

RESOLUTION NO. 2958

A RESOLUTION ESTABLISHING A UGB REMAND STEERING COMMITTEE (USC) AND THREE TEMPORARY TECHNICAL ADVISORY COMMITTEES (TACs) TO WORK ON THE UGB REMAND ORDER

Findings

- A. The City Council is moving forward with preparing a revised UGB expansion proposal for adoption which meets the requirements of the November, 2010 Land Conservation and Development Commission Remand Order (UGB Remand Order).
- B. The City Council established the following goals with respect to this process:
1. Complete local adoption by April 2016
 2. Use a collaborative decision making process involving local experts and interested parties in a facilitated and expertly assisted process as described
 3. Apply best planning and engineering practices involving scenario development and analysis
 4. Engage, inform, and receive input from the public with techniques best suited for the project
- C. The City Council approved a scope of work and contract with Angelo Planning Group (APG) in July, 2014 which describes the process and products to achieve these goals. This contract approaches the project by creating three phases of work. Phase 1 began July 2014 and is anticipated to end in February 2014. Phase 2 will begin in February 2014 and end in November 2015. Phase 3 will begin November of 2015 and conclude in April of 2016. Phase 1 is under contract and has a specific scope of work. Subsequent phases will require additional detailed scopes of work and contract approval. All dates are approximate, but serve to create an aggressive schedule to achieve the City Council's goals to complete City Council adoption by April, 2016. Key deliverables and dates are described below by phase.
1. Phase 1
 - i. Phase 1's key outcomes include the project goals, land need determinations, capacity analysis for the current UGB, and methodology for UGB expansion that will be applied in Phase 2. The goals will be established by the UGB Steering Committee (USC), with web-based and other community input in August. The other outcomes comprise much of the work that will be prepared by the Technical Advisory Committees (TACs). Phase 1 will produce updates to the City's Housing Needs Analysis, Economic Opportunities Analysis, and Buildable Lands Inventory. These products, and TAC review, may continue into Phase 2 as determined through subsequent scope development and the progress achieved in Phase 1. UGB analysis conclusions will be captured in an Urban Growth Report.
 - ii. Phase 1 has a detailed scope of work and schedule. The

sequence of work includes:

1. June through September, 2014 – Kick-off meeting by USC, appointment of TACs, preparation of and community outreach for project goals.
2. August through October, 2014 – The TACs complete estimates of land needs, initial testing of efficiency measures, and methodologies for UGB expansion evaluation.
3. December through January, 2015 – Joint USC-TAC work sessions will include: review of technical analyses on how various efficiency measures perform; analysis of compliance with the Transportation Planning Rule (including per capita vehicle miles traveled or VMT reduction and integrated land use and transportation plan provisions); estimates of current UGB capacity when various efficiency measures are assumed; and other topics related to Remand requirements for the current UGB.
4. February, 2015 – USC approval of Phase 1 recommendations (updated Housing Needs Analysis, Economic Opportunities Analysis, Phase 2 Boundary Methodology, Urbanization Report sections related to growth inside the current UGB).

2. Phase 2

- i. Phase 2 will apply the UGB methodology developed in Phase 1. Phase 2's key outcomes include the preparation of alternative growth scenarios (with redevelopment, infill and UGB expansion considered), evaluation of those scenarios and application of Goal 14 criteria, narrowing of alternatives and selection of the preferred alternative, and preparation of the proposed UGB map, policies, findings and regulations. Phase 2 has been scoped at a general level – a detailed scope and schedule will be prepared at the conclusion of Phase 1.

3. Phase 3

- i. Phase 3's outcomes include the final documents and supporting findings; and the work sessions, hearings and adoption proceedings required for local adoption of the amendments to the General Plan and implementing regulations. Following adoption, the UGB package will be submitted to the Department of Land Conservation and Development for acknowledgement.

D. The approved contract includes forming a UGB Steering Committee (composed of the full City Council, two Planning Commissioners, and one Deschutes County Commissioner) to provide policy guidance and approve the work of three separate Technical Advisor Committees (composed of citizens, city board members, and agency staff).

E. The UGB Steering Committee will conduct its work in all three phases of the project until it finds the package of materials meets the requirements of the Remand Order and is ready for adoption by the City Council.

F. The Three Temporary Technical Advisory Committees will remain in place until the conclusion of Phase 1. The three Technical Advisory Committees may be continued, disbanded, or reformulated as needed to perform work in Phases 2 and 3 as directed by the Bend City Council.

