stakeholder engagement between October 2019 through November 23, 2020. The focus of this initial phase of engagement, and the subject of this report, is to understand the level of support that nearby communities and key stakeholder groups would have for a potential new recycling and transfer center to be sited at a particular parcel in Cornelius. This first phase of engagement will inform Metro Council's decision in early February 2021 on whether to buy the parcel. If Metro purchases the property, it will undertake a second engagement process to reach more community members and inform future design and construction phases of the project.

### Equity Approach

The engagement planning and activities are based on the goals and objectives outlined in [Metro's Strategic plan to advance equity, diversity and inclusion](#), the [Property and Environmental Services' Diversity, Racial Equity and Inclusion Work Plan](#), and the [2030 Regional Waste Plan](#). (See [Appendix](#) for detailed information).

Below is a summary of the ways in which Metro advanced racial equity goals through engagement:

- Partnered with culturally based organization(s) to be an ambassador on behalf of communities of color prioritizing adults and youth living in Cornelius, Forest Grove, and Hillsboro
- American Sign Language Interpretation for public webinars
- The Latino/a/x community was prioritized in outreach, recruitment and selection for engagement activities through bilingual online and mailed materials, interpretation services and communication tactics

- Reduction of barriers to participation by providing inclusive and safe meeting environment (virtual), flexible meeting schedules, stipends to reduce burden of participating including coverage of childcare and food needs, provision of devices and technological training as needed
- Leadership development opportunities through education about the solid waste system and government decision-making
- Meaningfully engage with youth and adults of color to ensure their voice and input is meaningfully incorporated into decision-making and future planning of the services and operations of a future facility
- Opportunities to engage in a more cultural relevant way, including in-person, at community events or farmers markets, religious institutions or community gathering spaces were impeded by the COVID Pandemic social distancing restrictions for Metro staff

### COVID 19 Pandemic

Engagement planning work for this phase was completed in the Winter of 2019 before the onset of the COVID-19 pandemic. Safety measures led to changes in operations for Metro staff as well as the rest of our communities. To help prevent the spread of COVID-19 the project team had to radically alter its approach to engagement to ensure the safety of Metro employees and community members.

As a result, all in person engagement activities were canceled, and staff had to rapidly develop a virtual engagement plan. Health and safety preventative measures in response to COVID-19 both delayed and severely limited the ability of staff to conduct engagement activities. Due to the fiscal impacts of COVID-19, Metro had many staff reductions and furloughs that impacted its ability to fully engage the community.

Despite these very real impacts, Metro was able to complete an engagement process that included over 30 presentations to local government staff and elected bodies, public forums, industry and private businesses. Metro also conducted an online survey that reached over 800 people and facilitated seven meetings of a Community Advisory Group made up of residents of Cornelius, Forest Grove, and Hillsboro. This work was supported by storytelling and social media posts on Facebook and Instagram, mailings to Cornelius residents and businesses with project information, as well as a project website to transparently share project materials, documents, and updates. This activity resulted in two earned media articles in local news publications (Pamplin Media Group).

## Desired Outcomes of Community Outreach

Primary **desired outcomes** were:

- Engage as many community members, decision-makers and other stakeholder as possible to identify the level of support for the project from people in the western part of the Metro region.
- Identify types of services, including community amenities, about which people would be interested in or excited.
- Identify concerns people have about this potential project.
- Identify any communities of color and people with low income that may be potentially affected.

Secondary desired outcomes:

- People of **Cornelius, Forest Grove** and **Hillsboro** are informed about the proposed project and upcoming decision.
- Increase public participation in public webinar sessions or project website visits.

## Community Engagement Approach

Community engagement is one part of a broader project management plan to acquire property, engage the community, conduct due diligence, design, construct, and plan for operation of a new transfer facility. Community engagement is intended to:

- Be integral to the advancement of racial equity.
- Inform Metro Council's decision-making about the location of the project.
- Inform Metro's Waste Prevention and Environmental Services Department's decision-making about programming, design and services of the project.
- Ensure the proposed facility will be an asset to Cornelius, Forest Grove and Washington County.
- Engage potentially affected individuals, while prioritizing participation from people historically excluded from government decision-making and the garbage and recycling system.
- Eventually lead to a formalized relationship between Metro and the community through instruments such as a Good Neighbor Agreement or Community Benefits Agreement.

## COMMUNITY OUTREACH

### Partnership with Centro Cultural

Metro partnered with a Community Based Organization, Centro Cultural of Washington County, to advance racial equity and apply an environmental justice lens. Centro Cultural was integral to the community engagement to date through activities including reviewing and providing input on the

community engagement plan and activities; recruiting members, planning and facilitating the Community Advisory Group and webinars; spreading project information to community members, including the opportunity to participate in the community survey.

### **About Centro Cultural of Washington County**

Centro Cultural has served the Latino community since 1972. It was founded by a group of migrant families to provide new immigrants a place where they could feel safe and closer to home. For almost fifty years, this nonprofit organization has provided support and opportunities for growth and empowerment to members of historically marginalized communities (HMC) in Washington County. Centro has changed many lives, through the development of partnerships and the creation of programs accessible to all members of the community. These programs provide opportunities for personal growth, leadership development, and empowerment, which reflect the mission of this organization and its commitment to justice, equity, diversity and inclusion. Equitable, inclusive, and meaningful community engagement practices are a significant component of the work at Centro Cultural. This work is done by the Community Partnerships and Advocacy Team, whose most important task is to bring the voices of the community to the decision making process.

### **Priority Audiences**

Driven by Metro’s regional plan with focus on racial equity, priority audiences are marginalized communities and those highly impacted by project; including Latinx communities in Cornelius, Forest Grove and Hillsboro because of their proximity to the site.

While not intended to produce statistically significant results, findings from community engagement activities help Metro understand community members’ needs, concerns and level of support for the potential waste transfer facility.

### **Summary of Outreach Activities**

Metro, in partnership with Centro Cultural, primarily used the following outreach activities to inform and gather input from community members locally, across Washington County, and the Portland Metro Region. **A full list of stakeholder engagements can be found in the [Appendix](#).**

- Community Advisory Group
- Survey
- Webinars

## FINDINGS AND RESULTS

### Key findings summary

- Metro focused on elevating voices that have historically not been centered in decisions about siting location, design, and services for transfer facilities.
- Community members are glad to be involved and to have the opportunity to participate through a transparent and accountable process.
- There is an all-around curiosity about the project, its potential impact on the communities, and how Metro would address community concerns. Although many audiences reached initially reacted to the project with some skepticism, there is general support for the project from neighboring businesses, some residents, and the Cornelius, Forest Grove, Hillsboro and Washington County governments. This generalized support is a result of:
  - Proven transparency of the entire process
  - Proactive and continuous informative efforts through outreach
  - Reducing/eliminating barriers (technological, language, scheduling) to increase participation of highly impacted communities and stakeholders that have been welcomed to foster positive conversations
  - A visit to King County allowed community members to witness a successful example and to interact with those responsible of the operations as well as neighbors
- Potential benefits identified by nearby community members:
  - Job creation and positive economic benefits for the host community
  - Alignment with the host city's economic development goals
  - Community Enhancement Grant funds to benefit host community (Cornelius)
  - Convenient and expanded waste transfer and recycling services that would be provided
  - Education and learning opportunities for the community
  - Development attracted to the region from the construction and operation of a state-of-the-art facility
- Concerns expressed by community members near the proposed property:
  - Overall cost of any new facility and impacts on rates paid both at transfer stations and at the curb (for collection services)
  - Impacts on the immediate surrounding community include odors, noise, and in particular potential traffic impacts
  - Loss of Community Enhancement Grant benefits (Forest Grove)
  - Increased traffic if road extension connects Forest Grove/Cornelius industrial areas
- Concerns expressed by City of Sherwood
  - The City of Sherwood expressed concerns about potential cost of building a new transfer station and potential impacts on rates, as well as concerns about impacts to commercial tonnage allocations.
- Concerns expressed by private industry stakeholders:
  - Garbage and recycling private industry stakeholders, including private transfer station operators and hauling companies, have remained attentive at the prospect of the project, especially those with operations in western Washington County



- One private transfer station operator, Pride Disposal in Sherwood, has voiced concerns and opposition, in particular to Metro providing commercial wet waste tonnage transfer as this would have a direct impact on their business
- Private industry leaders expressed concerns regarding impacts a new transfer station would have on the existing Forest Grove Transfer Station operated by Waste Management
- Some private industry stakeholders expressed that the current waste system has sufficient capacity to handle the commercially collected waste of the region and adding a new transfer station could impact future financial tonnage allocations
- Others engaged through the Washington County Hauler’s Association or the Regional Waste Advisory Committee have not expressed outright support or opposition
- The (Community Advisory Group in particular) are becoming knowledgeable about the topic and sharing with others what they learn.
- Stakeholders also expressed concerns that some community members who oppose the project lack sufficient information.
- Several Community Advisory Group members have become voluntary advocates, champions of the new transfer station project, sharing what they learn.
- They want the project to succeed and for their community to be well informed. However, the CAG group also wants Metro to be accountable and transparent, there is no rubber stamp of approval.
- Participants from outreach activities insist on the importance of making the information public and readily available so as many people as possible can learn about the project and the details.

## **Community Advisory Group**

### **Role of the Community Advisory Group**

The advisory group consists of twelve local community members representing Cornelius, Forest Grove, and Hillsboro. They represent diverse viewpoints and experiences including three youth under the age of 18. The makeup of the group includes six women, three men (three did not identify their gender), nine members who identify as Latinx/o/a or Hispanic, three who identify as White, ages range between 16 to 70, one person expressed living with a disability, their incomes range from “Less than \$29,000 up to \$74,000, four English language learners, and one person identifies as part of the LGBT2Q+ community. Additionally, eight of the selected members said they had visited a Metro Transfer Station at least twice in the last 12 months.

