# Council meeting agenda

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

**Thursday, March 3, 2022** **10:30 AM** **https://zoom.us/j/615079992 (Webinar ID: 615079992) or 888-475-4499 (toll free)**

**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/615079992 (Webinar ID: 615079992) or by calling 888-475-4499 (toll free).**

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**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. Written comments received by 4PM the day before 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. 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. Individuals will have three minutes to testify unless otherwise stated at the meeting.

**3. Consent Agenda**

3.1 Consideration of the January 20, 2022 Council Meeting Minutes — 22-5661

Attachments: 012022c Minutes

3.2 Resolution 22-5247, For the Purpose of Re-appointing Members of the Natural Areas and Capital Program Performance Oversight Committee — RES 22-5247

Attachments: Resolution No. 22-5247.pdf
Staff Report.pdf
Exhibit A

3.3 Resolution No. 22-5248, For the Purpose of Adopting a Project Work Plan to Develop the Garbage and Recycling System Facilities Plan — RES 22-5248

Attachments: Staff Report
Resolution No. 22-5248
Exhibit A to Resolution No. 22-5248

**4 Resolutions**

4.1 Resolution No. 21-5215, For the Purpose of Amending the FY 2021-22 Unified Planning Work Program (UPWP) to Amend the Funding and Add Detail to the Existing I-5 Boone Bridge Planning Project — RES 21-5215

Presenter(s): Margi Bradway (she/her), Metro
John Mermin (he/him), Metro
Chris Ford (he/him), ODOT
Scott Turnoy (he/him), ODOT
Vanessa Vissar (he/him), ODOT

Attachments: Resolution No. 21-5215
Exhibit A
Staff Report

**5. Chief Operating Officer Communication**

**6. Councilor Communication**

**7. Adjourn**

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលពាក្យបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែកាសានៅពេលអង្គប្រជុំសាធារណៈ: សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

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February 2017

## Television schedule for Metro Council meetings

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

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Agenda Item No. 3.1

**Consideration of the Council meeting minutes for January 20, 2022**
*Consent Agenda*

Metro Council Meeting
Thursday, March 03, 2022

# Metro

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

# Minutes

**Thursday, January 20, 2022**

**10:30 AM**

**Revised 1/19**

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

## Council meeting

## 1. Call to Order and Roll Call

Deputy Council President Lewis called the Metro Council Meeting to order at 10:32 a.m.

**Present:** 6 - Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

**Excused:** 1 - Council President Lynn Peterson

## 2. Public Communication

Deputy Council President Lewis opened the meeting to members of the public wanting to testify on a non-agenda items.

There was none.

## 3. Presentations

3.1 National Penguin Day

Deputy Council President Lewis introduced Travis Koons, (he/him), Oregon Zoo.

Staff presented live video of the Penguins.

*Council Discussion*

Councilor Gonzalez expressed his love for penguins and appreciation of zoo staff. He asked Travis to share how climate change is impacting the penguin's natural habitats.

Travis explained they are mostly affected by ocean warming patterns that are reducing the penguin's food supply.

Councilor Rosenthal asked where their natural habitat is.

Travis answered their habitat is near the coast of Peru and surrounding areas.

Deputy Council President Lewis commented on the bond passed in 2008 which supports water systems at the zoo.

Councilor Craddick thanked Travis for joining the council meeting and giving the councilors the ability to bring awareness to the penguins.

Seeing no further discussion on the topic, Deputy Council President Lewis moved on to the next agenda item.

**4. Consent Agenda**

Deputy Council President Lewis called for a motion to approve the Consent Agenda.

Councilor Gonzalez pulled agenda item 4.4, Resolution No. 21-5215, For the Purpose of Amending the FY 2021-22 Unified Planning Work Program (UPWP) to Amend the Funding and Add Detail to the Existing I-5 Boone Bridge Planning Project off the consent agenda and asked to add it to the resolution section of the meeting.

Resolution No. 21-5215 was pulled from the consent agenda and added to the resolution section of the meeting.

**A motion was made by Councilor Rosenthal, seconded by Councilor Craddick, to adopt items on the consent agenda. The motion passed by the following vote:**

**Aye:** 5 - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson, and Councilor Nolan

4.1 Considerations of the Council Meeting Minutes for the December 9, 2021 Meeting

4.2 Resolution No. 21-5211, For the Purpose of amending the FY 2021-22 Unified Planning Work Program (UPWP) to Add the Sunrise Gateway Corridor Community Visioning Project That was Funded Since the UPWP

was Adopted

4.3 Resolution No. 22-5233, For the Purpose of Authorizing the Chief Operating Officer to Purchase Certain Property in the Clackamas River Greenway 2006 Target Area under the 2019 Natural Areas Bond Measure

4.5 Resolution No. 21-5216, For the Purpose of Amending the FY 2021-22 Unified Planning Work Program (UPWP) to Add the Regional Mobility Pricing Project that was Funded Since the UPWP was Adopted

**5. Resolutions**

5.1 Resolution No. 22-5243, Resolution Amending Resolution No. 20-5096 to Delegate Certain Putrescible Waste Authority to Metro's Chief Operating

Deputy Council President Lewis called on Roy Brower (he/him), Metro Director of Waste Prevention and Environmental Services, to present to Council.

Staff Explained this current resolution is amending the previous Resolution No.20-5096 and would allow Metro’s COO to delegate waste flow to alternative facilities during high waste periods. Roy explained the increase in waste is a result of staffing challenges, availability of equipment, and unusual weather.

*Council Discussion:*

Councilor Craddick thanked Roy for the update and asked for clarification on whether the company Waste Connections will be the permanent facility used to ship excess waste to.

Roy remarked Waste Connections was only an example of facilities that could be used.

Shane Abam explained this resolution is not permanent and is a result of Covid-19 and will end once the council ends the

emergency declaration previously adopted. Shane expressed It would be helpful to adopt this resolution for future emergencies when quick action is needed.

Councilor Rosenthal asked if Resolution No. 20-5096 has a termination date or if the council has to act to end it.

Shane responded that the resolution requires council action for termination.

Councilor Craddick expressed future support for making this resolution permanent.

Deputy Council President Lewis agreed future council conversation on this topic would be important to addressing future emergencies.

**A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this Resolution was adopted. The motion carried by the following vote:**

**Aye:** 5 - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson, and Councilor Nolan

5.2 Resolution No. 21-5229, For the Purpose of Creating and Appointing Members of the Tualatin Valley Highway Steering Committee

Deputy Council President Lewis called on Eryn Kehe (she/her), and Malu Wilkinson (she/her), Metro Investment Areas Manager, to present to Council.

Staff pulled up the TV Highway Steering Committee presentation to present to Council.

Eryn explained H.O.P.E is a grant that addresses transportation challenges in areas of consistent poverty.

She further illustrated goals for TV highway that include, public engagement, equitable development, grant outcomes, and partnerships. Finally, she concluded with the purpose of the TV Highway Steering Committee.

*Council Discussion:*

Councilor Rosenthal expressed delight that the Highway Steering committee is coming together quickly and asked if the committee will have designated representatives along with alternatives when committee members are not present.

Eryn shared that there is a process in place to have alternatives.

Councilor Craddick asked what process staff plans to follow in order to involve all groups along the corridor.

Eryn reported staff is working with organization who they have previously established relationships with to help reach other organizations, specifically smaller ones.

Councilor Hwang inquired about the timeline and asked if there could be a mechanism for this process to carry beyond the LPA timeline.

Eryn expressed hope that the equitable development strategy will help create a coalition that will go beyond the TV Highway project.

Councilor Gonzalez thanked staff for their work and expressed hope for community expertise that can help continue advocacy in this area.

Eryn shared that through the equitable development strategy staff hopes to have a focused conversations about the non-transportation needs of the TV Highway community.

Counselor Gonzalez followed up with asking if there is a precedent to hire people from the community to Metro to continue work such as being done with TV Highway.

Malu acknowledged that there is not a clear precedent set but pointed out that this process gives Metro an opportunity to think about implementing a similar model in the future.

Counselor Craddick cautioned to not create unachievable expectation about the project.

Eryn responded that staff is working to identify what is possible for TV Highway before having conversations with community members.

Counselor Rosenthal thanked Counselor Craddick for her comment and noted as co-chair of the Steering Committee he and counselor Gonzalez will look to staff for their advice going forward.

**A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this Resolution was adopted. The motion carried by the following vote:**

**Aye:** 5 - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson, and Councilor Nolan

5.3 Resolution No. 22-5236, For the Purpose of Authorizing an Exemption from Competitive Bidding and Procurement of Construction Manager/General Contractor Services by Competitive

Request For Proposals for the Oregon Zoo Black Bear Improvement Project

Deputy Council President Lewis recessed the Metro Council and reconvened as the Metro Contract Review Board.

Deputy Council President Lewis called on Staci Pfau, Metro Contract manager, and Deanna Podbielan, Metro Procurement analyst to present to Council.

Staff asked Local contract review board to authorize an alternative procurement method for the Oregon Zoo Black Bear Project.

*Council Discussion:*

Counselor Rosenthal asked if animal welfare/ habitat is considered in the qualifications under the contract selection and expressed it should be specifically mentioned in the criteria.

Staff responded animal welfare/ habitat experience is taken into account in the RIP process for contractor selection along with other required qualifications.

Counselor Craddick asked if Metro will have an experienced general manger on metro staff that will work with the contractor through the process if needed support arises.

**A motion was made by Councilor Nolan, seconded by Councilor Gonzalez, that this Resolution was adopted. The motion carried by the following vote:**

**Aye:** 6 - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 1 - Council President Peterson

5.3.1 Public Hearing for Resolution No. 22-5236

Deputy Council President Lewis opened public hearing to the

resolution.

There was none.

4.4 Resolution No. 21-5215, For the Purpose of Amending the FY 2021-22 Unified Planning Work Program (UPWP) to Amend the Funding and Add Detail to the Existing I-5 Boone Bridge Planning Project

Deputy Council President Lewis adjourned the Metro Contract Review Board and reconvened as the Metro Council.

Deputy Council President Lewis called on Margi Bradway, Metro Deputy Director of The Planning Department, and John Mermen Metro.

Staff explained the plans for the Boon Bridge Project.

*Council Discussion:*

Councilor Gonzalez explained he pulled the item off the consent agenda in order to develop a deeper understanding of the project plans.

Deputy Council President Lewis removed the resolution off the agenda after councilor Hwang expressed the he would like to receive additional information about the project.

Councilor Craddick expressed since this project was not on the constrained list originally, the process fells like a back door effort. She then asked what impact removing the resolution off the agenda has on the project.

Staff explained they encourage partners to do work in the UPWP phase. They also explained removing it from the agenda means the planning work is delayed but there are no constructions impacts.

Councilors Nolan also expressed wanting more information in advanced so councilors can have time to thoroughly digest and understand the project plans.