G. Substitutions to the list of USC and TAC members may be necessary given the length of the project. Substitutions will be made by appointment by the Mayor with the consent of the City Council.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF BEND RESOLVES AS FOLLOWS:

- A. The UGB Steering Committee (USC) is established and is composed of the full City Council, two City of Bend Planning Commissioners, and one Deschutes County Commissioner. Current appointees from the Planning Commission are Bill Wagner and Rex Wolf. The USC shall elect a chair and a vice-chair from among its members.
- B. The UGB Steering Committee (USC) has the following responsibilities:
1. The USC will make timely decisions on policy direction and technical issues related to the Bend Urban Growth Boundary Remand Order. The USC's work will result in a proposed Urban Growth Boundary, General Plan, and supporting documents for Bend. The committee will forward its decisions to the City Council and Board of County Commissioners for adoption at the end of the process.
 2. The process will move quickly, so it will be essential to make decisions as efficiently as possible to stay on schedule. The USC members commit to review materials prior to meetings and actively participate in the discussion and decision-making process at each meeting.
 3. Specifically, the USC will act on input and recommendations from the Technical Advisory Committees (TACs) and project team, and provide direction. The USC can direct additional work by the TACs, accept their recommendations, or make modifications to their recommendations.
 4. The USC will use the approved scope and schedule, but may make changes to direct the process and the project schedule as needed. It will determine if additional work needs to be done or if additional meetings will be needed to resolve difficult issues. It will direct staff and the consultant team if additional work or schedule adjustments are necessary. The USC Chair may work with the project team in between USC meetings to provide direction regarding the schedule and work products as necessary. The USC Chair will consult with the Vice Chair as needed.
 5. In this manner, the USC has decision-making responsibility for the planning process (analysis, public involvement, etc.) that will be unfolding. USC members will likely need to consult with their constituents and peers between meetings to make sure various interests are included in a process that reflects the values of the community.

C. UGB Steering Committee (USC) guidelines:

1. The USC discussions will be managed by the Chair, or someone designated by the Chair. As used below, the term Chair means the Chair or designee, including the Facilitator.
2. The Steering Committee Facilitator is a neutral party. The Facilitator will not provide advice on substantive matters, and may provide advice on process matters. Project consultants and staff will provide input to the USC on substantive matters.
3. Meetings will begin and end on time. If agenda items cannot be completed on time, the group will decide if the meeting should be extended or if an additional meeting should be scheduled. Additional meetings will likely require adjustments to the project schedule.
4. At the meetings, USC members will:
 - i. Provide direct input as required to help reach group consensus
 - ii. Share the available speaking time so that all USC members can be heard
 - iii. Be respectful of a range of opinions
 - iv. Focus on successfully completing the agreed upon agenda
 - v. Avoid side discussions when others are speaking
 - vi. Voice concerns regarding agenda items as needed at the meeting, rather than voice concerns to consultants and staff after the meeting
 - vii. Strive for consensus and acknowledging points of mutual agreement
5. The Chair will gather comments and perspectives from other USC members before a member speaks multiple times on an issue.
6. The Chair will provide opportunities for brief public comment or announcements at the beginning or end of each meeting. Public comment will not exceed 20 minutes of allotted meeting time with a maximum of 2 minutes per individual, unless consent of the USC allows otherwise. Time permitting, the Chair may provide opportunities for public comment at other times of the meeting with the consent of the committee, such as immediately before the USC makes a decision. The agenda may indicate specific items where public comment is invited.
7. When USC members identify issues that are outside the scope of the committee's purpose, the ideas will be documented in an "idea bin" for future use by others, and the group will continue with the agenda.
8. USC members are encouraged to share the committee's progress with their respective constituencies at meetings, by e-mail or through newsletters.
9. Decision making:
 - i. The USC will make decisions regarding the direction of the project, project recommendations, and related matters. The USC will make every effort to make decisions by consensus. Consensus is reached when committee members all either support or can live with the proposal, even if it is not each committee member's personal favorite.
 - ii. Each member will be asked to convey their degree of support for decisions that are required. The Chair will test consensus by asking the members to show degree of support through a means

acceptable to the USC. The means of showing support should indicate: "I support the proposal"; or "I can live with the proposal"; or "I cannot live with the proposal". Consensus is not reached if one or more USC members indicates they "cannot live with the proposal."