The recruitment period for the group was open for six weeks including an extension during the COVID pandemic, and outreach included emails, bilingual mailed postcards to people within .5 miles of the proposed site, social media posts on Facebook and Instagram, word of mouth and project website by both Metro and Centro Cultural.

CAG Demographics		
<b>Gender identity</b> Women → 6 Men → 3 No answer → 3 LGBT2Q → 3	<b>Income</b> Less than \$29,000 → 3 \$30,000 to \$49,999 → 4 \$50,000 to \$74,999 → 2 \$100,000+ → 0 no answer → 3	<b>Location</b> Cornelius → 4 Forest Grove → 4 Hillsboro → 3
<b>Age Groups (16-80)</b> Under 18 → 3 25-34 → 1 35-44 → 2 45-54 → 3 55-64 → 1 65+ → 1 n/a → 1	<b>Metro TS customer?</b> yes (2+ trips) → 8 No → 2 Other → 2  <b>Disability</b> Self-identified as a person living with disability → 1	<b>Race/Ethnicity</b> White → 3 Hispanic, Latino/a/x, or Afro-Latino → 9

In partnership with Centro Cultural, Metro convened the Cornelius Community Advisory Group (CAG) to weigh in on the proposed recycling and transfer center during its first phase. The role of the advisory group is to help inform Metro about:

- 1) The level of support there is for the proposed project in Cornelius.
- 2) Challenges and opportunities of the location.
- 3) The community-centered features and services that Metro could consider incorporating into the project.

## Community Advisory Group meetings

<b>Meeting</b>	<b>Date</b>
Meeting #1	August 11, 2020
Meeting #2	August 25, 2020
Meeting #3	September 22, 2020
Meeting #4	October 06, 2020
Meeting #5	October 20, 2020
Meeting #6	November 17, 2020
Meeting #7	December 15, 2020

### **Feedback Received**

Members of the CAG provided feedback based on information presented at committee meetings and research they did on their own.

- Several members expressed a need for Metro to educate community members on recyclable and hazardous materials as well as multilingual education in order to fully utilize a new facility if a new facility was built.
- Members expressed concerns about increased traffic and the location of the facility as a potential barrier to people who lack transportation.
- They also mentioned that due to the pandemic, restrictions for waste collecting sites and events are barriers to people who do not live near a transfer station.
- Other concerns include Metro's commitment to providing preventative and proactive mitigation strategies for nuisances such as pests, rodents, dust, noise, and smell.
- CAG members were interested in the opportunity to make the facility ecofriendly through different methods such as a rainwater collecting system or energy efficient technology.
- They also expressed interest in other processes or aspects of the project such as design, community amenities, technology, and job creation.
- Many of the members had questions about materials that are difficult to recycle and appreciated the educational information presented at committee meetings.
- The group expressed concerns about getting accurate information out to other community members in Cornelius and Forest Grove who may be impacted. Some CAG members were concerned about misinformation about the proposal causing opposition in their community.
- There was curiosity and concern from some members of the group about Metro's decision to propose a new recycling and waste transfer facility in a community that has high percentage of potentially vulnerable populations including a population of about 50% people of color, the majority being Latinx/o/a or Hispanic folks, and people living with low incomes. CAG members

expressed a need for Metro to demonstrate a commitment to adopt Environmental Justice principles as well as a commitment to education, to accountability in community engagement and to reducing environmental impacts.

- Despite their expressed concerns, when asked if they support this project coming to their community at North Fourth and Holladay Street, CAG members said they do support the project as proposed. One member noted that the location was a good fit for this type of project, but they are concerned about traffic since they live within a half mile of the proposed site.
- Most members expressed excitement about having accessible self-haul services that Metro offers such as recycling, and disposal of things that are hard to dispose of, (like electronics, mattresses or medical sharps). The potential of an education room as well as living-wage jobs from this project are also exciting to the group. CAG members are interested in Metro providing ongoing education by partnering with local schools.

## Survey

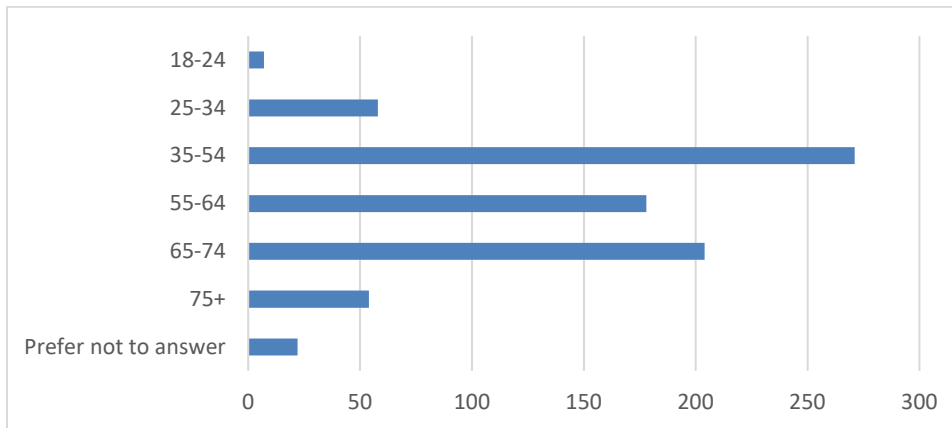
### Survey Reach and Demographics

Metro conducted an online survey with the intent to supplement the feedback received through meetings and other direct engagements. The survey was available to the general public from October 26 to November 15, 2020 through the project website at [www.oregonmetro.gov/public-projects/future-metro-west-recycling-and-transfer-center](http://www.oregonmetro.gov/public-projects/future-metro-west-recycling-and-transfer-center).

The survey was available in Spanish and English and was advertised through project emails, Instagram, storytelling on Metro News, Washington County newsletters, public webinar presentations that were live streamed on Facebook, and shared on Facebook by Metro and Centro Cultural. Survey respondents self-selected their participation and survey results are not intended to be statistically valid.

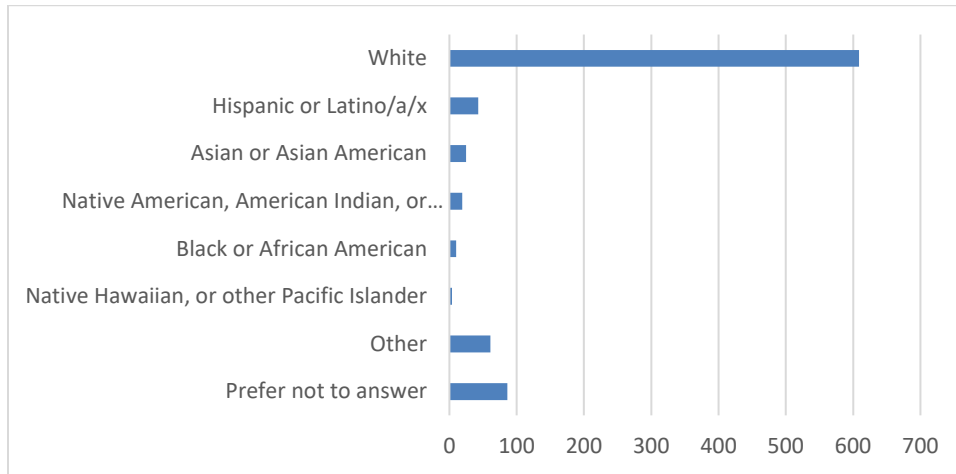
A total of 830 people answered at least one survey question for this survey. The number of responses to individual questions varied because survey participants were able to answer as many or as few questions as they chose. All graphs reflect the total number of responses to each individual question.

### Respondent's Age (n=794)



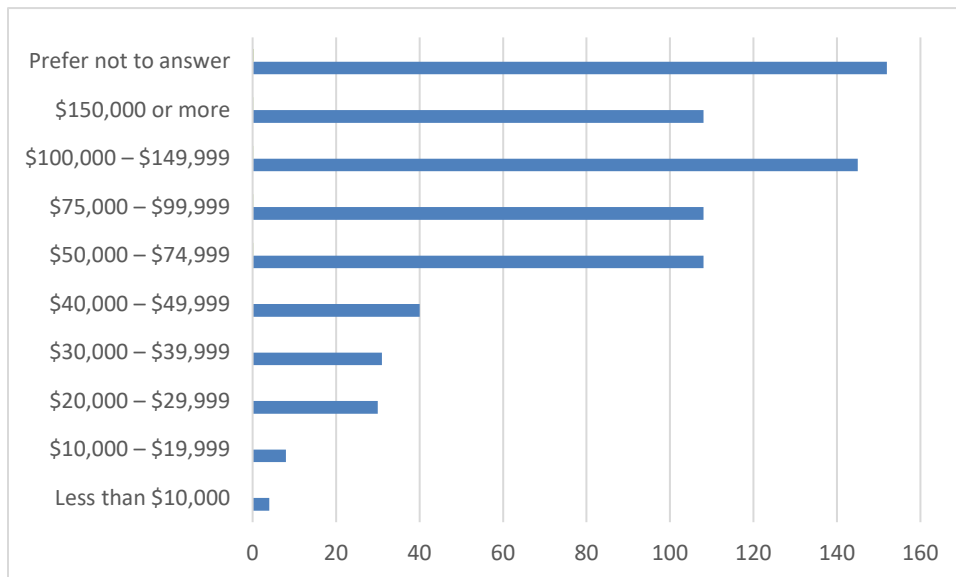
	Count	%
<b>18-24</b>	7	1%
<b>25-34</b>	58	7%
<b>35-54</b>	271	34%
<b>55-64</b>	178	22%
<b>65-74</b>	204	26%
<b>75+</b>	54	7%
<b>Prefer not to answer</b>	22	3%