**This item was tabled.**

## 6. Ordinances (Second Reading)

6.1 Ordinance No. 22-1475, For the Purpose of Amending Metro Code Chapter 11.01 to Align Certain Sections with Terms in the Supportive Housing Services Intergovernmental Agreements with Multnomah, Clackamas, and Washington Counties

The first reading and public hearing for Ordinance No. 22.1475 took place on Thursday, January 13th .

Deputy Council President Lewis called on Patricia Rojas, Regional Housing Director Metro, to present to Council.

Staff pulled up the Metro Council Meeting Ordinance 22-1475 presentation to present to Council.

Staff explained this Ordinance was brought to council for the purpose of amending Metro code chapter 11.01 to align certain sections with terms in the Supportive Housing Services intergovernmental agreements with Multnomah, Clackamas and Washington counties.

**A motion was made by Councilor Rosenthal, seconded by Councilor Craddick, that this Ordinance was adopted. The motion carried by the following vote:**

**Aye:** 6 - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 1 - Council President Peterson

## 7. Chief Operating Officer Communication

Marissa Madrigal provided an update on the following events or items:

- Budget note amended number 1
- Expo development opportunity study and engagement work

Councilor Rosenthal asked if the use of Expo center as a Covid-19 rapid testing site is being moved to Multnomah county.

Marissa responded testing is transferring from OHSU to OHA.

**8. Councilor Communication**

Councilors provided updates on the following meetings and events:

- Deputy Council President Lewis provided an update on the Willamette Falls Locks Commission.
- Councilor Hwang provided an update Parks and Nature Implementation measure.
- Councilor Craddick provided information on the 1/20/2022 JPACT meeting.

Councilor Rosenthal asked if the regionally tolling pricing applies to Washington.

Councilor Craddick responded that it does not apply to Washington.

**9. Adjourn**

There being no further business, Deputy President Lewis adjourned the Metro Council Meeting at 12:15 p.m.

Respectfully submitted,

*Brianna Dolbin*

Brianna Dolbin, Legislative Assistant

**Revised 1/19**

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

# Council meeting action update

**Thursday, January 20, 2022 10:30 AM**
**https://zoom.us/j/615079992 (Webinar ID: 615079992) or 888-475-4499 (toll free)**

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

**Present:** 6 - Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang
**Excused:** 1 - Council President Lynn Peterson

**4. Consent Agenda**

**A motion was made by Councilor Rosenthal, seconded by Councilor Craddick, to adopt items on the consent agenda. The motion passed by the following vote:**
**Yes: 5** - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, and Councilor Hwang
**Excused: 2** - Council President Peterson, Councilor Nolan

4.1 Considerations of the Council Meeting Minutes for the December 9, 2021 Meeting

4.2 **Resolution No. 21-5211**, For the Purpose of Amending the FY 2021-22 Unified Planning Work Program (UPWP) to Add the Sunrise Gateway Corridor Community Visioning Project That was Funded Since the UPWP Was Adopted

4.3 **Resolution No. 22-5233**, For the Purpose of Authorizing the Chief Operating Officer to Purchase Certain Property in the Clackamas River Greenway 2006 Target Area Under the 2019 Natural Areas Bond Measure

4.5 **Resolution No. 21-5216**, For the Purpose of Amending the FY 2021-22 Unified Planning Work Program (UPWP) to Add the Regional Mobility

Pricing Project That Was Funded Since the UPWP Was Adopted

## 5. Resolutions

5.1 **Resolution No. 22-5243**, Resolution Amending Resolution No. 20-5096 to Delegate Certain Putrescible Waste Authority to Metro's Chief Operating Officer

**A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this Resolution was adopted. The motion carried by the following vote:**

**Yes: 5** - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, and Councilor Hwang

**Excused: 2** - Council President Peterson and Councilor Nolan

5.2 **Resolution No. 21-5229**, For the Purpose of Creating and Appointing Members of the Tualatin Valley Highway Steering Committee

**A motion was made by Councilor Gonzalez, seconded by Councilor Rosenthal, that this Resolution was adopted. The motion carried by the following vote:**

**Yes: 5** - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Rosenthal, and Councilor Hwang

**Excused: 2** - Council President Peterson and Councilor Nolan

5.3 **Resolution No. 22-5236**, For the Purpose of Authorizing an Exemption From Competitive Bidding and Procurement of Construction Manager/General Contractor Services by Competitive Request for Proposals for the Oregon Zoo Black Bear Improvement Project

**A motion was made by Councilor Nolan, seconded by Councilor Gonzalez, that this Resolution was adopted. The motion carried by the following vote:**

**Yes: 6** - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused: 1** - Council President Peterson

4.4 **Resolution No. 21-5215**, For the Purpose of Amending the FY 2021-22 Unified Planning Work Program (UPWP) to Amend the Funding and Add Detail to the Existing I-5 Boone Bridge Planning Project

**This item was tabled.**

## 6. Ordinances (Second Reading)

6.1 **Ordinance No. 22-1475**, For the Purpose of Amending Metro Code Chapter 11.01 to Align Certain Sections With Terms in the Supportive Housing Services Intergovernmental Agreements With Multnomah, Clackamas, and Washington Counties

**A motion was made by Councilor Rosenthal, seconded by Councilor Craddick, that this Ordinance was adopted. The motion carried by the following vote:**

**Yes: 6** - Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused: 1** - Council President Peterson

**PLEASE NOTE**: Official copies of legislation will be available in electronic format via format via Metro Online Records. For assistance, please contact Becky Shoemaker, Metro Records Officer at ext. 1740.

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 20, 2022**

| ITEM | DOCUMENT TYPE | DOC DATE | DOCUMENT DESCRIPTION | DOCUMENT NO. |
|---|---|---|---|---|
| **1.0** | Powerpoint | 1/20/2022 | Ordinance No. 22-1475 Presentation Powerpoint | 012022c-01 |
| **2.0** | Powerpoint | 1/20/2022 | TV Highway Steering Committee Presentation Powerpoint | 012022c-02 |

Agenda Item No. 3.3

**Resolution 22-5247,** For the Purpose of Re-appointing Members of the Natural Areas and Capital Program Performance Oversight Committee

*Resolutions*

Metro Council Meeting
Thursday, March 03, 2022

BEFORE THE METRO COUNCIL

| | | |
|---|---|---|
| FOR THE PURPOSE OF RE-APPOINTING MEMBERS TO THE NATURAL AREAS AND CAPITAL PROGRAM PERFORMANCE OVERSIGHT COMMITTEE | ) ) ) ) ) | RESOLUTION NO. 22-5247<br><br>Introduced by Chief Operating Officer Marissa Madrigal with the Concurrence of Metro Council President Lynn Peterson |

WHEREAS, at the general election held on November 5, 2019, Metro Area voters approved the 2019 Parks and Nature Bond Measure ("Bond Measure"), authorizing the issuance of general obligation bonds in an amount not to exceed $475,000,000.00 for the purpose of funding natural area and water quality protection and to connect people to nature close to home; and

WHEREAS, the Bond Measure calls for community oversight and states that an independent community oversight committee will review bond expenditures and provide annual reports; and

WHEREAS, Metro Code Chapter 2.19.220 creates and governs the Natural Areas and Capital Program Performance Oversight Committee, which consists of 9 to 21 members, appointed by the Metro Council President and subject to confirmation by the Metro Council; and

WHEREAS, in Resolution No. 21-5155, the Metro Council confirmed the Council President's appointment of 19 members to the Committee; and

WHEREAS, the Metro Council President has reappointed 9 members to the Committee to serve an additional two-year term, as set forth in Exhibit A; and

WHEREAS, the Metro Council desires to confirm the Metro Council President's appointments; now therefore,

BE IT RESOLVED that the Metro Council confirms the appointments to the Natural Areas and Capital Program Performance Oversight Committee as set forth on Exhibit A.

ADOPTED by the Metro Council this ___ day of _____ 2022.

_____
Lynn Peterson, Council President

Approved as to Form:

_____
Carrie MacLaren, Metro Attorney

**Exhibit A to the Resolution No. 22-5247**

**Natural Areas and Capital Program Performance Oversight Committee**
**Committee Member Re-appointments for 2022**

The following persons will be appointed to a two year term beginning in 2022 and eligible to serve two additional two-year terms thereafter:

| | |
|---|---|
| John Ferguson | Former geotechnical engineer |
| Shantae Johnson | Owner, Mudbone Grown LLC |
| Michelle Lin | Oregon Food Bank |
| PK Melethil | Environmental Scientist, private practitioner |
| Tabitha Palmer DuPau | Underwriting Counsel, Fidelity National Title Group |
| Vivek Shandas | Professor, Portland State University |
| Shannon Shoul | Director, Procurement Sustainability |
| Erin Upton | Environmental social scientist and landscape architect |

IN CONSIDERATION OF RESOLUTION NO. 22-5247 FOR THE PURPOSE OF RE-APPOINTING MEMBERS TO THE NATURAL AREAS AND CAPITAL PROGRAM PERFORMANCE OVERSIGHT COMMITTEE

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Date: February 11, 2022 Prepared by: Beth Cohen
Department: Parks and Nature
Meeting Date: March 3, 2022

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**ISSUE STATEMENT**

Independent community oversight has been essential to Metro's accountability and delivery on promises made to voters in its funding measures. In February 2021, the Metro Council established the Natural Areas and Capital Program Performance Oversight Committee, charged with providing independent and transparent oversight Metro's use of capital funds from the $475 million 2019 parks and nature bond, the parks and natural areas local option levy and remaining funds from the 2006 natural areas bond, and confirmed the appointment of a slate of 19 members.

Metro Council Ordinance No. 21-1460, which established the oversight committee in Metro Code section 2.19.222, states that the Committee will be composed of no fewer than 9 and no more than 21 members and that committee members can serve up to three two-year terms. In order to avoid the entire committee membership turning over at the same time, half the committee members were appointed to an initial one-year term and half the members were appointed to an initial two-year term.

The purpose of Resolution No. 22-5247 is to re-appoint individuals appointed for a one-year term in 2021 to serve on the Natural Areas and Capital Program Performance Oversight Committee for a second term.

**ACTION REQUESTED**

Staff requests approval of Resolution No. 22-5247 to re-appoint individuals to serve on the Natural Areas and Capital Program Performance Oversight Committee.

**IDENTIFIED POLICY OUTCOMES**

The current makeup of the oversight committee reflects the Council's direction for members to bring a deep understanding of conservation values and racial equity as well as multiple complementary backgrounds and knowledge across a range of topics including conservation, habitat and biodiversity, finance, working lands, understanding of the disability community and the urban Indigenous community and of issues around tribal sovereignty.

The Metro Council has asked the oversight committee to monitor how bond implementation activities are meeting the direction in the bond measure, to monitor financial aspects of program administration and to share with the Metro Council related concerns or recommendations to help adjust work moving forward.

