

Metro | *Agenda*

Meeting: Metro Council Work Session
Date: Tuesday, February 17, 2015
Time: 2 p.m.
Place: Metro Regional Center, Council Chamber

REVISED 02/17/15

CALL TO ORDER AND ROLL CALL

- | | | |
|----------------|---|---|
| 2 PM | 1. CHIEF OPERATING OFFICER COMMUNICATION | |
| 2:10 PM | 2. URBAN GROWTH MANAGEMENT DECISION:
NEXT STEPS FOR WORK PROGRAM | John Williams, Metro
Ted Reid, Metro |
| 3:15 PM | 3. COUNCIL LIAISON UPDATES AND COUNCIL
COMMUNICATION | |

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានក្បួនលក្ខណ៍រើសអើងសម្រាប់សុំសេវាសេវាសេវា www.oregonmetro.gov/civilrights។
បើលោកអ្នកត្រូវការការបកប្រែភាសាភាសាភាសាភាសា
ប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1890 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

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Agenda Item No. 2.0

URBAN GROWTH MANAGEMENT DECISION: NEXT STEPS

Metro Council Work Session
Tuesday, February 17, 2015
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: February 17, 2015

LENGTH: One hour

PRESENTATION TITLE: 2015 growth management decision: next steps for work program

DEPARTMENT: Planning and Development

PRESENTER(S): Ted Reid, ted.reid@oregonmetro.gov, 503-797-1768
John Williams, john.williams@oregonmetro.gov, 503-797-1635

WORK SESSION PURPOSE & DESIRED OUTCOMES

Purpose:

- Discuss the implications of the partial remand of urban reserves for the Metro Council's urban growth management decision.
- Provide the Council with the opportunity to give staff direction on the urban growth management work program.

Outcome:

- Council directs staff regarding the urban growth management decision work program.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

The draft urban growth report (UGR) that the Metro Council accepted in its draft form in December 2014 provides the Council and others with an opportunity to review challenges and opportunities associated with implementing regional and local plans. The draft UGR found that, with currently adopted city and county plans, the region can accommodate expected population and employment growth inside the existing urban growth boundary (UGB). On MPAC's advice, when accepting the draft UGR, the Metro Council identified a number of topics that would benefit from additional discussion in 2015.

Since that time, the state Land Conservation and Development Commission, in response to a Court of Appeals ruling, has remanded parts of the region's urban and rural reserves. As initially discussed at the Council's February 3, 2015 retreat, this remand has implications for the Council's urban growth management decision. As a result, staff would like Council's direction on a revised work program.

QUESTIONS FOR COUNCIL CONSIDERATION

- Does the Council have any questions or direction for staff?

PACKET MATERIALS

- Would legislation be required for Council action Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today?
 - February 12, 2014 memo from John Williams and Ted Reid to Metro Council.

Materials following this page were distributed at the meeting.

Winter Spring 2015 Council Timeline

Revised: 1/16/15

ITALICIZED items are tentative | *SHADED* items are new to this document | **BOLD** items require Council action