**Race/ethnicity (n=830)**



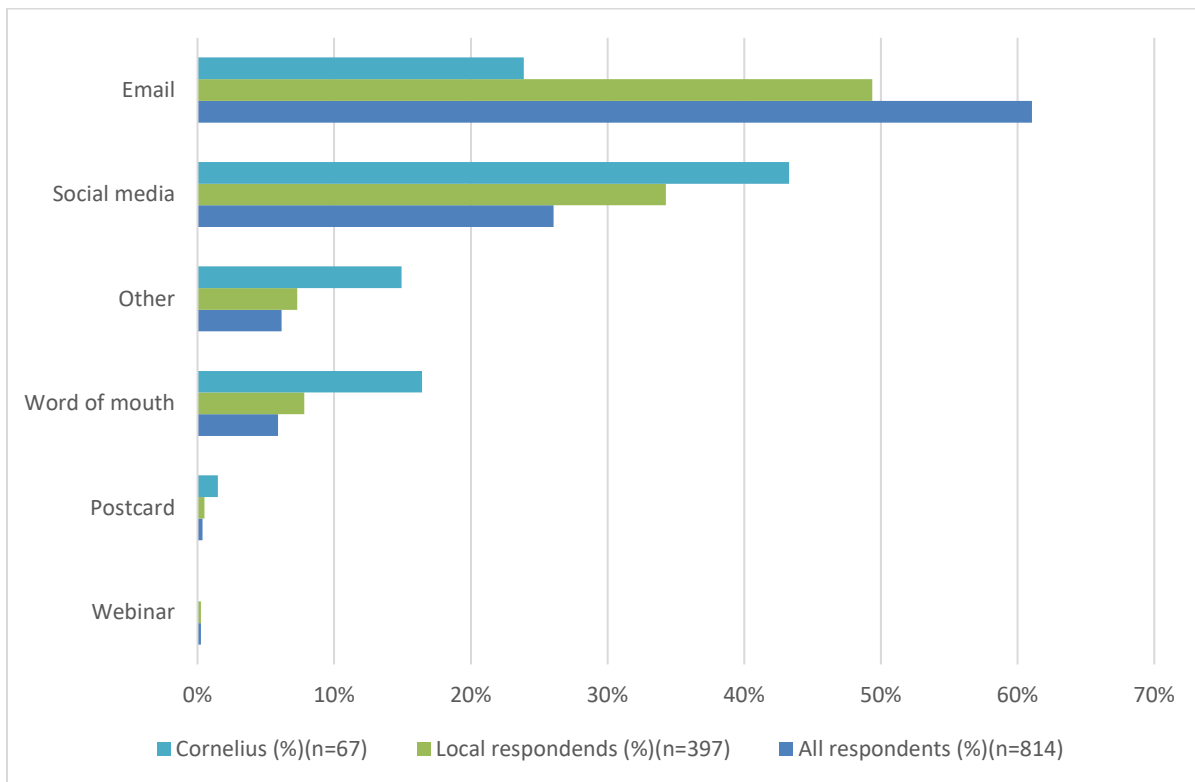
Race/ethnicity	Count	%
<b>White</b>	609	71%
<b>Hispanic or Latino/a/x</b>	43	5%
<b>Asian or Asian American</b>	25	3%
<b>Native American, American Indian, or Alaska Native</b>	19	2%
<b>Black or African American</b>	10	1%
<b>Native Hawaiian, or other Pacific Islander</b>	4	0%
<b>Other</b>	61	7%
<b>Prefer not to answer</b>	86	10%

**Annual income (n=734)**



Annual income	Count	%
Less than \$10,000	4	1%
\$10,000 – \$19,999	8	1%
\$20,000 – \$29,999	30	4%
\$30,000 – \$39,999	31	4%
\$40,000 – \$49,999	40	5%
\$50,000 – \$74,999	108	15%
\$75,000 – \$99,999	108	15%
\$100,000 – \$149,999	145	20%
\$150,000 or more	108	15%
Prefer not to answer	152	21%

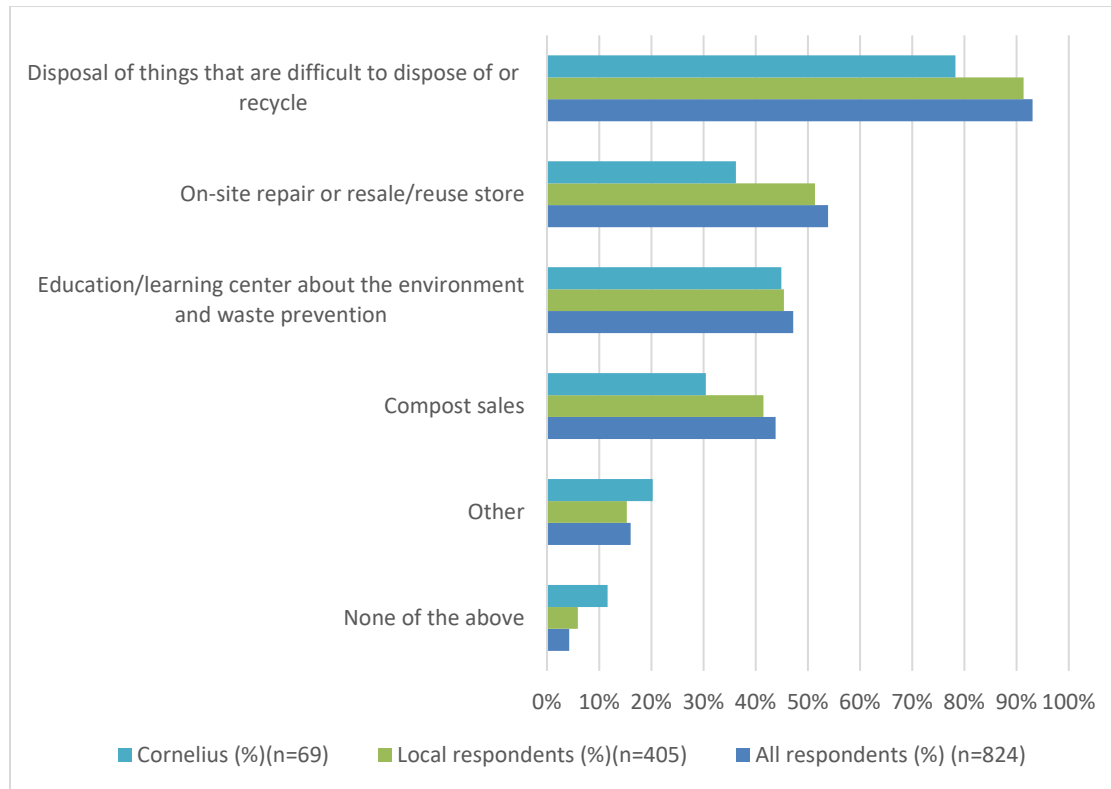
**Question #14 - How did you hear about this survey?**



## Survey Results

Results for all non-demographic questions are summarized below. Because proximity to the potential location of the Metro West recycling and transfer center is a priority audience, we have identified answers from “local respondents” as those received from residents in Zip codes that largely encompass the closest communities to the proposed site, including the cities of Cornelius, Forest Grove and Hillsboro.

### Question #3 - What, if any, expanded services would you like a new recycling and transfer center to offer?



Responses to the question about desired services from local survey respondents closely match those for all respondents. Over 90 percent of the 824 respondents for this question said they would like a new recycling and transfer center to dispose of things that are difficult to dispose of or recycle such as appliances, mattresses, Styrofoam, medical sharps, etc.

Over 50 percent said they would like an on-site repair or resale/reuse store.

Over 40% asked for an education/learning center about the environment and waste prevention and/or compost sales to be available on site.

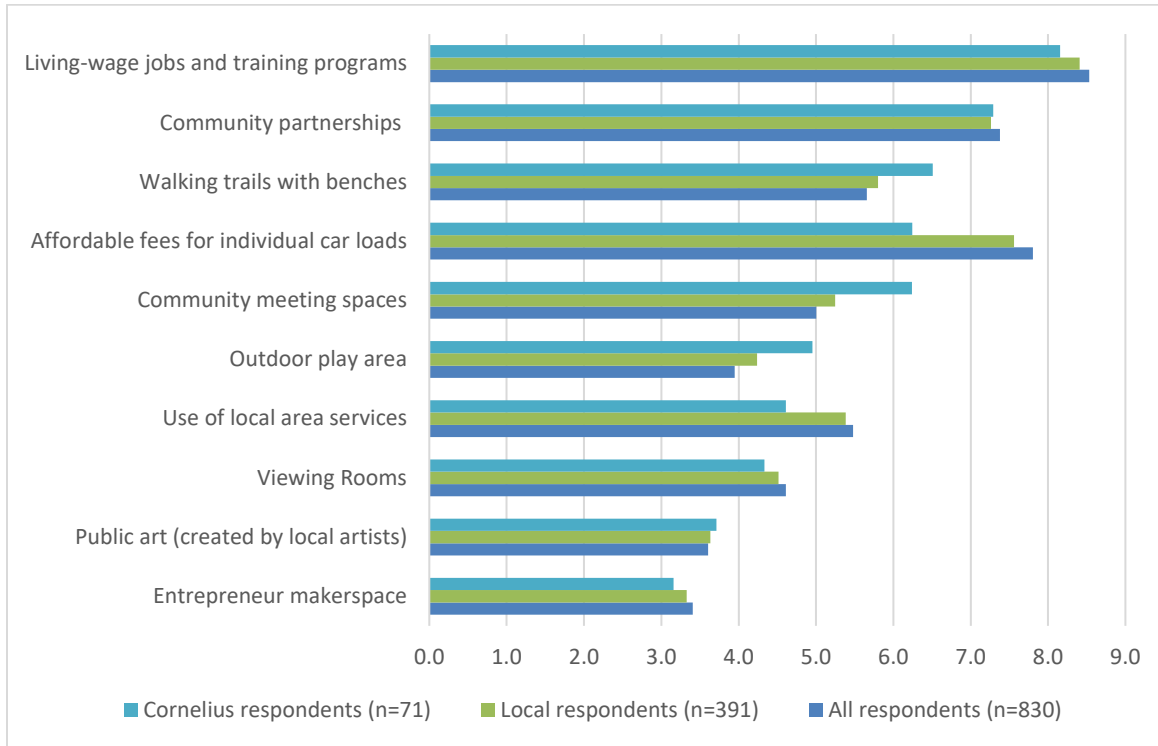
16% of people specified something else. Their common themes were:

- Many respondents requested recycling for other specific items that are difficult to recycle such as all plastics, electronics, batteries, and more.



- Multiple respondents requested compost collection for multi-family housing residents.
- Multiple respondents asked for cheaper recycling options.
- Some respondents asked for sales of Metro products like paint and compost bins.

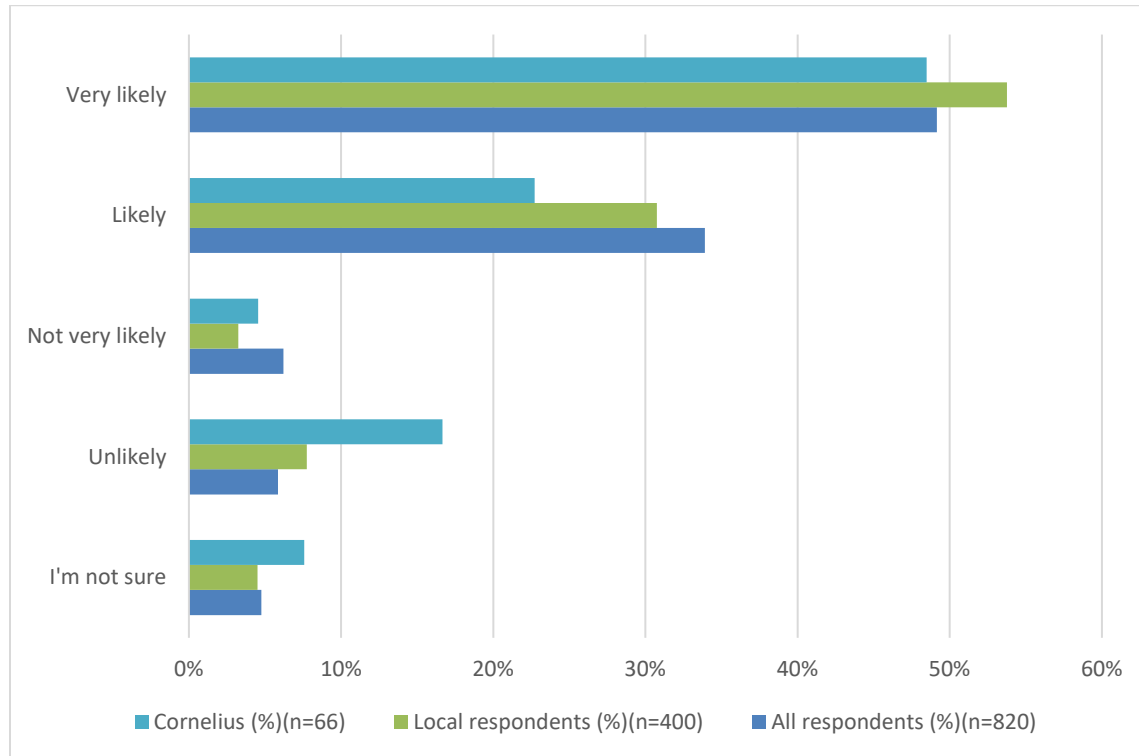
**Question #4 - Which of these potential community benefits do you value most?**



Respondents were asked to rank 10 potential community benefits from most to least important.

Input from local survey respondents on which potential community benefits are most valued closely matched that of all respondents with the most valued benefits of living-wage jobs and training programs, affordable fees for individual car loads, and community partnerships ranked highest. Benefits including an entrepreneur makerspace, public art and an outdoor play area were ranked lowest by both local and all survey respondents.

### Question #5 - How likely are you to use such a facility?



73% of the 820 respondents who answered the question said they would either be very likely or likely to use the facility.

12% of respondents said they are not very likely or unlikely to use the facility.

### Question #6 - Do you have concerns about having a transfer center in your community?

Of the total comments (162) received for this question, about 26% of respondents indicated specific concerns related to the proposal. The most common themes in responses were concerns related to odor from the facility, traffic and the proposed location of the transfer station.

Many respondents expressed concern about the transfer facility being located in Cornelius closely to residential areas and having negative impacts to property values, increased traffic on surface streets, and smell. Other areas suggested for the facility were in Hillsboro and Beaverton. Other respondents commented on the importance of having a transfer station that is centrally located and accessible by active transportation.

Other responses included:

- Concerns about noise, dust and pests
- Safety concerns related to hazardous materials and public health
- Environmental impact of the facility and responsible waste management systems
- Concerns about appearance, design and debris or litter

- Concerns about cost to build and maintain the facility as well increased taxes
- Affordability of services
- Education related to the environment, waste prevention, and recycling

Responses from local residents had no difference in comment themes.

**Question #7 - Are there specific neighborhoods, businesses or communities that you are concerned might be impacted by this project at this location?**

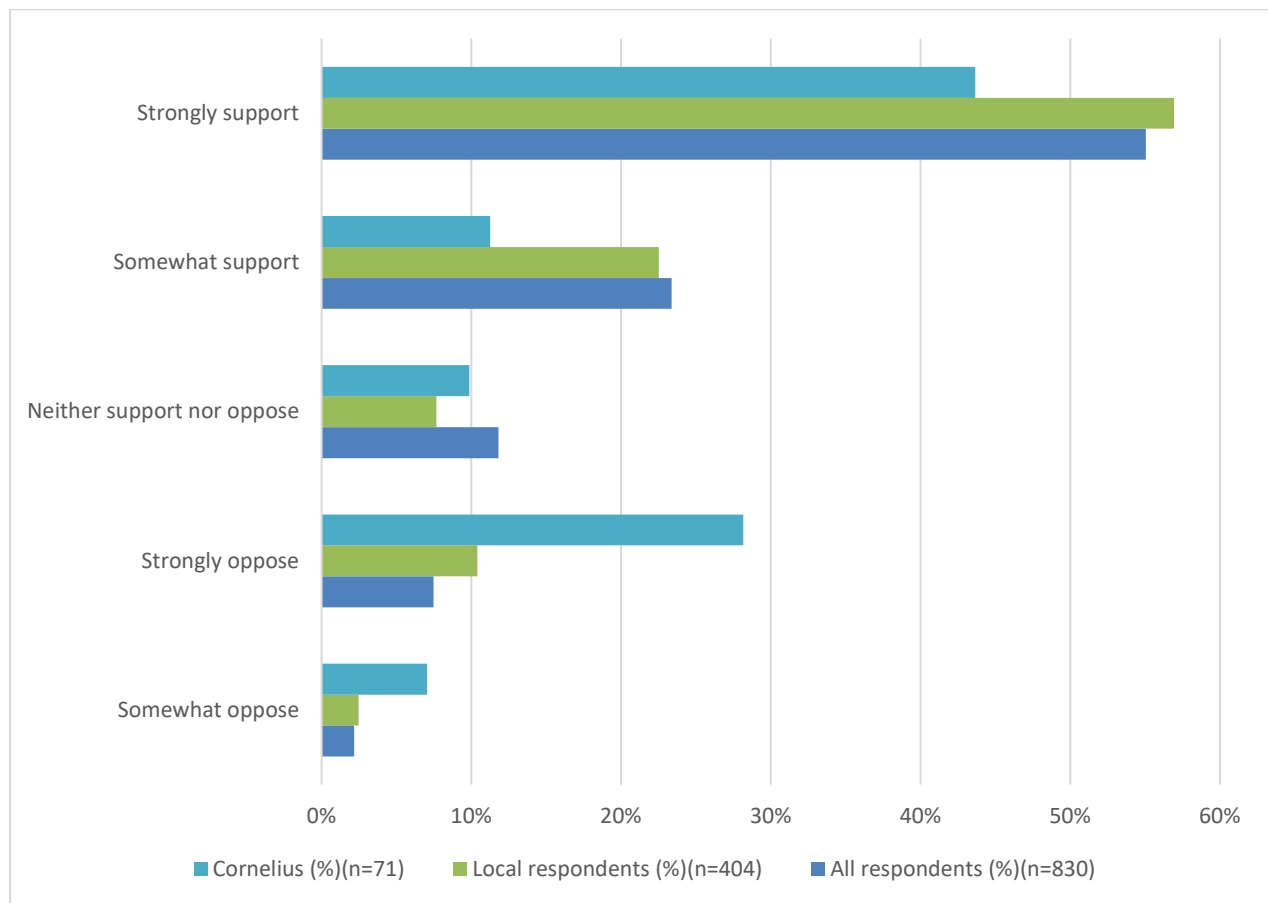
Of the 814 total survey responses, about 15% indicated specific neighborhoods, businesses or communities they thought might be impacted. Respondents' most common responses identified **nearby residents, roadway users in Cornelius, and nearby businesses** as those they are concerned might be impacted by this project at the location.