- iii. A quorum is required to record a consensus or voted position of the USC. A quorum of the USC shall be at least 6 of 10 members. If consensus cannot be reached, a vote will be taken. A majority of the entire membership is required for a group decision to be made. The opinions of the members, and vote tally, will be recorded and be represented as not reaching consensus when that is the case. Those voting against a recommendation may prepare a minority report to be provided to Council with the recommendation.
- iv. Prior decisions made by the USC by consensus or vote can be reconsidered when there is consensus or a majority vote approving a reconsideration. In this case, there will likely be impacts to the budget and schedule due to the need revisit substantive issues.

D. Technical Advisory Committee (TAC):

1. Three topic-specific TACs (Residential, Employment, Boundary and Growth Scenarios) are established. Each TAC shall meet approximately four times, in addition to two joint USC/TAC meetings in Phase 1.
2. Staff and the APG team will facilitate and support the TACs to review and provide guidance on technical issues, methodologies, and recommendations.
3. TAC membership will reflect a degree of technical expertise or background in related subjects, and can also include highly involved and interested persons or even affected parties who may not be technical experts. The TACs will reflect the diverse views in the community on the subject. Ideal TAC members will have credibility and trust with members of their respective interest groups. It is sometimes helpful if TAC members are active in multiple organizations and have ties throughout the community.
4. TACs are in an advisory role and will make recommendations to the USC. The TACs will attempt to reach consensus on their recommendations to the USC. The role of TAC members is to participate with their viewpoints, attempt to reach recommendations that are acceptable to all TAC members, and share information about the UGB process with their peers, members, or larger group they represent.
5. The TACS are one element of public involvement, and a way for the USC to receive consensus (if possible) recommendations on technical and policy matters in the Remand Order from a diverse group of citizens. TACs will work with consultants and staff to review technical documents and provide direction on matters relating to the remand order.
6. The Residential TAC will generally focus on residential land need, the Housing Needs Analysis, residential efficiency measures, the Buildable Lands Inventory, and related topics. The Economic TAC will focus on employment land need, the Employment Opportunities Analysis, and related items. The Boundary TAC will address the Goal 14 boundary

expansion methodology, and how the Envision Tomorrow scenario planning tool will be used. Transportation, per capita vehicle miles traveled and related topics will be addressed by the Boundary and Residential TACs.

7. The TAC Chairs and Vice Chairs may be called upon to advise the USC, participate in other TAC meetings, and work with the USC Chair and Vice Chair as necessary. In this role, the Chairs and Vice Chairs of the TACs may serve as representatives of the TACs, and are expected to reflect the views of the TAC in any coordination or advisory activities.

E. TAC guidelines:

1. The agenda and discussions will be managed by the Chair, or someone designated by the Chair. As used below, the term Chair means the Chair or his designee, including the Facilitator.
2. Meetings will begin and end on time. If agenda items cannot be completed on time, the group will decide if the meeting should be extended or if an additional meeting should be scheduled. Additional meetings will likely require adjustments to the project schedule.
3. At the meetings, members will:
 - v. Provide direct input as required to help reach group consensus
 - vi. Share the available speaking time so that all members can be heard
 - vii. Be respectful of a range of opinions
 - viii. Focus on successfully completing the agreed upon agenda
 - ix. Avoid side discussions when others are speaking
 - x. Voice concerns regarding agenda items as needed at the meeting, rather than voice concerns to consultants and staff after the meeting
 - xi. Strive for consensus and acknowledging points of mutual agreement
 - xii. The Chair will gather comments and perspectives from other members before a member speaks multiple times on an issue.
4. The Chair will provide opportunities for brief public comment or announcements at the beginning or end of each meeting. Public comment will not exceed 20 minutes of allotted meeting time with a maximum of 2 minutes per individual, at the discretion of the Chair – the public is encouraged to provide written comments, and summarize them briefly in the public comment period. Time permitting, the Chair may provide opportunities for public comment at other times of the meeting with the consent of the committee, such as immediately before the group makes a decision. The agenda may indicate specific items where public comment is invited.
5. When members identify issues that are outside the scope of the committee's purpose, the ideas will be documented in an "idea bin" for future use by others, and the group will continue with the agenda.
6. Members are encouraged to share the committee's progress with their respective constituencies at meetings, by e-mail or through newsletters.
7. Decision making:
 - i. The TAC is an advisory group. It will forward advice in the form of

recommendations to the USC.