Visitor Venues

Joint
MERC/Metro
Council work
session on FOTA

Zoo Conservation
update

Zoo Bond
Oversight
Committee
Report

Planning and Development & Research Center

SW Corridor Plan
Update

Revise Admin
Rules for CPDG

Powell-Division
project
recommendation

Central Services

Final Equity
Baseline
Framework
Report

COO, Council, Budget

Council retreat

2015 State
Legislative
Agenda

OTF Proposal

Budget
presentation at
work session

2015 Federal
Transportation
Legislation
Agenda

Budget message
and public
hearing

Sustainability Center, PES

RSWMP mid-
term review
work session

Transfer system
configuration
work session

Proposed Phasing of Council Initiatives

Updated with Council input on January 22, 2015

	0-18 Months	18+ Months
Council Ownership	<ul style="list-style-type: none"> • Powell Division Corridor plan • Equity Strategy • Urban Growth Decision • Solid Waste Roadmap <ul style="list-style-type: none"> - Organics - Long-term management - Transfer system configuration • OCC hotel • Remote Elephant Center decision • Region I ACT protocols (added) 	<ul style="list-style-type: none"> • SW Corridor • Equity Strategy • Solid Waste Roadmap • Natural Areas funding • 2016 statewide initiative • 2018 RTP
Council Attention	<ul style="list-style-type: none"> • Southwest Corridor (Moved from ownership) • Willamette Falls Riverwalk • Natural Areas System Plan • Transportation funding advocacy • CSC implementation • Expo Center and OCC business/capital plan • 2018 RTP ramp-up • Equitable housing workplan • Rivers agenda development • MTIP policy process (council direction) (added) 	<ul style="list-style-type: none"> • Willamette Falls Riverwalk • Transportation funding (depending on legislative action) • 2019 - 2020 MTIP flex funds • P5 business model and strategic plan
Council Awareness	<ul style="list-style-type: none"> • Labor relations strategy • Diversity Action Plan implementation • Opening of Elephant lands • Natural Areas levy implementation • Participation in the Multnomah Co. Drainage District levee accreditation project • Changes related to management of organics at Metro transfer stations • "My place in the region" council outreach (added) 	<ul style="list-style-type: none"> • Refinement of OCC Business Plan in post hotel environment. • Conservation Education Center at Oregon Zoo

Council Ownership – Significant Council initiatives for which a significant investment by the Council itself will be required for success.

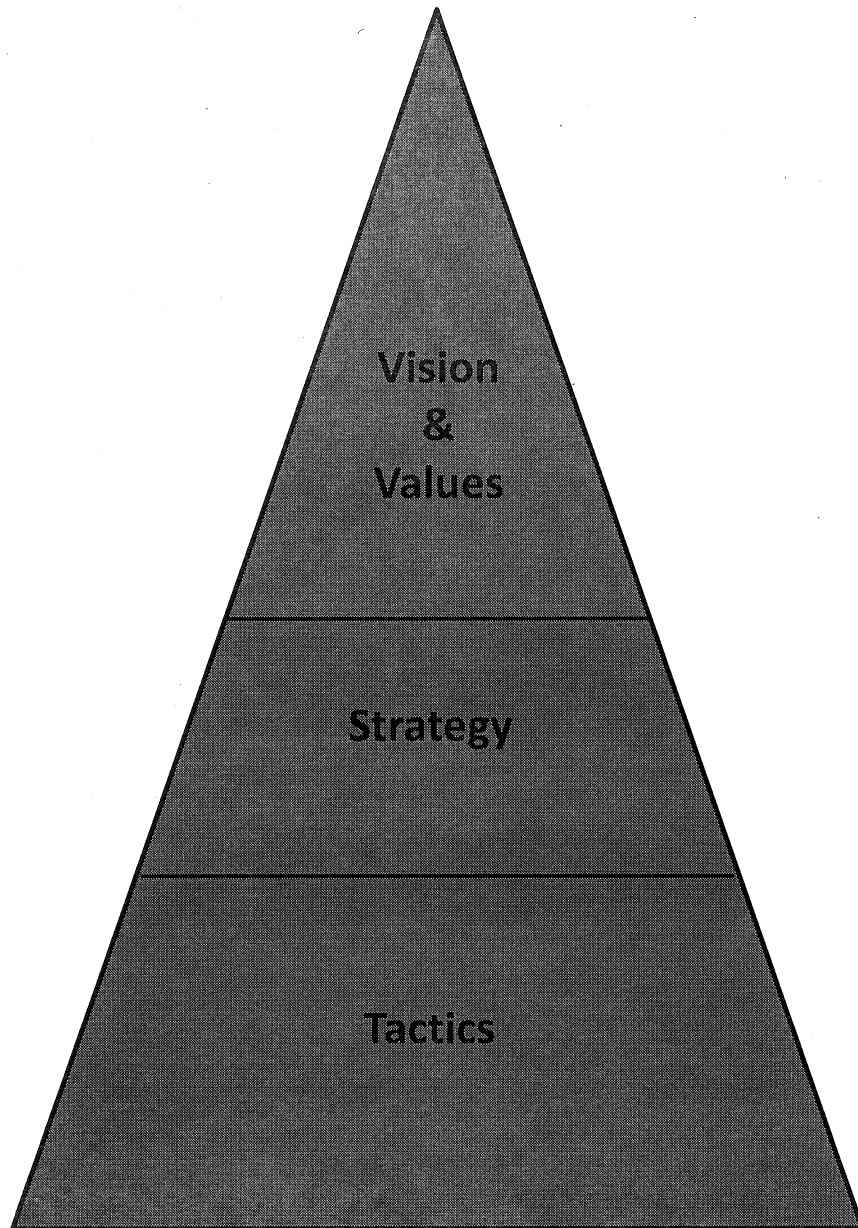
Council Attention - Significant Metro initiatives for which Council action will be required to develop or progress.