Respondents identified specific nearby residents including those who live in manufactured/mobile home communities near the site. Nearby businesses identified in the responses include Walmart and New Season Foods (not New Seasons grocery store chain) along with agricultural businesses in the area and downtown Cornelius. Competitors of a potential transfer station, including S&H Landscape, Evergreen Disposal and Recycling, and Waste Management along with other private waste haulers where also identified by respondents.

Other responses included:

- Black, Indigenous and people of color and low-income residents who some respondents said tend to be disproportionately impacted by infrastructure projects
- Property owners who might be impacted by lower property values
- Schools, particularly Cornelius Elementary School
- Nearby organizations serving the community including Centro Cultural and Virginia Garcia Health Center
- Users of nearby natural areas
- Businesses and residents along routes that would experience increased truck traffic
- Those impacted by noise, air pollution
- Ratepayers

**Question #8 - In December 2020, the Metro Council will decide whether or not to purchase the property. How much do you support or oppose a recycling and transfer center being built at that location?**

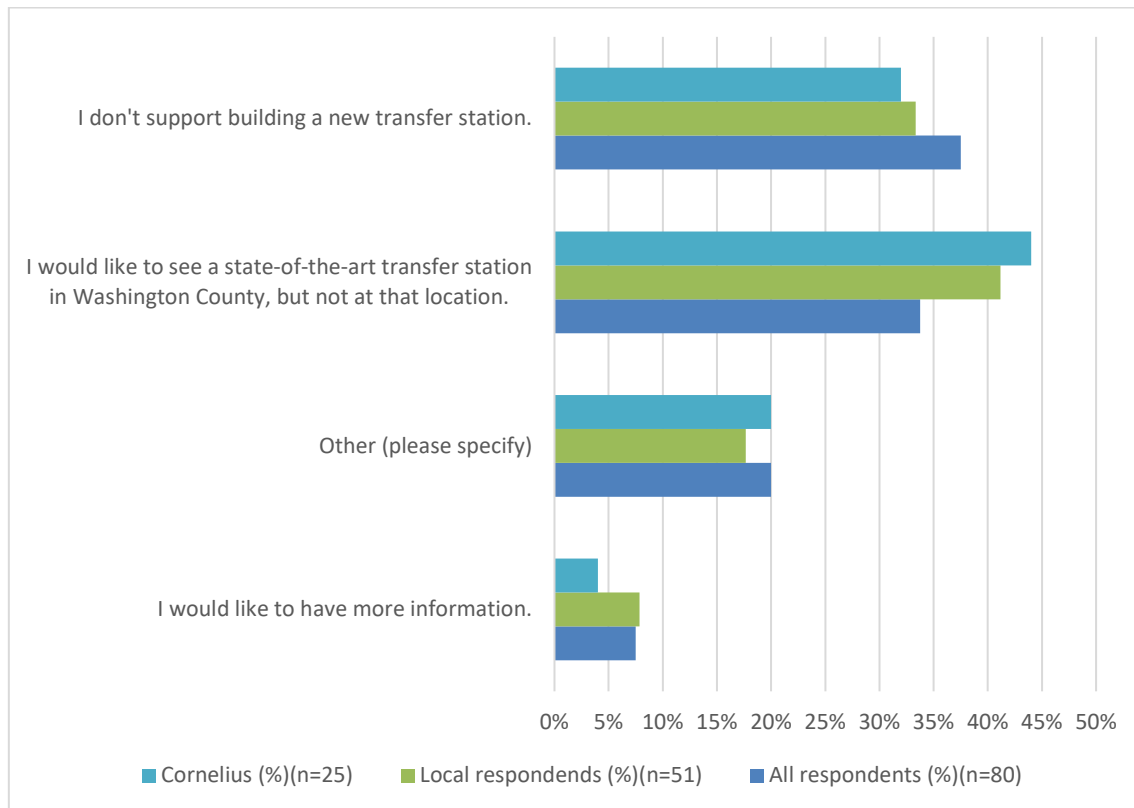


Nearly 80 percent (78 percent among all respondents, 79 percent among local respondents) of survey respondents either strongly support or somewhat support the proposed location.

Seven percent of all respondents said they strongly oppose a recycling and transfer center being built at the location. Among local respondents, 11 percent said they strongly oppose the location and 26 percent of Cornelius respondents said they strongly oppose

### Question #9 - If you answered opposed, would you give us more information?

Of the 80 respondents who oppose the proposed location, 38 percent do not support building a new transfer station at all. 34 percent said they would like to see a state-of-the-art transfer station in Washington County, but not at that location.



Of the 20 percent of respondents who specified a different reason for opposing the location, themes included:

- Cost and fees would be too high, or the facility would be too expensive
- The location should be closer to US Highway 26
- Belief that the facility would serve the needs of residents outside of Washington County
- Belief that Metro would not effectively complete the project
- Waste should be reduced rather than building a new transfer station
- Concern about impacts to surrounding neighborhoods, including traffic
- Prefer a private facility
- Potential impacts to low-income residents

## Question #10 - What questions do you have about this project?

Survey respondents provided over 40 responses with substantive questions about the project. The most frequent questions included themes identified by six or more respondents including **cost** of the project, **funding** to complete the project, and the **need** for the project.

- Questions about cost and funding focus on how much the project would cost to complete or operate, if there are ways to reduce project cost, and who will pay for it – including if property taxes would fund the project
- Questions about project need asked how the need is demonstrated and if the project need is high given other competing priorities. Respondents also asked if items collected for recycling are actually recycled, and whether efforts to increase recycling rates reduce the need for the project

Other questions were identified by three to five respondents and included topics of **environmental impacts**, **traffic**, consideration of **other potential project locations** and the **siting process**, and **public involvement**.

- Questions about environmental impacts of the project asked about potential noise, odors and pollution from the facility, impacts to biodiversity, migratory birds, and climate change
- Respondents' question about traffic asked about the routes trucks would use to access the facility and the impacts of increased traffic to the local community
- Questions about the project location and the siting process asked why the project would be located far from many Washington County residents, how the location was identified, if Metro considered expanding an existing facility like Farwest Fibers, which other locations were considered, and if Metro considered Environmental Justice and social equity in the siting process
- Questions about public involvement asked how Metro engaged with marginalized communities and what local residents think about the project

More than one survey respondent asked about the following topics:

- Jobs and who would be employed at the facility
- Which services would be included
- If solar electricity would be produced
- Other neighborhood impacts

Additional topics identified in response to the question include:

- How the project interacts with other planned infrastructure projects
- What would be the cost to users of the facility
- Expected economic impact
- Property owner impacts
- Expected revenue
- Site size
- Taxes paid from the facility

**Questions #11 and #12 - Where do you think a new transfer center should be located? And why is that a good location for a new transfer center?**

The 28 and 23 written comments received for these questions respectively were analyzed for top themes.

- About half of respondents felt a new transfer station should be located farther away from residences and towns in general because of concerns of traffic, smell, possible health impacts, lowering property values and impacts to business property. Some suggested it should be next to a highway.
- Some respondents suggested alternative locations such as Tigard, Hillsboro and Manning, OR. Two specific sites were suggested: the old mill in Manning and the rock quarry south of Forest Grove.
- A few respondents said it should be located in a more centralized location and closer to urban areas for convenience.

**Question #13 - Do you have any other feedback or questions related to this project for Metro?**

A randomized sample of 25% of the 302 written comments received for this question was analyzed for top themes. Respondents shared feedback similar to previous questions such as suggestions for location considerations and concern for traffic at the transfer station itself and increased traffic brought to the area.

Other comments and questions included:

- General feeling that the transfer station is needed and would provide a benefit to the community
- Concerns about cost and felt the project should be as cost effective as possible
- Community spaces with art and playgrounds are not needed
- Questions about the proposed site like did Metro study other sites and what the site is zoned for
- Suggestion for existing and future Metro transfer stations such as the need for clearly labeled sorting and better traffic management

Feeling the businesses should have more of a say in the location choice

- Concern about the location of the facility and proximity to residential areas
- Taxes
- Hard to recycle materials and hazardous waste and increased services to accept more materials
- Importance of community education on recycling

## Webinars

Metro and Centro hosted two informational webinars to provide a project overview and answer questions. The purpose of the webinars was to inform the public of a proposal for a recycling and transfer center in Cornelius, receive feedback from the community and to have attendees fill out the opinion survey. Both webinars were hosted on Facebook Live through Centro's page and translated into Spanish and American Sign Language. Residents and businesses within a .5 mile radius of the proposed property and those who had emailed to express interest in the project received mailers. One particular community of over 100 seniors also received an invitation packet with paper versions of the PowerPoint slides and project information to facilitate their participation.