- ii. Ideally, decisions will be made by consensus. Consensus is reached when all of the members present either support or can live with the proposal. The Chair or Facilitator may check-in with the group regarding "do we have consensus on this recommendation" then ask for vote to document the consensus. Absent consensus, consistent with city policies for advisory committees, decisions will be made with a majority vote of a quorum of the TAC members. A minority opinion report on contentious issues may be forwarded to the USC when advised by the TAC.
- iii. A quorum is a majority of the voting members of the TAC. The concurrence of a majority of those members present and voting shall be required to decide any matter if consensus is not achieved.
- iv. As a general protocol, the TAC will try not to revisit its recommendations. However, prior decisions can be reconsidered when there is consensus or a majority vote approving a reconsideration. In this case, the project team will advise on budget and schedule implications. As needed, the USC may direct the TAC to reconsider issues as directed.

F. The USC and TACs will each appoint a combination of Chairs, Vice Chairs, or Co-Chairs so two members can fulfill the duties described previously. In addition, two substitutes may also be appointed by the USC and each TAC as necessary to act in place of the Chair and Vice Chair when they are unable to attend meetings or functions associated with the project. Changes to the Chair and Vice Chair, Co-Chair, and substitutes may be made by vote of the bodies in the case of vacancies.

G. The initial membership of the Residential Lands TAC is as follows:

- 1. Kristina Barragan
- 2. David Ford
- 3. Stuart Hicks
- 4. Andy High
- 5. Allen Johnson
- 6. Thomas Kemper
- 7. Katrina Langenderfer
- 8. Lynne McConnell
- 9. Michael O'Neil
- 10. Kurt Petrich
- 11. Gary Everett
- 12. Don Senecal
- 13. Sidney Snyder
- 14. Kirk Schueler
- 15. Stacey Stemach
- 16. Mike Tiller
- 17. Laura Fritz
- 18. Ex Officio:
 - i. Steve Jorgensen - BMPRD
 - ii. Gordon Howard - DLCD

- H. The initial membership of the Employment Lands TAC is as follows:
1. Ken Brinich
 2. Peter Christoff
 3. Ann Marie Colucci
 4. Todd Dunkelberg
 5. Brian Fratzke
 6. David Garcia
 7. Christopher Heaps
 8. Patrick Kesgard – Substitute
 9. William Kuhn
 10. Robert Lebre
 11. Dustin Locke
 12. Wesley Price – Vice Chair
 13. Cindy Tisher
 14. Jennifer Von Rohr
 15. Ron White
 16. Joan Vinci – Substitute
 17. Wallace Corwin
 18. Jade Mayer - Chair
 19. Ex Officio:
 - iii. Tom Hogue - DLCD
 - iv. Damon Runberg – Oregon Employment Department
- I. The initial membership of the Boundary and Growth Scenarios TAC is as follows:
1. Toby Bayard
 2. Susan Brody
 3. Peter Carlson
 4. Paul Dewey
 5. John Dotson
 6. Ellen Grover
 7. Steve Hultberg
 8. Brian Meece – Substitute
 9. Charley Miller
 10. Mike Riley – Co-Chair
 11. John Russell
 12. Ron Ross
 13. Sharon Smith – Co-Chair
 14. Gary Timm
 15. Rod Tomcho
 16. Robin Vora
 17. Dale Van Valkenburg – Substitute
 18. Bruce White
 19. Ruth Williamson
 20. Rockland Dunn
 21. Peter Werner
 22. Ex Officio:
 - v. Scott Edelman - DLCD

- vi. Jim Bryant - ODOT
- vii. Nick Lelack – Deschutes County

Adopted by the City Council the 20th day of August, 2014.

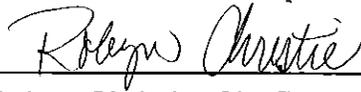
YES: Mayor Jim Clinton
Councilor Jodie Barram
Councilor Mark Capell
Councilor Scott Ramsay
Councilor Victor Chudowsky
Councilor Sally Russell

NO: none



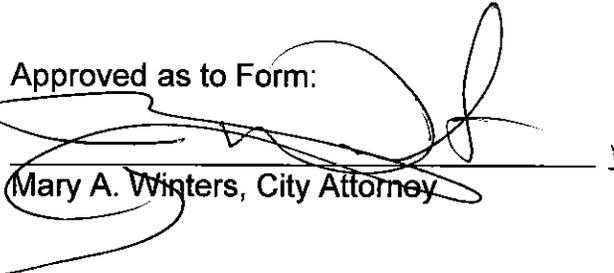
Jim Clinton, Mayor

Attest:



Robyn Christie, City Recorder

Approved as to Form:



Mary A. Winters, City Attorney