Council Awareness – Significant initiatives implemented by Metro management or Committees (MERC, JPACT, MPAC, Natural Areas Oversight Committee) for council awareness and occasional council action.

DRAFT

Metro's Six Strategic Goals

Draft Council Initiatives as of January 20, 2015

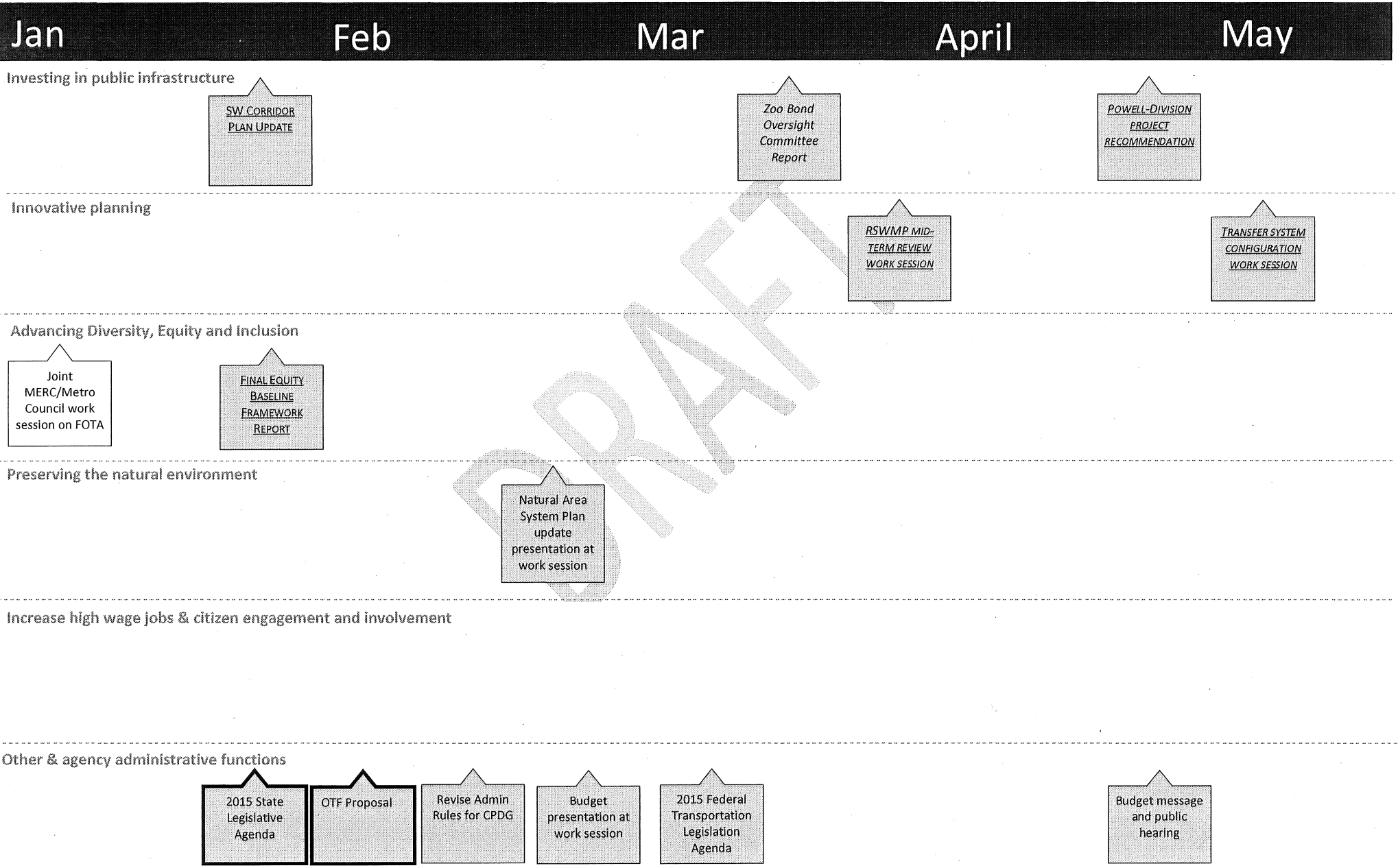


- 1. Invest in public infrastructure throughout the region**
 - SW Corridor and Powell Division Corridor projects
 - Visitor venue capital projects
 - Rivers agenda development
 - Transportation funding advocacy
- 2. Set the stage for the future of the region with innovative planning**
 - Urban growth management decisions
 - Solid waste road map
 - 2018 Regional Transportation Plan
 - Affordable housing project
- 3. Make investments to preserve and enhance the natural environment**
 - Natural area system plan
 - Levy implementation
 - Climate Smart Communities Implementation
- 4. Invest in efforts to increase high wage jobs**
 - Willamette Falls Legacy Project
 - Industrial lands and brownfields
 - OCC hotel
 - P'5 relationship with City of Portland
- 5. Ensure that regional efforts respond to the increasing diversity of the region's residents**
 - Equity strategy
 - Diversity Action Plan implementation
- 6. Increase citizen engagement and involvement throughout the region and with Metro**
 - Innovative outreach methods
 - 2016 initiative

Winter Spring 2015 Council Timeline of Strategic Goals

Revised: 2/17/15

ITALICIZED items are tentative | *SHADED* items are new to this document | **BOLD** items require Council action | **ALL CAPS** 0-18M Council ownership/attention initiative





Date: February 12, 2015
To: Metro Council
From: John Williams and Ted Reid, Planning and Development Department
Re: Staff proposal for structuring urban growth management discussions in light of the remand of urban reserves

Introduction

At its February 3, 2015 retreat, the Metro Council discussed the legal status of urban and rural reserves and implications for the Council's next urban growth management decision. This memo follows up on Council direction at the retreat and proposes a work plan leading to a Metro Council decision in the fall of 2015 on which of two general process options to pursue. Staff will provide Council with additional policy, legal, and budgetary considerations on each option as the fall 2015 decision approaches.

Option 1: conclude the urban growth management decision in 2015, prior to resolution of the urban reserves in Clackamas and Multnomah counties.¹

Option 2: request an extension from the state for the urban growth management decision to wait for the resolution of urban reserves and to allow for additional discussion of housing needs.

This proposed framework is guided by Council's direction that it wishes to discuss several policy topics, and support regional discussion of these topics, before deciding which growth management option best achieves the region's desired outcomes. This proposed framework also reflects the fact that the draft Urban Growth Report (UGR) provides a substantial information base for informing policy discussions. Following Council's direction, staff's primary effort in 2015 will be to focus discussions on how to support implementation of existing community plans and how those plans interact in a regional context, rather than focusing on new data analysis.