<b>Webinar</b>	<b>Date</b>
Webinar #1	October 29, 2020
Webinar #2	November 11, 2020

The following are key highlights of feedback from the webinars:

- General comments of enthusiasm for the project
- Questions and interest in how to get involved
- Questions about cost to build the facility and the cost to purchase the property
- Questions about rates
- Concerns about project timeline with economic uncertainty
- Concerns about impacts to environment and public health
- Questions and concerns about project area demographics and disproportionate impact to underserved communities
- Interest in job creation
- Concerns about traffic impacts

### **Nearby residents and businesses**

On November 18th, Metro spoke with local neighboring businesses of proposed property in Cornelius including Higher Taste Foods, Myers Container, Myers Food, H&H Compost, New Season's Foods and Coach Sarge Cine. The presentation received a positive response, especially for running a transparent process and Metro's role in developing the site in a responsible manner.

On December 2nd Metro is hosting a conversation to which they invited neighboring residents including Forest Hills Mobile Park, a 55+ community, Mariah Park Manufactured Homes Park residents, and single-family homes to the South, South East, and East of the site located at North Fourth and Holladay Street.



## Community emails

As a result of different outreach efforts, Metro received four email messages from community members who have reached out seeking answers or requesting additional information after hearing details about the project.

One sender, who shared his experience in environmental/sustainability matters expressed interest in participating or being involved in the process further.

Other senders expressed different concerns, all of which have been mentioned in the survey comments or those received during meetings with the CAG. The common shared themes have to do with environmental impact (release of methane), negative impacts to property values, increased traffic on surface streets, smell and noise.

## RECOMMENDED NEXT STEPS

As noted previously, COVID 19 pandemic greatly impacted staff's ability to reach more community members in Cornelius and Forest Grove. Additionally, it should be noted that Oregon wildfires crisis and the major presidential and local elections in the fall of 2020 influenced the public's capacity and interest in engaging on topics of garbage and recycling.

Recommendations for next phase of engagement if the property is purchased by Metro:

1. Meeting with the community in-person is a preferred way to build relationships and receive feedback on the project. Future engagement activities should continue virtually until it is deemed safe to engage in person again meeting state and regional safety guidelines.
2. Continue to engage with community advisory group members in pre-design and identification of services. This includes a report back meeting with community advisory group to discuss final outcomes of engagement and Metro Council decision about the property acquisition.
3. Continue engagement with Centro Cultural of Washington County as a community partner while creating space for other local community leaders to participate and weigh in.
4. Inform Cornelius and Forest Grove residents who have not had a chance to participate in this process about the project proposal to gain their support. Prioritize participation by youth and Black, Indigenous, Latino/x, Asian and other people of color who may be impacted or benefit from the proposed project.
5. Engage with First Nations and indigenous peoples of the area using existing research and support from Metro's Indigenous Policy Advisor.
6. Explore options for Metro to create a Good Neighbor Agreement and/or Community Benefits agreement.

## CONTRIBUTING STAFF

### **Project Team**

Project Manager - Matt Tracy  
Project Sponsors - Matt Korot and Dan Blue  
Property Acquisitions Coordinator - Barbara Edwardson  
Community Engagement Lead - Gloria Pinzón Marin  
Community Engagement Specialist - Enrique Vargas

### **Community Partner**

Mariana Valenzuela, Centro Cultural of Washington County  
Maria Caballero-Rubio, Centro Cultural of Washington County

### **Steering Committee**

Ashley McCarron  
Barbara Edwardson  
Dan Blue  
Estee Segal  
Heidi Rahn  
Luis Sandoval  
Marta McGuire  
Matt Korot  
Matt Tracy  
Megan Gibb  
Penny Erickson  
Roy Brower  
Shane Abma  
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### **Communications**

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Gloria Pinzón Marin  
Kendall Martin  
Kimberlee Ables  
Lia Waiwaiole  
Sara Seid  
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### **Advisors and other support**

Alan Snook  
Al Mowbray  
Clint Chiavarini  
Janet Edwards  
Luis Sandoval  
Molly Chidsey  
Rob Nathan

## APPENDIX

### GOALS

The engagement planning and activities are based on the goals and objectives outlined in [Metro's Strategic plan to advance equity, diversity and inclusion](#), the [Property and Environmental Services' Diversity, Racial Equity and Inclusion Work Plan](#), and the [2030 Regional Waste Plan](#).

**Table:**

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### METRO'S STRATEGIC PLAN TO ADVANCE RACIAL EQUITY, DIVERSITY, INCLUSION GOALS

- **GOAL A:** Convene and support regional partners to advance racial equity
- **GOAL B:** Meaningfully engage communities of color
- **GOAL C:** Hire, train and promote racially diverse workforce
- **GOAL D:** Create safe and welcoming services, programs and destinations
- **GOAL E:** Allocate resources to advance racial equity

### 2030 REGIONAL WASTE PLAN GOALS

- Community Investment Principle: Make investment decisions in partnership with communities
- Goal 1: Increase engagement of youth and adults historically marginalized from garbage and recycling decision making by enhancing civic engagement and leadership opportunities.
- Goal 9: Increase knowledge among community members about garbage, recyclables, and other priority materials that meet the needs of all
- Goal 10: Provide regionally consistent services for garbage, recyclables and other priority materials that meet the needs of all users.
- Goal 12: Manage all garbage and recycling operations to reduce their nuisance, safety and environmental impacts on workers and the public.
- Goal 13: Invest in communities that receive garbage and recyclables from Metro regions so that those communities regard solid waste facilities as assets.
  - Action 13.3: Require each solid waste facility to work towards a good neighbor agreement with host community.
  - Action 13.4: Evaluate Community Benefit Agreements as potential tool.
- Action 16.3: Improve interagency and community collaboration on siting and authorizing proposed solid waste facilities to reduce potential impacts on neighboring communities.

### PES DIVERSITY, RACIAL EQUITY AND INCLUSION WORK PLAN

- Strategy 2: Meaningfully engage communities of color and partner with community-based organizations (CBOs) to advance racial equity
- Strategy 3: Provide services equitably, with a priority on communities of color (including Indigenous communities, Latino community, PAN African communities,)
- Action 3.1.5: Utilize racial equity tools for siting a Metro transfer station in the south region

## STAKEHOLDER ENGAGEMENTS

1. City of Cornelius Council
  - Ongoing meetings beginning May 2019 with staff as well.
2. [CPO12C presentation](#) (Community Participation Organization) 12C denotes Cornelius specific CPO (Feb 13, 2020)
3. City of Cornelius Planning Commission – overview only
4. Briefings with City of Forest Grove Mayor and staff
5. City of Forest Grove Council (09/28/20)
6. Washington County Board (08/25/2020)
7. Briefing Washington County Chair
8. Briefing Washington County garbage and recycling staff – Multiple
9. Washington County Haulers Association (05/21/2020)
10. City of Hillsboro Council (09/15/2020)
11. Washington County City Managers meeting (08/26/2020)
12. City of Sherwood (11/24/2019)
13. Seattle/King County Transfer Station Tour for City of Cornelius elected and staff, and Centro Cultural staff (08/07/2019)
14. Orientation and seven Community Advisory Group Meetings - Summer/Fall 2020
15. Chamber of Commerce Cornelius and Forest Grove (11/23/2020)
16. Neighboring businesses forum (11/18/2020)
17. Nearby Resident Forum (12/02/2020)
18. Industry/Local Government Webinar (Nov. 24th)
19. Social Media posts about the project on Metro’s Facebook feed plus shared with private groups in Forest Grove/Cornelius (estimated 15,000 members)
20. Forest Grove/Cornelius Chamber of Commerce briefing (11/23/2020)

### Others:

- Public Opinion Survey (finalized 11/14/2020)
- Metro articles written about the project by Faith Cathcart
- Updates to parties signed up to receive information about the project.

### Internal Metro Staff and community advisory committees:

- RWAC (Regional Waste Advisory Committee - advises Metro Council)
- CORE (Committee on Racial Equity - community members, advises organization and Council)
- Many briefings with Solid Waste liaisons from Metro Council
- Briefings with Councilor Juan Carlos Gonzalez, District 4 representative
- Briefings with Metro Council President Lynn Peterson
- Briefings with Metro Chief Operating Officer, Marissa Madrigal
- Steering Team (Metro staff, director level, legal, budget guidance)

# Future West Recycling and Transfer Center Due Diligence Executive Summary

Waste Prevention & Environmental Services



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## Project Purpose:

As the regional solid waste authority, Metro has determined a potential need for a publicly owned community materials management center to be located in the Western portion of the region. Throughout the process of crafting the draft 2030 Regional Waste Plan, Metro met with and engaged with various community members, Community Based Organizations and its jurisdictional partners to determine service gaps and needs within the regional solid waste sector.

Early in these conversations and during public outreach, it became clear that the West side of the region was at a disadvantage and the introduction of a facility feasibility analysis was necessary to determine community need for a facility while paying particular attention to the unique historical relevance of various communities throughout Washington County.

Based on the Metro 2030 Draft Regional Waste Plan Goal 16.5, adopted by the Metro Council in 2019, this project examined existing and potential real estate inventory for use as an additional publically funded materials management facility on the west side of the Metro region; specifically to “Evaluate the feasibility of finding suitable property for establishing a publicly owned facility in Washington County to accept and transfer garbage, recycling, food scraps, household hazardous waste and other materials.”

During the feasibility phase of this project, Metro staff used the below Base and Functional criteria to determine whether or not a property may be a desired fit for the desired development purpose. Metro staff was directed to seek out properties that met the base and functional criteria.