**STAFF RECOMMENDATIONS**

Staff recommends that the Metro Council approve Resolution No. 22-5247 to re-appoint individuals to serve on the Natural Areas and Capital Program Performance Oversight Committee.

**BACKGROUND**

In February 2021, the Metro Council amended the Metro code to establish the Natural Areas and Capital Program Performance Oversight Committee and approved a slate of 19 members to serve on the committee to represent the region and bring diverse expertise.

The oversight committee has been meeting since April 2021 and has been focused on building the foundations for oversight work through affirmation of bylaws and group agreements, focused discussions on the 2019 parks and nature bond and programs within and the three bond criteria. The committee is currently focused on developing a year one report back to the Metro Council expected in spring 2022. Of the 19 members initially appointed, 17 are electing to continue to serve.

There will be opportunities for additional recruitment of members as early as fall 2022 based on committee membership and Council direction.

**ATTACHMENTS**

Exhibit A to the resolution (list of members for re-appointment)

Agenda Item No. 3.4

**Resolution No. 22-5248,** For the Purpose of Adopting a Project Work Plan to Develop the Garbage and Recycling System Facilities Plan

*Resolutions*

Metro Council Meeting
Thursday, March 03, 2022

BEFORE THE METRO COUNCIL

| | | |
|---|---|---|
| FOR THE PURPOSE OF ADOPTING A PROJECT WORK PLAN TO DEVELOP THE GARBAGE AND RECYCLING SYSTEM FACILITIES PLAN | ) ) ) ) ) | RESOLUTION NO. 22-5248<br><br>Introduced by Chief Operating Officer Marissa Madrigal with the concurrence of Council President Lynn Peterson |

WHEREAS, Metro is responsible for planning and overseeing the garbage and recycling system in the greater Portland area and that system is composed of a network of public, private and non-profit owned facilities that provide disposal, waste transfer, recycling and reuse services to over 1.6 million people in the greater Portland region; and

WHEREAS, the 2030 Regional Waste Plan adopted by Metro Council Ordinance No. 19-1431 in March 2019 is the long-range blueprint for managing toward a healthier, more resilient and more equitable garbage and recycling system; and

WHEREAS, the 2030 Regional Waste Plan sets goals and policies for the region to reduce the amount of waste it generates, promote greater reuse and recycling of items, and manage the waste that is leftover in a manner that protects the environment and public health, gets the best value for the public's money, and advances racial equity, diversity and inclusion in the region; and

WHEREAS, to support implementation of the 2030 Regional Waste Plan, Metro Council is directing the Waste Prevention and Environmental Services Department to develop a Garbage and Recycling System Facilities Plan that will be guided by the same Values, Principles and Vision of the Regional Waste Plan and outline future infrastructure investments and services needed to fulfill Regional Waste Plan goals over the next 20 years; and

WHEREAS, the process outlined in Exhibit A to develop the Garbage and Recycling Facilities Plan will assess the region's current public, private and non-profit garbage, recycling and reuse infrastructure, identify service gaps and infrastructure needs, and present potential approaches and a plan for future system investments; and

WHEREAS, the Garbage and Recycling System Facilities Plan is proposed to include a summary of Metro Council's direction on policy and values for developing the plan; an overview of the facility-based garbage, recycling and reuse services necessary for achieving the goals of the 2030 Regional Waste Plan; a description of the current and anticipated gaps in those services; alternative scenarios for the public, private and non-profit sectors to fill the gaps or mitigate the need to fill them over the next 20 years; and an implementation plan and financing options for Metro's role in advancing the plan and building new facilities; and

WHEREAS, the scenarios developed for the Garbage and Recycling System Facilities Plan will consider projects such as the construction of new facilities, incorporation of new services in existing facilities, and non-facility based alternatives, if practical, and the scenarios will consider costs and ratepayer impacts and will elevate the needs of communities of color and other groups historically underserved or impacted by the solid waste system; and

WHEREAS, the Garbage and Recycling Facilities Plan project will not develop detailed financial pro forma statements for filling each identified service gap; detailed estimates of the costs of

implementing non-facility based actions in the 2030 Regional Waste Plan; or itemized lists of the services, staffing, equipment and specific site locations of future facilities; and

WHEREAS, the Garbage and Recycling Facilities Plan development process is proposed to be conducted in five phases between February 2022 and summer 2023 and will seek input at key decision points from Metro Council, the Metro Policy Advisory Committee, the Regional Solid Waste Advisory Committee and the Committee on Racial Equity, concluding with Metro Council considering adoption of the plan during the final phase; and

WHEREAS, the engagement efforts conducted during the Garbage and Recycling System Facilities Plan development process will seek participation of all potentially affected and interested individuals, communities and organizations, as well as local governments, businesses, reuse organizations and advocacy organizations, and while those engagement efforts will conduct outreach to the general public through a variety of means, particular emphasis will be placed on engaging communities of color, urban indigenous peoples and tribal nations and other communities who may be more directly impacted by the decisions that affect the garbage and recycling system, but may have fewer opportunities to influence and shape that system; now therefore,

BE IT RESOLVED that the Metro Council:

1. Approves the Garbage and Recycling System Facilities Plan project work plan, attached as Exhibit A.

ADOPTED by the Metro Council this 3rd day of March 2022.

_____

Lynn Peterson, Council President

Approved as to Form:

_____

Carrie MacLaren, Metro Attorney

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

# Garbage and Recycling System Facilities Plan

## Project Work Plan

February 2, 2022

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.**

In a metropolitan area as big as Portland, we can do a lot of things better together. Join us to help the region prepare for a happy, healthy future.

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Gerritt Rosenthal, District 3
Juan Carlos González, District 4
Mary Nolan, District 5
Duncan Hwang, District 6

**Auditor**
Brian Evans

600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1700

# Table of Contents

Purpose and Background ..... 4
Policy Foundation and Guidance ..... 5
Project Overview ..... 6
Project Organization ..... 6
Project Work Plan ..... 8

## Purpose and Background

The purpose of this document is to outline the project work plan, including the planning process and engagement approach, for developing the Garbage and Recycling System Facilities Plan.

The Garbage and Recycling System Facilities Plan, adopted by Metro Council, will outline future infrastructure investments and services needed to fulfill the goals in the 2030 Regional Waste Plan.

The planning process will assess the region's current public, private and non-profit garbage, recycling and reuse infrastructure, identify services gaps, and present potential approaches and a plan for future system investments. Specifically, the plan will include:

1. An overview of the facility-based garbage, recycling and reuse services necessary for achieving the goals of the 2030 Regional Waste Plan,
2. The current and anticipated gaps in those services,
3. Alternative scenarios for the public, private and non-profit sectors to fill the gaps or mitigate the need to fill them over the next 20 years, and
4. An implementation plan and financing options for Metro's role in advancing the plan and building new facilities.

The scenarios may include construction of new facilities, incorporation of new services in existing facilities, and non-facility based alternatives, if practical. The scenarios will consider costs and ratepayer impacts, and will elevate the needs of communities of color and other groups historically underserved or impacted by the solid waste system. The plan resulting from this project will support strategic decision-making by Metro to deliver long-term solutions through 2030 and beyond. The plan will be completed in five phases from February 2022 to June 2023.

## Policy Foundation and Guidance

Metro has broad authority, from the Metro Charter, the Oregon Constitution, and Oregon statutes, for planning, managing and overseeing the regional solid waste system. In 1987, the Metro Council designated solid waste as an area and activity appropriate for a functional plan (Metro Ordinance 87-740), recognizing the complexity of managing this system across two dozen cities and portions of three counties, over a million residents, thousands of businesses and many solid waste service providers. This complexity demands regional coordination.

The 2030 Regional Waste Plan, adopted by the Metro Council, is the greater Portland area's long-range blueprint for managing and reducing the environmental impacts of goods consumed in the region, from production to disposal. The plan sets goals and policies for the region to reduce the amount of waste it generates, promote greater reuse and recycling of items, and manage the waste that is leftover in a manner that protects the environment and public health, gets the best value for the public's money, and advances racial equity, diversity and inclusion in the region.

This plan will build on the 2030 Regional Waste Plan to implement facility based goals and needs and will be guided by the same Values, Principles and Vision. The principles of Community Restoration and Partnership, specifically call for:

- Actively including communities that have been historically marginalized from decision-making processes,
- Equitably distributing costs and benefits, taking into account historical system impacts,
- Expanding the voice and decision-making opportunities for communities of color, and
- Supporting resilient community relationships by creating ongoing opportunities for leadership development

**2030 Regional Waste Plan Guidance**

**Values**

Protect and Restore the Environment and Promote Health for All

Conserve Natural Resources

Advance Environmental Literacy

Foster Economic Well-being

Ensure Operational Resiliency, Adaptability and Sustainability

Provide Excellent Service and Equitable System Access

**Principles**

**Community Restoration**
Take action to repair past harms and disproportionate impacts caused by the regional solid waste system

**Community Partnership**

Develop authentic partnerships and community trust to advance the plan's vision

**Community Investment**
Emphasize resource allocation to communities of color and historically marginalized communities

Specifically, this plan will advance Goal 16 of the 2030 Regional Waste Plan: 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. The seven actions within this goal, and others in the plan, lay the framework for the work necessary to ensure that a more equitable garbage and recycling system is in place.

## Project Overview

The Garbage and Recycling System Facilities Plan will serve as a companion document for implementing the 2030 Regional Waste Plan. From February 2022 to summer 2023, Metro will engage the public and local government partners to develop the new plan, which will be completed in five major phases.

| | |
|---|---|
| **Phase 1: Policy Direction and Values** | Develop a shared understanding of existing policy guidance and commitment to values that will guide the development of the plan. |
| **Phase 2: Gap Analysis** | Identify current and future gaps in the garbage and recycling system that include public, private and non-profit facilities. |
| **Phase 3: Scenarios Development** | Develop alternative future scenarios to consider tradeoffs of different paths forward and select a preferred scenario. |
| **Phase 4: Implementation Strategy** | Metro Council endorses facility priorities and financing options for plan implementation. |
| **Phase 5: Plan Adoption** | Metro Council considers adoption of the Garbage and Recycling System Facilities Plan. |

The project will not include detailed financial pro forma statements for filling each identified service gap, detailed estimates of the costs of implementing non-facility based actions from the 2030 Regional Waste Plan, or itemized lists of the services, staffing, equipment and specific site location of future facilities.

## Project Organization

The development of the Garbage and Recycling System Facilities Plan will involve a wide range of individuals, formal bodies and informal groups. Metro is responsible for the overall development of the plan, engaging others and adoption of the final plan.