Background notes

The draft 2014 UGR accepted by the Council finds that adopted city and county plans can accommodate expected housing and job growth inside the existing urban growth boundary (UGB). Council and MPAC have indicated a desire to continue discussing a number of topics, some of which may have implications for the draft UGR's conclusions regarding housing needs. However, without

¹ The Council could also choose to initiate a new growth management decision cycle before the next state-mandated urban growth report would be due.

new policy direction, the UGR's conclusion will likely hold true for the near future, including if a new UGR were developed in the next two to three years.

The draft UGR assumes that, because of market factors, only a portion of the region's zoned capacity may develop over the next 20 years. Some stakeholders have asserted that zoned capacity should be discounted further. Others assert that too many discounts have been applied or have questioned whether it is legally permissible to apply market discounts at all. As far as staff is aware, Metro's approach to applying market factors is untested in the courts.

The Metro Council and the region have adopted an outcomes-based approach to growth management, meaning that it intends to consider housing needs in light of practical and feasible outcomes on the ground. Two cities, Wilsonville and Sherwood, are working to complete residential concept plans for areas they would like the Council to consider for UGB expansion. However, if the Council determines that there is a regional need for additional growth capacity, the recent remand of urban reserves means that the Council cannot rely on urban reserves for expanding the UGB in 2015.

Proposed framework for 2015 work program

In order to inform the Council's decision-making on which growth management process option to pursue in fall 2015, staff proposes to focus policy discussions in spring of 2015 on the following three questions related to regional housing needs:

1. Residential development potential in Damascus
How much residential development should be assumed is likely in the City of Damascus? If less than what is forecast in the draft UGR is likely, where might that development occur instead? Or, should the region plan for a lower point in the range forecast?
2. Residential development potential in centers such as Portland
How much residential development should be assumed is likely in the region's centers and corridors, including those in Portland? If less than what is forecast in the draft UGR is likely, where might that development occur instead? Or, should the region plan for a lower point in the range forecast?
3. Choosing a point in the range forecast
Should the region plan for the midpoint of the forecast range, which has the highest probability, or should the region plan for higher or lower growth? Why? What new policies would be implemented to achieve higher or lower growth?