### *Base and Functional Criteria:*

- Suitable properties will be 12-20 acres in size, with 12 acres being the minimum for a “full service” recycling and transfer facility
- Suitable properties will be appropriately zoned to allow for the intended use, or the ability to execute a zone change or conditions if necessary
- Suitable properties will have surrounding properties with compatible uses as the desired property (e.g. Located within an industrial district etc.)
- Suitable properties will be located close to freight transportation corridors
- Suitable properties will be outside of the 100 year floodplain
- Suitable properties will not be adjacent to residential neighborhoods
- Suitable properties will allow for mitigation of lighting, noise, odor and fugitive dust concerns
- Site topography is conducive to the layout of a full service recycling and transfer facility
- Site is well outside of FAA boundaries and constraints governing turbine aircraft serviced airports
- Site provides equitable distribution of impacts so that no racial, cultural or socio-economic group is unduly impacted
- Site is free or historical, archaeological and/or cultural designations
- Site is located some distance from schools, churches, daycare, parks and hospitals

# Future West Recycling and Transfer Center Due Diligence Executive Summary

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## Property Purchase and Sales Agreement:

As part of the feasibility analysis, Metro became aware of a number of potentially suitable properties available in the Cornelius Industrial District. During this process Metro staff also began to realize properties that meet the required Base and Functional criteria are relatively scarce given the amount of development in the Western portion of the Metro region. However, a particular property located at 4<sup>th</sup> and Holladay St. in the Cornelius Industrial District met many of the base and functional criteria elements, listed above, and as a result of this finding Metro staff entered into a Purchase and Sale Agreement (PSA) with a willing seller to take it off the market so that Metro could evaluate the parcel's suitability for a potential transfer station.

In negotiating a PSA with the willing seller, Metro staff negotiated a 16 month timeline to perform due diligence investigations and enter into a community engagement effort focusing on the prospect of bringing this type of development into the community.

Upon negotiation and execution of the PSA, on October 9<sup>th</sup>, 2019 Metro staff immediately began the site investigation process and contracted consultants to provide the necessary site due diligence work that is required.

The site work due diligence phase of this potential property acquisition was completed in August of 2020, the results of which are outlined in this summary.

## Due Diligence and Site Investigation Phase and Results:

In January of 2020, Metro contractors began due diligence work on the property located on 4th Ave. and Holladay Street in the Cornelius Industrial District. However, by mid-March 2020, the advent of the COVID-19 pandemic significantly changed the dynamic of the work being performed on the property. Pre-pandemic site safety plans were replaced with COVID-19 site safety work plans and after review, work resumed with these new COVID-19 site safety plans in place.

Between March and August 2020, Metro staff spent minimal time on the work site and when on-site, took all precautions and adhered to the contractor's COVID-19 site safety protocol to include social distancing, wearing a mask when unable to do so and personal health self-monitoring.

- *Land Clearing*

As part of the Due Diligence phase of this project, Metro staff had difficulty identifying certain characteristics of the western boundary. Much of this was due to large brambles and brush located along this boundary. Staff contracted with TUSA Excavating, a local Oregon COBID certified contractor to clear the land along the Western boundary. Clearing this western boundary allowed for staff and the other contractors to determine boundary line of sight and to facilitate more accurate lot line locations with regard to test borings and test pit placement.

- *Appraisal*

Metro staff ordered a title search and appraisal for the prospect property. We found no title irregularities attached to the property

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- *Cornelius Property Valuation*

“The property was on the market for \$3,540,000. Metro negotiated a purchase price of \$3,100,000 (or \$5.69 per square foot; \$249,396 per acre.). An MAI (Member of the Appraisal Institute) appraisal valued the property at \$2,095,000 after concluding that 1.3 acres had no value due to a wetland designation. The appraiser also deducted \$792,000 for the future obligation to improve a roadway when the property is developed, to arrive at the \$2,095,000 value. As mentioned elsewhere in this report, the wetland designation has been removed adding back approximately \$342,000 to the value. The property owner was not willing to negotiate the price further.

- *ALTA Survey and Title Report Findings*

In January of 2020, Metro contracted with Emerio Design to perform an ALTA Land Title survey on parcel 1N333CA 00900; Washington County Tax Account No. R751305, North 4th Avenue and NE Holladay Street, Cornelius, Oregon 97113. The survey indicated some discrepancies in the calls for the boundary lines. The Office of the Metro Attorney contacted the surveyor who verified the discrepancies in the boundary are most likely attributable to the new survey being based on GPS bearings. This information wasn't flagged as an issue of significant concern and most likely may be resolved with a County Surveyor's review.

Other notable characteristics of the property include; recognition of the current farmland classification of the property, lack of access points and curb cuts for the parcel as well as recognition of the Southern boundary service road owned by New Season Foods Inc. There appear to be no known liens, encumbrances, or violations associated with the property.

The prospective property is under a farm lease with the Brandt family. According to Doug Brandt, this parcel has been farmed by this lessor for at least 15-20 years. The property has been used to farm fescue grass seed, and at the time of this writing, staff is confirming the extension of the farm lease whose term ended in September of 2020 and is being renewed by the seller.

## **Due Diligence and Site Investigation Conclusions and Staff Recommendations:**

If a decision is made to purchase the property, Metro Staff recommends contacting the Washington County Surveyor to verify and correct any boundary discrepancies which may be a result of the GPS bearings evident in the new survey results. Though, insignificant, all property line discrepancies will be addressed in the survey update prior to closing.

# Future West Recycling and Transfer Center Due Diligence Executive Summary

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## Environmental Site Assessment (ESA) Phase I and Phase II:

In early 2020, staff contracted with Assessment Associates Inc. (AAI) Environmental Consultants, to perform Phase I and Phase II environmental assessment(s) on the property. In the February 2020 Phase I Final Report, AAI Consultants identified four Recognized Environmental

Concerns (RECs) associated with the prospective parcel as well as with adjacent parcels. Two of the adjacent property RECs were the result of an Oregon Department of Environmental Quality (ODEQ) record regarding Leaking Underground Storage Tanks (LUSTs) on these adjacent properties, and the soil testing results realized at the time of decommissioning of the tanks.

The third adjacent property REC is related to the .97 acre parcel which borders the upper Northeastern boundaries of the prospect property. This .97 acre parcel is currently occupied as a residence in a non-conforming use. In addition, the .97 acre parcel has historically been identified as an auto wrecking and salvage yard and is currently listed as site #2466 on the ODEQ Environmental Cleanup Site Information (ECSI) database.

The final REC for the property is based on the prospective property's historical use. Although the property has never been developed, historical aerial photographs and agricultural records dating back to the 1940s indicate the Southern portion of the property was once a hazelnut orchard. Many agricultural practices during the mid-20<sup>th</sup> Century may have included the application of persistent organochloride pesticides which may or may not contain heavy metals. Therefore, because the prospect property has a long agricultural history, and because there is a chance the property may have been subjected to long term use of persistent organochlorine pesticides and heavy metals. Staff and the consultant realized this as a REC and tested for these materials of concern during the Phase II ESA.

With these initial investigative findings and with the unknown about the potential persistent pesticide use, Metro staff entered into an agreement to have AAI provide a Phase II Environmental Site Assessment on the property.

### ESA Conclusions and Consultant (Assessment Associates Inc.) Recommendation:

*"Based on the information presented in the Phase II report, it is our professional opinion that significant impacts at the Property were not identified and that no further investigation appears warranted at this time, with the following caveats."*-**Assessment Associates Inc. Phase II Environmental Site Assessment Report, 12.52-Acre Undeveloped Property, Tax Lot 1N333CA00900, May 25<sup>th</sup>, 2020- Pages 15-17**

- *Water Sample ODEQ RBC Exceedances*

This caveat is in regard to a standpipe that is located just outside the westernmost property boundary. It is thought the water in this standpipe likely originates from the New Season Food processing system. Historical anecdotal information indicates this standpipe and another located on the southernmost boundary of the prospect property may be the remnants of an historic irrigation system that has long been decommissioned. In the report the consultant notes that water sampled from this standpipe contains levels of petroleum hydrocarbons (gasoline and diesel) exceeding applicable ODEQ RBCs. It should be noted that this water is not



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thought to be migrating onto the prospect property, rather it is thought to be contained in a closed system that may be part of the New Season Food plant processing wash system.

- *Solid Waste Permit Exemption for Unrestricted Onsite Reuse of Soils:*

*“Soils on the Property from 0- to 6-inches bgs slightly exceeded the ODEQ Clean Fill level for the herbicide MCPA but were below the applicable ODEQ RBC. Since the soils exceeded the ODEQ Clean Fill levels, any soil excavated and removed from 0- to 6-inches bgs on the Property would be considered solid waste and would therefore be subject to disposal restrictions dependent on where the material would be disposed. However, since the contaminant concentrations were below the applicable ODEQ RBCs, the soils would qualify for unrestricted reuse on the Property under the following conditions: In order to reuse those soils on the Property, a solid waste permit exemption application would need to be filed with the ODEQ, which would allow the ODEQ to confirm that the herbicide concentrations are low enough that regulatory oversight is not required for onsite reuse.”-Assessment Associates Inc. Phase II Environmental Site Assessment Report, 12.52-Acre Undeveloped Property, Tax Lot 1N333CA00900, May 25<sup>th</sup>, 2020- Page 19*

## **Metro Staff Recommendation for Management of Water and Soil:**

Metro staff concurs with the consultant’s findings and recognizes that future testing and development of the property will need to focus on determining the source of water in the standpipe just west of the property line as well as recognizing on-site soil management protocols required for soils 0-6-inches Below Ground Surface (bgs).

## **Property Wetland Delineation:**

In 2014 while preparing the property for development, the property owner and/or the City of Cornelius, discovered two small wetland areas on the property and had a consultant identify, delineate and map the affected areas. The on-site wetland encompassed .84 acres and the State of Oregon Department of State Lands concurred that at the time, two separate wetlands existed on the property.