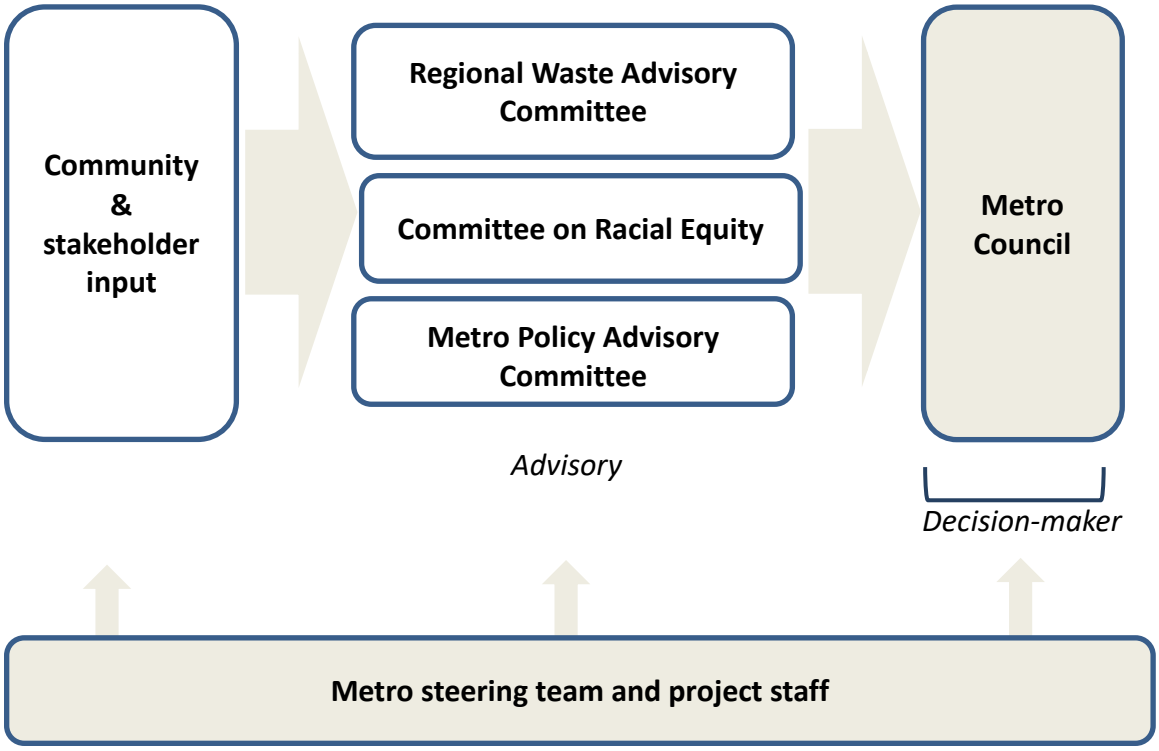
The Metro Policy Advisory Committee, Regional Solid Waste Advisory Committee and Committee on Racial Equity will provide input at key decision points. Integral to this decision-making process is providing timely opportunities for community partners and the public to provide input to these advisory committees.

The engagement efforts will seek participation of all potentially affected and interested individuals, communities and organizations. While Metro will engage the general public at large through a variety of means, particular emphasis will be placed on engaging communities of color, urban indigenous peoples and tribal nations and other communities

who may be more directly impacted by the decisions that affect the garbage and recycling system, but may have fewer opportunities to influence and shape that system.

Local governments will be engaged through Metro Council formal advisory committees, as well as through forums and other activities. Engagement will also include participation by businesses, reuse organizations and advocacy organizations.

To help develop the plan, Metro will use a combination of Metro staff and consultants. The process for selecting the consultants will encourage participation by COBID-certified firms and consultants with expertise in engaging historically-marginalized communities and developing programs and services that advance racial equity.



## Project Work Plan

The development of the Garbage and Recycling System Facilities Plan will be completed from February 2022 to summer 2023.

**Timeline for Garbage and Recycling System Facilities Plan**

**Project Milestones**

| | |
|---|---|
| **February 2022** | Metro Council has understanding of project and future roles in plan development. |
| **April 2022** | Metro Council endorses values and assumptions that will guide plan development. |
| **August 2022** | Metro Council had understanding of the gap analysis and needs. |
| **December 2022** | Metro Council endorses scenario for plan implementation. |
| **April 2023** | Metro Council endorses facility priorities and financing approach for plan implementation. |
| **Summer 2023** | Metro Council considers adoption of the Garbage and Recycling System Facilities Plan. |

## Phase 1 | Policy Direction and Values — February – April 2022

**Objective:** Develop an understanding of existing facilities policy guidance in previous reports and plans, goals in the 2030 Regional Waste Plan that guide the management of garbage and recycling facilities and what community feedback has already been provided to understand to create a baseline for beginning the plan.

The purpose of the first phase is to review existing guidance that will guide plan development:

- A review of existing Metro Council policy guidance documents related to advancing racial equity and environmental justice, environmental sustainability and green building, disaster resilience, industrial lands, and other relevant topics.
- A review of both internal and external plans and reports that address facilities needs for direction and potential gaps and questions to be answered in Phase 2.
- A summary of Regional Waste Plan values, principles and goals that apply to the development of facility-based infrastructure and services to be used as a framework throughout the plan development.
- Capture all previous stakeholder feedback received during the development of the Regional Waste Plan related to facilities and identify any gaps that can inform the engagement and outreach strategy.
- A review of facilities plans in other jurisdictions that can guide plan development, but specifically around scenario development, implementation approach and financing options.
- Learnings, assumptions, opportunities and challenges from the Jennifer St. and Cornelius property process.
- Best practices from other jurisdictions on facility plan development.

The outcome of this phase will be a baseline of existing plans goals and feedback given related to garbage and recycling facilities, as well as Council's direction on policy and values that will guide the development of the plan.

**Key Activities**

| | |
|---|---|
| **Planning** | • Review and summarize existing plans and reports<br>• Summary of Regional Waste Plan goals related to facilities<br>• Summary of existing community feedback<br>• Summary of key findings and recommendations from other facilities plans and recent experiences |
| **Engagement** | • Discussion with Regional Waste Advisory Committee<br>• Discussion with Committee on Racial Equity<br>• Discussion with Metro Policy Advisory Committee<br>• Discussion with Metro Council<br>• Community and stakeholder engagement activities |

| | |
|---|---|
| **Milestones** | • Metro Council endorses values and policy direction |
| **Deliverables** | • Summary report of existing plans and reports<br>• Summary of existing community and stakeholder input<br>• Summary of Council's policy guidance and values |

**Phase 2: Gap Analysis** **May – August 2022**

**Objective**: Establish current and future gaps in the garbage and recycling system that include public, private and non-profit facilities and develop a scenario based approach to filling those gaps.

The purpose of this phase is to develop an understanding of what materials and services require a facility for collection, processing or retailing and then look at what facilities currently provide these and where gaps exist in the present and 20 years in the future.

The work in this phase includes multiple areas of analysis. First, summarizing the Metro region's existing facilities within the public-private solid waste system and how the system is currently managed, regulated, and financed. Second, identifying the facility-based services necessary to achieve the goals of the 2030 Regional Waste Plan, including a review of all Regional Waste Plan goals that address facilities, as well as Senate Bill 582 and other policies. Third, identifying gaps related to managing materials prioritized in the Regional Waste Plan; considering hard to collect or recycle materials, current and potential end markets for materials, advancing racial equity, diversity, and inclusion principles outlined in the Regional Waste Plan, as well as resiliency; ensuring services are geographically distributed throughout the region; and preparing for regional and sub-regional population growth.

When looking into the future, some amount of visioning will be required, especially around current and future policy and how it plays into the development of facilities. The analysis will also be data- and spatially-driven, focusing on current facilities and existing gaps in the services they provide and highlighting who benefits and who is left out or burdened in the region. A close examination of how filling these gaps may impact communities both positively and negatively will be included in this phase.

Key questions will include:

- What are the different types of facilities that would best meet the gaps (large sub-regional facilities, smaller localized sites/depots, etc.)?
- How many and where these facilities should be located to best meet regional customer needs, based on racial equity, geographic and growth considerations and resiliency?
- Where are the reuse and repair services located?

During this phase, community and stakeholders will be engaged through a variety of approaches ranging from surveys, listening sessions, roundtables and workshops to collect input on needs and guidance.

**Key Activities**

| | |
|---|---|
| **Planning** | • Develop list of material and services to use in gap analysis<br>• Establish spatial criteria for gap analysis<br>• Identify current and future land use trends |
| **Engagement** | • Engage community and stakeholders to provide input on needs and gaps<br>• Discussion with Regional Waste Advisory Committee<br>• Discussion with Committee on Racial Equity<br>• Discussion with Metro Policy Advisory Committee<br>• Discussion with Metro Council |
| **Milestones** | • Metro Council reviews gap analysis |
| **Deliverables** | • Community engagement summary<br>• Gap analysis report |

## Phase 3: Scenarios Development September – December 2022

**Objective**: Develop a preferred scenario for future system investments.

This includes developing a set of alternative scenarios to identify tradeoffs or balance in terms of the policy direction and values developed in Phase 1. This phase will include engagement of interested persons from communities of color and other marginalized communities, along with representatives of local governments, the garbage and recycling industry and the reuse sector, in a variety of different forums to outline up to three potential scenarios for how the region's garbage and recycling system might look in the future and what it could achieve.

**Key Activities**

| | |
|---|---|
| **Planning** | • Develop outcome based scenarios for filling gaps |
| **Engagement** | • Engage community and stakeholders to provide input on the scenarios<br>• Discussion with Regional Waste Advisory Committee<br>• Discussion with Committee on Racial Equity<br>• Discussion with Metro Policy Advisory Committee<br>• Discussion with Metro Council |
| **Milestones** | • Metro Council endorses a preferred scenario |

| | |
|---|---|
| **Deliverables** | • Community input summary<br>• Scenario approaches to be used in filling facilities gaps |

## Phase 4: Implementation Strategy November 2022 – April 2023

**Objective:** Develop an implementation strategy with facility prioritization and financing options available for public financing and incentives and policy for the private and non-profit sectors, as well as measurements for success.

A framework to prioritize facility investments will be developed with Metro Council. Staff will also review with Council funding mechanisms available for any facilities best suited for public ownership and how Metro could approach private and non-profit ownership. Indicators will be developed to measure success of the plan's implementation over time and how those will be tracked and shared.

A tool kit will be developed for siting facilities that will include a current list of policies and other considerations to be used in siting and development, such as Capital Asset Management Plans, sustainability plans, C2P2 goals, and resiliency plans.

The outcome of this phase will be a prioritization list with finance options and other resources available to implement them, such as policy and incentives.