Staff proposes that other topics of interest that do not directly impact the determination of whether there is a regional need for land for residential growth be discussed separately, and perhaps after the growth management process option is chosen, since they cannot be resolved by a single growth management decision. Examples of these topics include regional housing affordability, regional infrastructure costs, and regional housing mix.

Note that the draft UGR forecasts the mix of housing that will result from adopted city and county plans. Establishing a markedly different share of single-family or multifamily housing in the region is not as simple as making a technical change to the draft UGR. It would require a larger discussion

of how the region intends to grow, including a discussion of the amendments to state, regional, and local policies and investment programs that would be required to achieve a different housing mix.

Proposed timeline for work program in 2015

February	Discussion of framework for proposed work program.
March – July	MPAC and Council initial discussions of the three topics related to regional housing needs.
September	Metro COO recommendation on the three topics and next steps for growth management decision-making. Release of inaugural report on regional readiness for addressing future opportunities and challenges, including some of the other topics of interest to Council and MPAC.
Fall	MPAC recommendation to Council on next steps for growth management decision-making.
By December or sooner	Metro Council decision on next steps for growth management: <ol style="list-style-type: none"> 1. Does the Council choose to conclude the urban growth management decision at this time or request an extension? 2. Does the Council direct staff to conduct a new UGR before its next scheduled 6-year review? If so, what direction would Council like to provide staff regarding the three topics related to regional housing needs or other issues?

**2015 Oregon Legislative Session
SB 414 Summary
February 17, 2015**

Summary

Senate Bill 414 includes a number of provisions designed to affect government agencies' ability to contract with third parties for services.

Presently, government entities must conduct a cost analysis when considering contracting with a third party to provide a service. For example, Metro contracts with Aramark to provide food service at the Oregon Convention Center, rather than hiring and managing the process internally. When initially pursuing this contract, Metro conducted a cost analysis that spelled out the potential savings to the taxpayer by adopting this model and issuing the contract, as required by state law. Under current law, these issues are handled within the context of bargaining.

SB 414 would substitute this method of redress with a formal legal proceeding. The bill is clear in stating that a third party service contract could not be implemented until the legal process is resolved.

SB 414 also prescribes new steps in the process for conducting the required cost analysis. Firstly, it would prohibit government agencies from considering the value of assets that may be relinquished or sold as part of its cost analysis. For example, if a school district were to contract a third party to provide yellow bus service, the cost savings produced by the sale of the district's fleet could not be considered in the analysis. Additionally, the bill would require government agencies to contemplate the third party's potential profits as a result of the contract and require agencies to re-do cost analyses if, before finalizing a procurement contract, new information from bids or "other sources" is available.

Analysis

While Metro does not currently have many procurement contracts that would be impacted, SB 414 could potentially limit the agency's ability to contract with vendors with whom we currently do business. To be able to move the cost analysis of any project into judicial review would add cost and additional time to any project in which we may consider contracting out, limiting the agency's ability to pursue services that would indeed provide savings to taxpayers. Currently, Oregon law provides collective bargaining agreements that currently cover the concepts in this bill, such as complying with ORS 279, which sets forth the existing rules related to cost analyses.

SB 414 also adds the caveat that, in the initial cost estimate, Metro would be responsible for estimating the contractors profit in any potential cost analysis. This would be an incredibly complex calculation, subject to interpretation and add additional costs in the potential of any appeals of awarding contracts to a vendor. This would also put us in the position of interpreting what level of profit is "good" or "bad."

With regard to the impact of new information on the cost analysis process, SB 414 is ambiguous as to what information would justify such a review, while at the same time implementing a new legal process to determine whether or not a government agency conducted a cost analysis and procurement correctly.

And finally, to disregard the sale of assets or the cost of replacing an asset in a cost analysis, makes an apples-to-apples comparison for cost analysis all but moot. A true cost analysis should take into account all costs and benefits, including the sale of or the replacement of assets in the project.

Staff Recommendation: Oppose