In February and March of 2020, Metro staff realized the original concurrence had expired and sought guidance from the original consultant, Pacific Habitat Services (PHS). Early in the site visits, Metro staff and the consultant realized there was a lack of wetland indicators on the property and Metro staff asked for an issue of non-concurrence, noting the conditions had changed.

In March of 2020, Oregon Department of State Lands visited the site and using the consultant’s findings as well as their own, determined that conditions had indeed changed and that the wetland originally mapped on the site no longer existed. The Department of State Lands finding is located below:

WD # 2020-0379 Approved  
Wetland Delineation Report for the Metro West Recycling and Transfer Station  
Washington County; T1N R3W S33CA TL900

# Future West Recycling and Transfer Center Due Diligence Executive Summary

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*“The Department of State Lands has reviewed the wetland determination report prepared by Pacific Habitat Services for the site referenced above. Based upon the information presented in the report, and a site visit on March 9, 2020, we concur that there **are no jurisdictional wetlands or other waters of the state within the study area.**”-Oregon Department of State Lands Letter to Metro Re: WD#2020-0379, October 21, 2020*

## **Metro Staff Recommendations for Wetland Delineation:**

Metro staff concurs with the Oregon Department of State Lands and Pacific Habitat Services regarding the issuance and findings of WD#2020-0379. Metro staff understands that this issuance will expire in 5 years and additional delineations may need to be performed if the property has not been developed within the next five years.

## **Geotechnical Investigation:**

Staff contracted with Central Geotechnical Services and HDR for the preliminary geotechnical investigation of this property. HDR provided draft building and travel way concepts and Central Geotechnical Services provided the field work and lab analysis.

## **Geotechnical Investigation Conclusions and Consultant (Central Geotechnical Services) Recommendations:**

*“Based on the results of our geotechnical investigation, we consider the site to be suitable for development. Our program of subsurface exploration indicates the site is underlain by a thick sequence of partially-consolidated silt and sandy silt, with trace clay, belonging to the Missoula Flood Deposit. This deposit extends 90 feet or more below the ground surface. Shallow groundwater is present at the site such that embedded structures will require extensive dewatering measures to construct and maintain. Groundwater was encountered at depths of 3 to 12 feet below the ground surface. If the project will include embedded structures, an extensive program of groundwater investigation and monitoring will be needed to determine feasibility and recommend appropriate dewatering measures and shoring design. Our liquefaction analyses indicate there is a moderate to high liquefaction hazard at the site. Liquefaction during the design code-prescribed Maximum Considered Earthquake (MCE) could potentially cause settlement of the proposed building foundations. Spread footing foundations may be feasible if the buildings are sufficiently flexible to accommodate differential settlements during the MCE, otherwise deep foundations may be necessary. The upper 3 feet of soil at the site has been disturbed by agricultural activities and will likely need to be removed and reworked as engineered structural fill to support structural areas such as buildings and pavement.”*

**-Preliminary Geotechnical Investigation Metro Westside Full-Service Materials Transfer and HHW Facility, Washington County Tax Lot 1N333CA00900 November 18, 2020 Report, Page 13**

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Waste Prevention & Environmental Services



**Metro**

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## **Metro Staff Recognition and Recommendation(s) of Geotechnical Investigation Report:**

Metro staff have performed a review of the geotechnical investigation report. Staff recognizes that, without concept design, and assigned building loads; it is challenging to assign specific foundation systems that may perform well in conditions present on this property. However, staff feels confident that the geotechnical investigation team has provided consistent and prudent load calculations, highlighting a number of different foundation systems that may be applicable for this type of development. Therefore, if Metro moves forward with design and development, it will be important for Central Geotechnical Services to provide input based on their pre-design investigative work.

Overall this property presents well with regard to the intended development. Staff is aware of the shallow perched water table and understands the need for onsite water and dewatering management practices to be in place during initial site work and construction, and possibly operation.

If Metro is to develop this property, it has been recommended that, pre-development, Metro monitor the shallow groundwater movement to determine direction and whether or not there are mechanical forces influencing the water table. Metro staff has noted this recommendation and will consider the additional work upon Metro's decision on whether to purchase the property.

## **City of Cornelius-Forest Grove Memo of Understanding Guiding the Extension of N. Holladay Street between 4<sup>th</sup> Ave. in Cornelius and Yew Street in Forest Grove:**

In October of 2018, the City of Cornelius and the City of Forest Grove entered into a Memorandum of Understanding (MOU) regarding the extension of N. Holladay Street between 4<sup>th</sup> Ave. in Cornelius and Yew Street which is located in Forest Grove. Although, at the time of this writing, the actual N. Holladay Street alignment is unknown; both cities have agreed through the MOU that the developing owners of Tax Lot ID Nos. 1N333CA00900 (Metro's Prospective Property) and 1N332D000104 (Lineage Logistics/Henningsen Cold Storage Co.) will, "upon receiving land use approvals for development, required to dedicate right-of-way and/or construct public street improvements to serve the development as well as contribute to overall connectivity between the Cities' industrial areas." -*Memorandum of Understanding (MOU) based on City of Forest Grove, Resolution 2018-84 and City of Cornelius, Resolution 2018-38, both dated October, 2018.*

## **Land Use and Zoning:**

The property is zoned M-1, General Industrial under City of Cornelius zoning. The purpose of the General Industrial zone is "to provide for various industrial activities which require processing, fabrication and storage of raw, primary materials, including outdoor storage areas, heavy equipment storage and other uses not compatible with the commercial or residential zones." As noted in a March, 2020 memo from the Office of the Metro Attorney, a transfer station is not a stated outright use for the zone. Although recognizing some risk in obtaining land use approvals, the memo also sets forth pathways to apply for an allowed use designation under the city code. The memo states that "Metro could rely on a city decision to approve a transfer station under the theory that it involves the "processing" of solid waste." It further notes that applying for a "similar use" designation may be

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approved by the Cornelius Planning Commission. In addition, the memo states that “The universe of available options would also include amending the city code to add a category for waste-related uses in the M-1 zone, which would require a separate legislative process prior to any application being filed. Metro will need to confer with city planning department staff to determine the most effective strategy for obtaining approval of the proposed facility in the M-1 zone.”

Metro staff has been working with Cornelius city staff on this issue and received a letter in April, 2020 from the Community Development Director addressing the matter. He reviewed the definition of a transfer station in 2017 ORS 459.005(27) and wrote “ Based on the definitions of a transfer station, material recovery, and recycling, the proposed Metro West Recycling and Transfer Center is most accurately described as a processing and storage use. This renders the proposed use as permitted outright in the General Industrial (M-1) zone. An assumed component of outdoor storage in the operations of the facility would be permitted through a conditional use permit.” He went on to describe the Land Use Review steps involved.

A hindrance to resolving the discussion around the potential of the property for transfer station approval is that the City needs preliminary development and building plans in order to provide a substantial opinion on approval or disapproval of the site. Since the facility design will be a major undertaking, it has not commenced. Therefore a level of risk regarding this subject remains.

### **Metro Staff Recognition and Recommendation(s) of Land Use and Zoning:**

Metro staff are confident that a recycling and transfer center located at the proposed site would be consistent with the intended purpose of the Cornelius Industrial District zoning and would be an approved land use by the City of Cornelius Planning Commission.

### **Conclusions and Summary:**

The 2030 Regional Waste Plan refers to a vision for improving the solid waste industry impacts and working toward better diversity, inclusion, and equity in the field. The document, called a “Living Plan”, lists 19 “Goal Indicators” to measure the progress for fulfilling the Plan, and Metro is noted as the Lead Agency for many of the goals. Metro staff believe that by acquiring a suitable property and building a new transfer station, we can fulfill many of the goals and model a viable and technologically up-to-date facility to demonstrate best practices for the evolving waste industry.

The subject property is particularly well suited for this concept for several reasons:

1. Location - the site is centrally located in a diverse industrial district of Cornelius in western Washington County, a fast growing region of the Metro area.
2. Local government support - Metro staff have been communicating and working with local governments including Washington County, the cities’ of Cornelius and Forest Grove for the past several years. Some of the cities’ leaders toured newer transfer facilities in King County to better understand the possibilities of the endeavor.
3. Price – although the negotiated purchase price is over the value conclusion of a 2019 appraisal, the property is one of the few vacant pieces of land remaining in the industrial zone,

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meaning that Metro will not have to pay for a building that would most likely be torn down. Staff believe that the current purchase price is now at the market value.

4. Community involvement - Metro staff reached out to the specific populations (as well as adjacent business owners and the general population) noted in the Regional Waste Plan and conducted numerous meetings, surveys, and forums to gain input and ideas for a new facility. The members expressed appreciation for these efforts and want to go forward with Metro as important stakeholders.
5. Suitability of the Site - Extensive due diligence operations have pointed toward a favorable conclusion of the suitability of the site for Metro's purposes. Although no site is perfect, none of the potential obstructions, such as a high water table or unproven land use approval process, are deemed unsurpassable.

**Metro staff recommend acquisition of the property under the terms of the PSA.**

## **Post-Acquisition Property Stabilization:**

If Metro acquires the property, staff will immediately take steps to secure and protect it, such as determining if any fencing is needed. Staff will contact adjacent landowners to notify them of the new ownership and provide contact information in case they have questions or see undesirable activity on the property. We intend to continue the agricultural activity in order to have a presence on the property, and will ensure that no harmful substances are used. Staff will continue working with the cities of Cornelius and Forest Grove, with whom we have a good relationship, on road connection matters and the future plans for the site.