**Key Activities**

| | |
|---|---|
| **Planning** | • Gap prioritization<br>• Development of financing and other tools available to implement plan<br>• Toolkit for siting and developing facilities<br>• Indicators and reporting on plan's success |
| **Engagement** | • Discussion with Regional Waste Advisory Committee<br>• Discussion with Committee on Racial Equity<br>• Discussion with Metro Policy Advisory Committee<br>• Present prioritization list and finance options to Metro Council |
| **Milestones** | • Metro Council endorses priorities and understands options for financing and incentives for plan implementation |
| **Deliverables** | • Facilities prioritization list<br>• Finance options<br>• Implementation Toolkit of siting considerations<br>• Indicators and measurement for plan success |

## Phase 5: Plan Adoption — May – summer 2023

**Objective:** Engage stakeholders in review of the plan and bring to the Metro Council for adoption.

The purpose of this phase is to draft the plan based on the findings and guidance and present the plan to key decision-makers and the community for review.

**Key Activities**

| | |
|---|---|
| **Planning** | • Draft plan and technical documentation |
| **Engagement** | • Release plan for public comment<br>• Discussion with Regional Waste Advisory Committee<br>• Discussion with Committee on Racial Equity<br>• Discussion with Metro Policy Advisory Committee<br>• Metro Council reviews and considers plan for adoption |
| **Milestones** | • Metro Council considers adopting the Garbage and Recycling System Facilities Plan |
| **Deliverables** | • Community input report<br>• Draft plan<br>• Final adopted plan |

**Exhibit “A” to Resolution No. 22-5248**

**STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 22-5248 FOR THE PURPOSE OF ADOPTING A PROJECT WORK PLAN TO DEVELOP THE GARBAGE AND RECYCLING SYSTEM FACILITIES PLAN

---

Date: February 14, 2022
Department: Waste Prevention and Environmental Services
Meeting Date: March 3, 2022

Prepared by: Luis Sandoval,
luis.sandoval@oregonmetro.gov

---

**ISSUE STATEMENT**
The Waste Prevention and Environmental Services Department is preparing to develop a Garbage and Recycling System Facilities Plan. The plan will outline future infrastructure investments and services needed to fulfill the goals in the 2030 Regional Waste Plan. The Garbage and Recycling Facilities System Plan is expected to be completed by summer 2023.

**BACKGROUND**
The development of the Garbage and Recycling Facilities System Plan will serve as a companion document for implementing the 2030 Regional Waste Plan. The planning process is expected to be completed in five phases from February 2022 to summer 2023. In the last phase of the process, project staff would bring to the Metro Council a final draft of the Garbage and Recycling System Facilities Plan for Council to consider for adoption.

Plan development will include assessing the region's current public, private and non-profit garbage, recycling and reuse infrastructure, identify service gaps, and present potential approaches and a plan for future system investments. Throughout the process, the project will seek to engage all potentially affected and interested individuals, communities and organizations, as well as local governments, businesses, reuse organizations and advocacy organizations.

At the Metro Council Work Session on January 25, 2022, project staff provided an update on the status of the Garbage and Recycling System Facilities Plan process and sought the Council's input on a draft version of the work plan to develop the plan. Based on the feedback provided by Council, staff have revised the project work plan to include:

- Additional emphasis on engaging local government representatives through Metro Council formal advisory committees, as well as through forums and other activities;
- Language that affirms the project will encourage participation in the procurement process by COBID-certified firms and consultants with expertise in engaging historically-marginalized communities and developing programs and services that

advance racial equity;

- A description of how the planning process will be guided by the 2030 Regional Waste Plan principles related to environmental justice;
- A review during the first phase of the project of existing Metro Council policy guidance related to advancing racial equity and environmental justice, environmental sustainability and green building, disaster resilience, industrial lands, and other relevant issues; and
- Adding current and potential end markets for recyclable materials as criteria to consider when analyzing gaps in the region's garbage and recycling system infrastructure.

This resolution would adopt the project work plan for developing the Garbage and Recycling System Facilities Plan, as revised by project staff to incorporate the feedback provided by the Metro Council at the January 25, 2022 Council Work Session (see Attachment A).

**ACTION REQUESTED**
Approve Resolution No. 22-5248, adopting the project work plan to develop the Garbage and Recycling System Facilities Plan.

**IDENTIFIED POLICY OUTCOMES**
The Garbage and Recycling System Facilities Plan will develop alternative scenarios for the public, private and non-profit sectors to fill the gaps identified in the facility-based garbage, recycling and reuse services necessary to achieve the goals of the 2030 Regional Waste Plan.

The scenarios may include construction of new facilities, incorporation of new services in existing facilities, and non-facility based alternatives, if practical. The scenarios will include consideration of costs and ratepayer impacts, and will elevate the needs of communities of color and other groups historically underserved or impacted by the solid waste system. After developing the alternative scenarios with community and stakeholder input, staff will present those scenarios for Metro Council's consideration and endorsement of a preferred scenario.

The Garbage and Recycling System Facilities Plan is envisioned to include a strategy for Metro to implement the plan under the preferred scenario endorsed by Council over the next 20 years. The plan will present financing options for building new facilities and other investments identified in the preferred scenario. The plan will also include indicators to measure success in implementing the plan and to share progress with the Metro Council, formal advisory committees, local governments, private and non-profit stakeholders and community members.

**STAFF RECOMMENDATION**
Approve Resolution No. 22-5248.

**STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

<u>Known Opposition</u>
None

Legal Antecedents

Metro has broad authority, from the Metro Charter, the Oregon Constitution, and Oregon statutes, for planning, managing and overseeing the regional solid waste system. In 1987, the Metro Council designated solid waste as an area and activity appropriate for a functional plan (Metro Ordinance 87-740), recognizing the complexity of managing this system across two dozen cities and portions of three counties, over a million residents, thousands of businesses and many solid waste service providers.

The 2030 Regional Waste Plan, adopted by the Metro Council in 2019 (Metro Ordinance 19-1431), is the greater Portland area's long-range blueprint for managing and reducing the environmental impacts of goods consumed in the region, from production to disposal. The plan sets goals and policies for the region to reduce the amount of waste it generates, promote greater reuse and recycling of items, and manage the waste that is leftover in a manner that protects the environment and public health, gets the best value for the public's money, and advances racial equity, diversity and inclusion in the region.

Anticipated Effects

With approval of this resolution, the Waste Prevention and Environmental Services Department will proceed to develop the Garbage and Recycling System Facilities Plan.

Agenda Item No. 4.1

**Resolution No. 21-5215,** For the Purpose of Amending the FY 2021-22 Unified Planning Work Program (UPWP) to Amend the Funding and Add Detail to the Existing I-5 Boone Bridge Planning Project

*Resolutions*

Metro Council Meeting
Thursday, March 03, 2022

BEFORE THE METRO COUNCIL

| | | |
|---|---|---|
| FOR THE PURPOSE OF AMENDING THE FY 2021-22 UNIFIED PLANNING WORK PROGRAM (UPWP) TO AMEND THE FUNDING AND ADD DETAIL TO THE I-5 BOONE BRIDGE PLANNING PROJECT | ) ) ) ) ) | RESOLUTION NO. 21-5215<br><br>Introduced by Chief Operating Officer Marissa Madrigal in concurrence with Council President Lynn Peterson |

WHEREAS, the Unified Planning Work Program (UPWP) describes all federally-funded transportation planning activities for the Portland-Vancouver metropolitan area to be conducted in FY 2021-22; and

WHEREAS, the FY 2021-22 UPWP indicates federal funding sources for transportation planning activities carried out by Metro, Southwest Washington Regional Transportation Council, TriMet, Oregon Department of Transportation (ODOT) and other local jurisdictions; and

WHEREAS, In 2019, the Oregon Legislature directed ODOT to determine the best way to widen and seismically retrofit the I-5 Boone Bridge over the Willamette River; and

WHERAS, In March 2021, the Oregon Transportation Commission allocated $3.7M to complete the Planning Phase; and

WHEREAS, all federally-funded transportation planning projects for the Portland-Vancouver metropolitan area must be included in the FY 2021-22 UPWP; now therefore,

BE IT RESOLVED that the Metro Council hereby amends the FY 2021-22 UPWP to amend the funding and add detail to the I-5 Boone Bridge project as shown in the attached Exhibit A.

ADOPTED by the Metro Council this 20th day of January, 2022.

_____
Lynn Peterson, Council President

Approved as to Form:

_____
Carrie MacLaren, Metro Attorney

# ODOT – Interstate 5 Boone Bridge Seismic Enhancement and Interchange Improvement Study

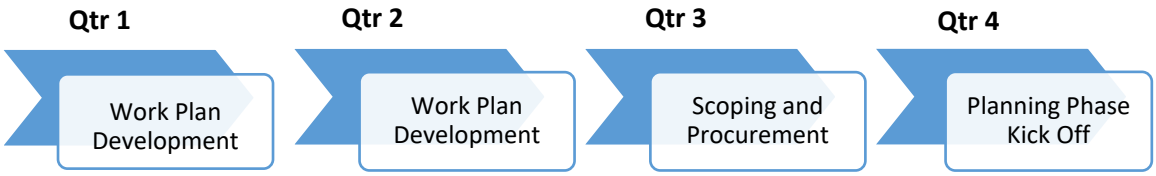
**Staff Contact:** Vanessa Vissar, vanessa.vissar@odot.oregon.gov

**Description**
In 2017-2018, ODOT and the City of Wilsonville partnered on a Southbound I-5 Boone Bridge Congestion Study. The study led to the adoption of the I-5 Wilsonville Facility Plan, which documented a southbound auxiliary lane concept consistent with implementation recommendations for this corridor (see Project 11990 and 11304 on the 2018 RTP Financially Constrained List).

As directed by the 2019 Legislature, ODOT evaluated the I-5 Boone Bridge widening and interchange improvements between Wilsonville Road and the Canby-Hubbard Highway. The I-5 Boone Bridge and Seismic Improvement Project Technical Report was completed and submitted to the Oregon Legislature in January 2021. Along with the engineering analysis of the bridge, ODOT worked with Metro to analyze the effects of bridge widening on travel patterns in the region.

In March 2021, the Oregon Transportation Commission allocated $3.7M for the Planning Phase. ODOT will consider recommendations from the I-5 Boone Bridge and Seismic Improvement Project Technical Report and analysis of the effects of bridge widening on travel patterns to complete the Planning Phase. ODOT will further refine a cost estimate range, update traffic analysis with tolling assumptions, advance seismic design, determine bicycle and pedestrian access, evaluate land use, conduct environmental analysis, and complete other pre-NEPA activities. The Planning Phase is estimated to be completed in 2023.

**Key Project Deliverables / Milestones**




**FY 2021-22 Cost and Funding Sources**

| **Requirements:** | | **Resources:** | |
|---|---|---|---|
| Personal Services | $ 200,000 | Federal grant | $ 160,000 |
| Materials & Services | $ Click here to enter text. | Local Match | $ 40,000 |
| **TOTAL** | **$ 200,000** | **TOTAL** | **$ 200,000** |

**STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 21-5211 FOR THE PURPOSE OF AMENDING THE FY 2021-22 UNIFIED PLANNING WORK PROGRAM (UPWP) TO AMEND THE FUNDING AND ADD DETAIL TO THE EXISTING 1-5 BOONE BRIDGE PLANNING PROJECT

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Date: November 24, 2021
Department: Planning
Meeting Date: January 20, 2022

Prepared by: John Mermin, john.mermin@oregonmetro.gov , Glen Bolen, glen.a.bolen@odot.state.or.us, Vanessa Vissar, Vanessa.vissar@odot.state.or.us

---

**ISSUE STATEMENT**
The UPWP is developed annually and documents metropolitan transportation planning activities performed with federal transportation funds. The UPWP is a living document, and may be amended periodically over the course of the year to reflect changes in project scope or budget.

**ACTION REQUESTED**
Approval of the requested amendment to the 2021-2022 UPWP.

**IDENTIFIED POLICY OUTCOMES**
The near-term investment strategy contained in the 2018 Regional Transportation Plan (RTP) focuses on key priorities for the purpose of identifying transportation needs, including projects and the planning activities contained in the UPWP. These investment priorities include a specific focus on four key outcomes:

- Equity
- Safety
- Managing Congestion
- Climate

The planning activities within the Boone Bridge Project are consistent with 2018 RTP policies and intend to help the region achieve these outcomes.

**STAFF RECOMMENDATIONS**
Approve Resolution No. 21-5215 and amend the FY 2021-22 UPWP.

**STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**
Known Opposition
None

Legal Antecedents

Metro Council Resolution No. 21-5165 FOR THE PURPOSE OF ADOPTING THE FISCAL YEAR 2021-22 UNIFIED PLANNING WORK PROGRAM

Anticipated Effects

Approval will result in funds added to the existing I-5 Boone Bridge Project, which will allow ODOT to initiate planning work in the current fiscal year (prior to June 30, 2022).

**BACKGROUND**

In 2019, the Legislature directed ODOT to determine the best way to widen and seismically retrofit the I-5 Boone Bridge over the Willamette River. In March 2021, the Oregon Transportation Commission allocated $3.7M to complete the Planning Phase. The Planning Phase is estimated to be completed in Fiscal Year 2023 and will further refine a cost estimate range, update traffic analysis with tolling assumptions, advance seismic design, determine bicycle and pedestrian access, evaluate land use, conduct environmental analysis, and complete other pre-NEPA activities.

Materials following this page were distributed at the meeting.

# 2021-22 Unified Planning Work Program Amendment

# Resolution 21-5215

Metro Council, March 3, 2022

John Mermin, Metro

# What is the UPWP

- Annual federally-required document that ensures efficient use of federal planning funds
- Describes:
  - Transportation planning tasks
  - Relationship to other planning activities in the region
  - Budget summaries

# What the UPWP isn't

- Not a regional policy making document
- Not a funding decision document, does not allocate funds
- No construction, design, or preliminary engineering
- Only includes transportation planning projects, federal funds, coming fiscal year

# I-5 Boone Bridge and Seismic Improvements Project

Metro Council Meeting
March 3, 2022

## Urban Mobility Strategy Map

**Currently Funded by HB2017**

- System Improvement Project
- Bike/Ped Crossing Project

*Note: Core project names are boxed*

**Made Possible with HB3055**

- System Improvement Project
- Regional Mobility Pricing Project
- I-205 Toll Project

**Partner Project with ODOT Support**

- System Improvement Project
- Bike/Ped Crossing Project
- Bus on Shoulder Pilot
- TriMet Project
- Multimodal Study

# Proposed Project being Studied

Purpose: Seismic, safety, and multi-modal operations

- Replace Boone Bridge to withstand the Cascadia Subduction Zone earthquake.
- Add SB auxiliary lane between the Wilsonville Road (Exit 283) and Charbonneau/Hubbard Interchanges (Exit 282A) to alleviate traffic bottlenecks and collisions.
- Maintain existing 4 NB lanes. Link auxiliary to OR 551A onramp to alleviate traffic bottlenecks and collisions.

# Project History

**2018:**

- **July:** I-5 Wilsonville Facility Plan recommends improvements *(added to 2018 RTP financially constrained list)*

**2019:**

- **July:** ODOT receives direction from Oregon Legislature
- **August:** OTC allocates $300K

**2021**

- **January:** ODOT delivers report to Oregon Legislature
- **March:** OTC allocates $3.7M
- **May:** Adopted in 21-22 UPWP

# Feasibility Study Completed

- Purpose
- Improving traffic and operations
- Seismic lifeline
- Assessing the bridge
- Retrofit vs. replacement
- Traffic improvements and safety improvements at interchanges
- Consideration for a parallel route for pedestrians and bicycles
- Impact on travel demand and land use
- Cost estimate

# Travel Demand & Land Use Impacts Evaluation Completed

- Analysis request
- Analysis approach and methodology
- Findings
- Managed lanes
- Active Traffic Management
- Access management

Note: Evaluations did not take tolling or NB aux lane into account

# Planning Phase Activities Proposed

- Advance seismic design
- Refine cost estimate range
- Complete pre-NEPA activities
- Update travel demand, traffic analysis and land use evaluations with tolling assumptions and current project design
- Determine bicycle, pedestrian, and public transportation access
- Conduct stakeholder engagement
- Develop and integrate equity framework

# Questions and comments?

# Project Staff

**Chris Ford**
ODOT Region 1
Policy and Development Manager
Chris.FORD@odot.oregon.gov
(971) 263-3435

**Scott Turnoy**
ODOT Region 1
Principal Planner
Scott.TURNOY@odot.oregon.gov
(503) 731-3038

**Vanessa Vissar**
ODOT Region 1
Strategic Initiative Advisor
Vanessa.VISSAR@odot.oregon.gov
(971) 804-2765

March 2, 2022

To: Metro Council and JPACT

From: Vanessa Vissar, Chris Ford, and Scott Turnoy, Oregon Department of Transportation

Re: Draft FY 2022-2023 Unified Planning Work Program: I-5 Boone Bridge and Seismic Improvement Project

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While Council is currently considering action to amend the FY 2021-2022 Unified Planning Work Program (UPWP) to update the description and available funds for the I-5 Boone Bridge and Seismic Improvement Project in the current fiscal year (prior to July 1, 2022), work is already underway on the FY 2022-2023 UPWP which TPAC will consider as an action item at their April 1 meeting. In the attached narrative, ODOT staff has updated the I-5 Boone Bridge and Seismic Improvement Project description in the 2022-2023 UPWP to more accurately reflect anticipated project Planning Phase activities and feedback provided by Metro Council and staff. The changes reflect work to further evaluate travel patterns, travel demand, and land use; reflect tolling assumptions; determine public transportation access; conduct stakeholder engagement; develop and integrate an equity framework; and complete pre-NEPA activities. ODOT is committed to completing these activities and continuing to consult with Metro staff throughout the Planning Phase.

# I-5 Boone Bridge and Seismic Improvement Project

**Staff Contact:** Vanessa Vissar, Vanessa.vissar@odot.oregon.gov

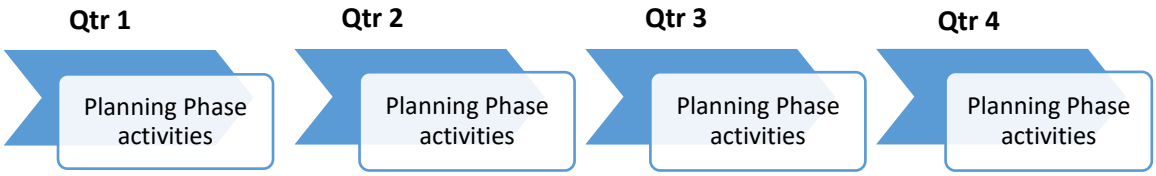
**Description**

In 2017-2018, ODOT and the City of Wilsonville partnered on a Southbound I-5 Boone Bridge Congestion Study. The study led to the adoption of the I-5 Wilsonville Facility Plan, which documented a southbound auxiliary lane concept consistent with implementation recommendations for this corridor (see Project 11990 and 11304 on the 2018 RTP Financially Constrained List).

As directed by the 2019 Legislature, ODOT evaluated the I-5 Boone Bridge widening and interchange improvements between Wilsonville Road and the Canby-Hubbard Highway. The I-5 Boone Bridge and Seismic Improvement Project Technical Report was completed and submitted to the Oregon Legislature in January 2021. Along with the engineering analysis of the bridge, ODOT worked with Metro to analyze the effects of bridge widening on travel patterns, demand, and land use impacts in the region.

In March 2021, the Oregon Transportation Commission allocated $3.7M for the Planning Phase. While much of this funding allocation will be dedicated to bridge engineering, a portion of the funding is available for the planning work needed to ensure that the impacts of this project on land use and transportation are understood, noting that full NEPA analysis would occur in the Preliminary Engineering phase. ODOT will consider recommendations from the I-5 Boone Bridge and Seismic Improvement Project Technical Report and analysis of the effects of bridge widening on travel patterns to complete the Planning Phase. ODOT will further refine a cost estimate range, update the prior ~~traffic~~ analysis (i.e., travel patterns, demand, and land use impacts) with tolling assumptions and the current project scope that reflects current auxiliary lane proposals, advance ~~seismic~~ project design, determine bicycle, ~~and~~ pedestrian ~~access~~, and public transportation access, conduct stakeholder engagement, develop and integrate an equity framework, evaluate land use impacts, ~~conduct environmental analysis,~~ and complete other pre-NEPA activities. ODOT staff will consult with regional partners throughout the Scoping and Planning Phase on travel demand and land use. The Planning Phase was initiated in an amendment to the FY 2021-2022 UPWP ($200,000), will continue through FY 2022-2023 ($2.5 million), and is estimated to be completed in 2023 (with remaining work and associated costs to be outlined in the FY 2023-2024 UPWP) .

**Key Project Deliverables / Milestones**



**FY 2022-23 Cost and Funding Sources**

| **Requirements:** | | **Resources:** | |
|---|---|---|---|
| Personal Services | **$** 500,000 | Federal grant | **$** 2,000,000 |
| Materials & Services | **$** 2,000,000 | Local Match | **$** 50,000 |
| **TOTAL** | **$ 2,500,000** | **TOTAL** | **$ 2,500,000** |

Metro Council President, Councilors, and Director of Parks & Nature

I'm Bob Torheim, a Blue Lake homeowner.

I'm here to voice my concern about Metro's ability to protect the public once you expand public use of Blue Lake. As of May 1, 2022, Metro will revise the existing public use on the lake and allow "small private boats" on the lake year-round. This is a meaningful change which requires an equally meaningful public safety plan. I request a written copy of your new Blue Lake Public Safety Plan to share with all homeowners living on the lake.

"Beginning May 1, 2022, Metro is expanding Blue Lake access to be year-round for small private boats." (2/9/22 Metro's Direct Mail Flyer to friends and neighbors Blue Lake Regional Park)

"Given the expected high-volume use of Blue Lake during the summer season by the paddling community, and to help ensure public safety, Oregon State Marine Board will restrict all motorized boats on Blue Lake, including motorized boats launched from private property adjacent to the lake and from the HOA Park." (2/9/22 Letter Metro representative read to our Interlachen HOA meeting)

Metro's only public statements made to-date on your plan: "Staff anticipate more visitors this year and staff are preparing to install additional free life jacket loaner stations and informational signs to help ensure everyone can use the lake safely." (2/9/22 Metro website article by staff member Matan Gold)

For years Blue Lake's public safety program was robust with multiple checkpoints, active safety measures, and cooperation safety agreement. There were lake rules. People were hired to monitor the rules and provide quick assistance to anyone experiencing problems. There were boat patrol boats, one from the park and one from the Blue Lake home owners, protecting the public while enjoying a summers day on the lake.

1. Everyone entering Blue Lake waters went through the Paddle Boat and Canoe rental concessionaire, River Tails Inc., who operated rentals at the park for 37 years. These rental paddle boats and canoes were safe, affordable, and provided an equitable way for everyone in the public to enjoy Blue Lake.
2. The Lake Rules were posted at the rental desk, and before anyone could enter the lake, boat rental staff would read the rules to insure all understood the lake rules.
3. Life jackets were not hanging somewhere with an implied "please wear me" sign.
   Life jackets were required. Everyone entering the lake was given a life jacket. Failing to wear a life jacket would subject them to a warning and ejection.
4. Active safety measures also included a Blue Lake Patrol Boat to monitor the lake. This was a small 8–10-foot motorized aluminum boats that patrolled the lake, staffed by River Trails Inc.
5. Additional Active safety measures to help ensure public safety on the lake included a second Lake Patrol Boat, 8- foot motorized and aluminum, owned and operated by Blue Lake residents. We hired young men and women with Red Cross Lifeguard Certifications to monitor lake conditions during busy hours when the public accessed the lake.

6. A red flag/green flag system posted on the outer corner of the concessionaire pier alerted home owners to the necessity of dropping to no-wake 5 mph speed or that it was safe to use ski speed, depending on the number of paddleboats and canoes rented out at that time. This mutually agreeable and cooperative safety protocol between the rental company, Blue Lake Park, and homeowners worked successfully for many, many years.

Blue Lake Park has a consistent history of working to try to ensure public safety, despite several public drownings over the decades. With new plans to expand public access to and on the lake, I fear Metro has not been thoughtful enough about creating a robust public safety plan to cover the risks inherent with these new opportunities for public access. I know I am speaking for my neighbors when I say we do not want to be witness to near drownings and fatalities because of a lack of planning by Metro for all the contingencies we know will arise from having had our vantage point over the decades.

When you expand public access to the lake on May 1, 2022, you expand the risk. What is your new plan to protect the public? I (and my lake front property neighbors) want reassurance that you have a comprehensive safety plan and I would like a copy of it to review and to share. Metro states publicly: "staff are preparing to install additional free life jacket loaner stations and informational signs to help ensure everyone can use the lake safely."

## Hope is not a plan. More public signage is not a safety strategy.

If Metro has not developed a robust Safety Plan for Blue Lake, you must delay implementing the May 1, 2022, Blue Lake changes.

Respectively,
Bob Torheim, Blue Lake Resident.
btorheim@gmail.com
3.2.22

Testimony for 3/3/2022 Council Meeting

| | |
|---|---|
| **Name** * | Matt Luce |
| **Email** * | Matthew_L_Luce@yahoo.com |
| **Address** | Troutdale, OR 97060<br>United States |
| **Your testimony** | I do not agree with restricting motorized boats on Blue Lake Park. |
| **Is your testimony related to an item on an upcoming agenda?** * | Yes |

| | |
|---|---|
| **Name** * | David Farmer |
| **Email** * | Davefarmer15362@gmail.com |
| **Address** | West linn, OR 97068<br>United States |

**Your testimony**

Please don't implement tolls on I 205 and I 5 Tolls are very expensive to set up, then very expensive to operate, the equipment out on freeways will be very vulnerable. Costs have been Unavailable, even after more than four years. Tolls are unfair to middle and lower income people. Many people (especially in Oregon City, West Linn, and surrounding area have NO!!! other good options. Diversion traffic will be dangerous on roads and the one, and only other bridge across the Willamette River. A majority of these can't safely handle a lot more traffic. Try for yourself going from West Linn to our courthouse in Oregon City. A left turn onto Main St. Is not legal, so head for the maze, see how convenient it is, then return and make the turn toward West Linn (Arch Bridge) and stay completely in your lane. The Grand Ronde Cultural Center will also have a significant traffic impact. Please reconsider the Toll program.

| | |
|---|---|
| **Is your testimony related to an item on an upcoming agenda?** * | I'm not sure |

| | |
|---|---|
| **Name** * | Nancy Jordan |
| **Email** * | idahogoldharley@msn.com |
| **Address** | Fairview, Oregon 97024<br>United States |
| **Your testimony** | Re: Lack of communication/inclusion/equity in making changes to Interlachen HOA use of motorized boats on Blue Lake |

February 16, 2022

To: Shirley Craddick and the board members of Metro
Re: Changes to Interlachen HOA use of motorized boats on Blue Lake
From: Nancy Jordan

20235 N.E. Interlachen Lane
Fairview, OR 97024
idahogoldharley@msn.com

I "attended" the zoom Metro meeting on Feb. 15, 2022 at 10:30 A.M.
I concur with those Interlachen HOA members who spoke on behalf of the Blue Lake homeowners. I have questions that I wish to be addressed. Thank you for helping me get the answers.

I am a retired teacher/librarian who was widowed 4 years ago. My husband, four children and myself moved to our Interlachen home in the fall of 1988. We have spent many hours in the summer months enjoying boating and water activities on the lake. Throughout our years living here, the HOA has always worked diligently to cooperate with our "partners" at Blue Lake Park complying with their requests for usage, safety and developing rules for HOA boat owners to follow.

My questions about this decision to prohibit the HOA members from using motorized boats on the lake follow:

1. When and how were the members of the HOA notified of the proposed changes?

   *The first I knew of this was in an email sent on Feb. 10, 2022 from the HOA president following your Feb. 9, meeting with the HOA Board members. On Feb. 11, 2022, I received a Metro letter addressed to "Our Neighbor" .*

2. When were the homeowners/tax payers given the opportunity to discuss this change with the Metro board, the Oregon State Marine Board, and/or the person(s) in charge of Blue Lake Park?

*The Metro letter states:"Metro and the Marine Board will be working together to engage neighbors and partners as these changes are* ***implemented.*** *We look forward to connecting with neighbors to collaboratively work through this transition."*

*From the Metro letter, you now want collaboration to* ***implement*** *a change. However, the HOA members had no voice in the process of making these changes.*

2. Who actually made the decision to create and implement this change?

   *Metro makes it sound like it was a decision by the Oregon State Marine Board. The Marine Board indicated in a conversation with one of the homeowners that they, the Marine Board, had nothing to do with this???*

3. Other than the homeowners, who regulated boating on the lake all these years…boats, paddle boats, canoes, small fishing craft, etc.?

   *During the boating season, two of my sons worked on the lake patrol boat provided by the HOA to make sure rules were being followed by the HOA members. They also helped to inform the paddle boat and canoe renters about lake regulations as to shoreline access.*

4. Per your "Legal Review", please quote the Oregon State Law that you refer to in this statement.
   "...the current differential treatment between community members and the Interlachen HOA members not only is inequitable it is not allowable by Oregon State Law."

5. Will my property taxes be reduced due to the fact that the value of my house will be reduced since there will no longer be boating access?

6. Who will be patrolling the paddle boarders, the kayakers and non-motorized watercraft that launch from the Blue Lake Regional Park shoreline? Who will make sure that those launching these watercraft will respect the docks and property on the HOA shoreline? (I do not wish to be liable.)

My own children are grown and gone. My grandchildren participate in boating activities on the lake 2-3 weeks a year. Of the 8 docks that I can see from my own dock, there are only 3 boats that are put in the lake and used in the lake during the summer months. As I stated in my opening, the Interlachen HOA members have always worked cooperatively with Blue Lake Park. Those working at the lake have always been very helpful and kind as we followed the posted hours of when we could launch our boats safely, (early morning when the park was not open to the community).

There are many legal questions as well. Those I leave to the representative that is being hired. I wish to support my neighbors and their rights.

My issue with this decision by Metro stems from the lack of communication with the HOA as to when & how this decision was made without our awareness or input. Open communication is a key to establishing equity.

Thank you for your timely response to these questions. One of the Metro members stated at the zoom meeting that (paraphrased) “we have plenty of time to address this since it doesn't go into effect for several months.” I don’t agree that 2 ½ months is plenty of time.

Thank you,
Nancy Jordan

| | |
|---|---|
| **Name** * | DANIELLE BLACKWELL |
| **Email** * | danielle@greshamfamilymedicine.com |
| **Address** | Fairview, Oregon 97024<br>United States |

**Your testimony**

For meeting scheduled Thursday at 10:30 regarding Blue Lake new rules:

When I first moved to Fairview to live on the lake, I was told that motorized boats were allowed as long as they were under 14 ft long and low speed. I started with a kayak and a canoe which I really enjoyed at first, but as my condition worsened, I was unable to lower myself to my canoe and kayak. I have arthritis in my neck, shoulder, knees and severe carpal tunnel in both wrists. I could no longer row. I spent a lot of money to buy a small 13 ft long pontoon boat with a small engine and a lift to continue to enjoy what always loved: cruise on the lake and fish. I am on disability from Social Security for my condition and I am disabled, as many of my neighbors who are also elderly. I am very disturbed by Metro's decision to take away from me and my neighbors this privilege we have truly enjoyed and was the reason we moved to Blue Lake. We pay high taxes, high HOA fees and licensing fees to have this luxury; it would be devastating to take it away from us for no other reason but to please a few Sunday visitors who have no other expense but a $5.00 entrance fee to pay when they feel like coming to the lake. With my pontoon, I can just step in my boat from my dock and with a very low speed motor, cruise the lake without disturbing any swimmer or other boaters. I understand that the Sunday boaters do not want to deal with high speed boats causing wakes and threatening to capsize their boat. However, limiting the speed of the motorized boats will prevent that situation, without taking away from us, the disabled and the elderly, the one pleasure we still have.

One way for Metro to implement their new rules may be to grandfather us, residents of Blue Lake with a motorized boat, who were told we could have our boats, and apply the rules to new comers who will be

told they cannot have a motorized boat. As the years go by, some of us will move away, and some of us will die and eventually, this new rule will be enforced completely. Thank you for reading my message and giving it some consideration. We, the disabled and the elderly, we also have rights and we deserve respect and consideration for our needs. Thank you. Danielle

| | |
|---|---|
| **Name** * | Sandy McCoy |
| **Email** * | gsmccoy@comcast.net |
| **Address** | Fairview , OR 97024<br>United States |

**Your testimony**

By way of introduction, my name is Sandy McCoy married to Gary McCoy. Gary's parents and grandparents each purchased homes on Blue Lake in 1955. Subsequently, they all had many memorable times on the lake. Stories of people water skiing on a disc while sitting in a chair while reading the paper was my favorite. I mention this as an insight to how invested we are in our lake home. Though this activity may no longer be happening, many other great ones are. One Fourth of July, someone had an idea of a parade with the large floating animals. Gary towed three our four, with people on them slowly around the lake. Others did, as well. Visitors at the park enjoyed the spectacle.

There has always been a respectful arrangement between the people who enjoyed the park and those who lived on the lake. I remember back in the early 70's coming out with my best friend to the park to swim and watch the people who lived there involved in their boating activities. It was fun to see them enjoying themselves. It wasn't until the nineties that I began to see the lake from the other side, as a home owner. Again, we always were happy to see all of the paddle boats and canoes with people having so much fun. There were rules for all of us and we were always respectful of them. When there was a lot of activity from the park side, a red flag was put up and we would cease boating activities over a certain speed. There were still plenty of other times, when the park visitors were at a minimum for us to use our boats. Even then, we would have the boats go in a counter clockwise direction to insure safety for all.

The ownership of the boats on the lake has to be in the name of the property owner and registered with our HOA. Once we provided that and proof of insurance, we were issued a decal that would be placed on the boats. Certain kinds of boats that create too much of a wake are not allowed. Once the OSMB started to require a boating license, we obtained those, as well. We have respected and followed all of the safety precautions to make the lake a positive experience for ourselves and those who use the park.

I believe that all of us who purchased property on the lake, fully planned to utilize it as it always had been. We've never had any reason to believable that those rights would be taken from us. We have had such a short time to respond and convince the board that we can all work together to come to a compromise. We are more than happy to work with Metro to come to a conclusion that will work for all of us.

We personally, spent over $65,000 just last year to improve our lake front by upgrading our sea wall, installing a large new deck and replacing our dock. A few years ago we installed a covered boat lift as an additional expense. All of these improvements have been completed to make our lake usage more enjoyable and to increase our property value. If our rights that had been implicit in ownership on the lake are taken away, much of that has been for naught. Our property value will change if boats can no longer be used.

I, respectfully, ask you to consider all of the testimony you have and will receive on this issue and let us work together for a compromise acceptable to all.

Thank you,
Sandy McCoy

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| **Name** * | Jeff Williamson |
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| **Address** | Fairview, OR 97024<br>United States |

**Your testimony**

To the Metro Board Members regarding the upcoming rule changes to boat access to homeowners on Blue Lake:

I'm writing for the second time to the Metro Council on this issue since it continues to weigh heavy on myself and most of my neighbors who also live on Blue Lake. I'm writing to implore that Metro and the homeowners have a discussion and are able to come to an agreement that favors both parties in this situation. The current enforcement of this new rule seems extremely heavy-handed, abrupt, and comes as an extreme surprise to all of us.

My wife and I are celebrating 5 years of owning a home on the lake and were starting our search to purchase a boat of our own to house at our dock during the summers. One of the main reasons we purchased our house was for this reason. Looking forward to this for the last 5 years is something that has always brought me excitement. This new rule not only takes away that dream but possibly lowers my current home value. In addition, many of my neighbors often give me rides and pull me wakeboarding behind their boats. This greatly affects the quality of life for me and my family here on the lake.

With the long-standing relationship and collaboration between Metro and the homeowners on many issues, I see this as a bad faith move on Metro's part to not engage with us to find an equitable

solution. The only way I see for Metro to mend this relationship is agreeing to find a path forward for all parties.

Once again, as a homeowner on Blue Lake, I humbly ask that Metro reconsider its position.

Thanks,

Jeff Williamson

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|---|---|
| **Name** * | John Wohler |
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3/2/2022

Written Testimony for 3/3/2022 Metro Board meeting

Re: Metro Action to remove boat ramp access and eliminate resident use of power boats on Blue Lake

Council president and members of council,

I wanted to share my dismay at the sudden change to the Boating rules on Blue Lake. This was done without any input by the homeowners on the lake. Representatives of the park and Metro came to our homeowners association on a Tuesday night and informed them that they were changing the rules and the boat launch would be closed and power boats would no longer be allowed on the lake. Just two days later letters arrived in homeowners mailboxes with flyers explaining the change. A public announcement was put out to the region the same day. This plan had been in place for months if not longer. The homeowners were never consulted.

This is very disappointing. The homeowners have worked closely with the park to maintain the health of the lake. Controlling invasive aquatic weeds. Installing Solar Bees to circulate the water to minimize algae blooms. We were given full financial responsibility for the Solar bees in the last year.

Over the years there was a system developed to control motor boats on the lake with the use of Red and Green flags. When there were too many park boats on the lake the red flag went up and boats were operated with no wake. Early in the morning and at night the green flag would fly and waterskiing, and faster speeds were allowed. The HOA has a boat commissioner that makes sure that all power boats have insurance and that the drivers have all the necessary OMB training. There is no reason that this system can not continue to be effective and safe. There are times during the week when there is very little activity at

the park and the lake is unused.  There is room for dual use of the lake with power boats and personal watercraft.

On a personal note my family has owned property on the lake since 1955.  My first swim was in 1960 when I was 3 months old.  My brother and I learned to ski on the lake.  Even before that my father and his best friend were the first to water ski on the lake in the 30's.  They had to make their own water skis.

Please postpone the implementation of this new ruling at least until next year to allow more involvement by the homeowners in the development of lake rules. This is a shared resource.

Thank you
John & Diane Wohler
Lot 68
Interlacen Dr.

**Name** * Kella Horton

**Email** * kellahorton@comcast.net

**Address**

Fairview, OR 97024-8720
United States

**Your testimony**

Hello,

I am writing my displeasure with the "no homeowners collaboration" decision of Metro not allowing motor boats on Blue Lake. I am a longtime homeowner who can attest to the fact the homeowners have been "the stewards" of the lake. The HOA has financially contributed to the health and safety of the lake. I do not believe the OSMB just out of the blue would say "Hey we need to close the lake to motor boat homeowners on Blue Lake". We have never had any accidents on the lake with visitors of the park, unlike the four plus deaths that have occurred to park visitors (drowning). We have actually been the eyes and ears of the park. There has been many times when we have had to help rescue visitors from overturned canoes. Who is going to take responsibility for that coming forth? Metro's master plan included closing the swim beach. Now Metro wants anyone to be able to launch a kayaks, canoes or SUP boards from the shore. I am not opposed to this, but I do not see how this benefits people of low economic standards as these items are expensive. Keep the swim beach open, continue with the boat concessions and continue with the lake patrol. Also there are enough consistent days and times that the lake sits idle that lends itself to an open conversation and compromise with both our parties. Real collaboration would be greatly appreciated.

Kella Horton

**Name** * Curt Knight

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**Address**

21143 NE Interlachen Lane
Fairview, OR 97024

**Your testimony**

To Metro Council:

March 2,2022

My name is Curtis Knight . My wife Bev and I moved to the lake when we were 26 years old. I am now 86 years old so I have seen many changes and efforts to keep our lake vital, healthy and safe. This effort to keep our lake from dying which is a concern of most all lakes. It became obvious that if we were to preserve the integrity we had to find a way to treat weeds and algae. The effort at times seemed insurmountable. It seemed like we were losing the battle, however, by working together with Metro we found a means of doing what had to be done without using harsh dangerous chemicals. We co-opted the purchase of long range circulation machines, solar bees and weevils and some DEQ approved herbicides. That is now an example for other lakes to do the same.
All this has been done because of efforts to work together by all the stakeholders on both sides of the lake. You have been an asset to us and we have been an asset to you. We would not have what we have without each other. The manner in which this dictate totally taking away our power boats without us having any input is contrary to the way we have mutually worked together to decide how the lake is to be used and maintained. We deserve a chance to plead our case and you to hear your story. You owe us that

To: Metro Council
Date: March 02, 2022
From: Jon R. Wissler

21425 NE Interlachen Lane
Fairview, OR 97024
j.wissler@comcast.net
503-807-1570

Re: Metro Action to remove boat ramp access and eliminate resident use of power boats on Blue Lake

First of all, I want to thank you for reaching out and agreeing to meet with us to discuss this subject which has major potential impacts on our chosen living environment and property value. I initially expressed displeasure with the lack of input sought from impacted residents prior to communicating this proposal, and I applaud you for engaging with us.

As I stated previously, the Interlachen Homeowner's Association ("HOA") has a long-standing record of mutual collaboration with Multnomah County, Metro and Blue Lake Park in evaluating, discussing and agreeing to rules and regulations governing the use of Blue Lake dating back to the time Multnomah took over the park in the early 1960's. As this issue has evolved, I've had the occasion to review historical documents that bolster the nature of that collaborative relationship. We'd like to think we can discuss this matter in that same collaborative fashion as opposed to an adversarial one. We live, work and play here year-round and are deeply invested emotionally, culturally and economically – both in our residential neighborhood and the success and vitality our of park neighbor.

There are three issues in play here – (1) Efforts to address equity and inclusion, (2) Access to the park boat ramp and, (3) Watercraft restrictions. We acknowledge that Metro has ultimate jurisdiction regarding park ramp access and the Oregon State Marine Board (OSMB) governs watercraft restrictions. All of us share responsibility for equity and inclusion goals and our objectives to your proposal are not based on such. I don't feel that this needs to be an addition by subtraction solution whereby historical rights are subtracted from the homeowners while limited rights are granted to the public.

There have been many different eras during Blue Lake's "settled" existence. Residential powerboat and other watercraft usage rises and falls, park amenities, ownership and usage patterns change with the times, and environmental evolution takes on increasing concern for the future ecology of the lake. Regional demographics change, societal norms are re-evaluated, and priorities shift. Throughout all of that the Interlachen community has been deeply and passionately engaged in maintaining a safe and pleasurable environment that has been enjoyed by residents and millions of park users for nearly a century while working with our regional government neighbors. We believe this symbiotic relationship can be sustained if not enhanced without your proposed restrictions.

We are willing to entertain additional but reasonable restrictions to our boating rights, discuss how we might maintain and economically support the use of the park boat ramp, and assist in developing and implementing programs designed to educate, encourage, and expand public use of the lake in a safe and effective manner.

Respectfully yours,
Jon R. Wissler