

**City of Portland – Metro Agreement
Post-Determination of Substantial Compliance with Title 13, Nature in
Neighborhoods**

DRAFT Outline – July 16, 2012

Purpose of Agreement:

1. Confirm Portland’s intent to continue natural resource protection and enhancement efforts by:
 - A. Pursuing completion of current projects that will update and hone City natural resource policies and regulations, and provide direction for future action; and
 - B. Pursuing actions intended to continue or improve ongoing natural resource protection and restoration programs;
2. Express the parties’ mutual intent to collaborate on natural resource issues of regional concern, such as addressing competing goals and evolving compliance obligations.

Portland’s Obligations

1. Intend to complete the following projects:

- a. Current planning phase and annexation decision for West Hayden Island;
- b. Comprehensive Plan update – address key issues (e.g., how to meet goals for jobs and watershed health, options to improve conditions in headwater areas);
- c. Willamette Greenway Plan update (multi-objective plans for Willamette North, Central and South reaches); and
- d. Additional projects identified through the Comprehensive Plan or as directed by City Council. Further Columbia Corridor planning will be considered, taking into account past scoping efforts and recent projects (e.g., Airport Futures),

2. Engage in efforts to continue and improve ongoing programs by:

- a. Intend to fund/implement Citywide Tree Project (code, customer service improvements);
- b. Intend to fund/implement current programs to preserve and enhance watershed conditions, green infrastructure, and community assets; and

- c. Intend to fund/implement community stewardship and education programs.

Joint Obligations

1. Metro and Portland will collaborate on the following:

- a. Pursuing completion of the current phase of planning for West Hayden Island, and if WHI is annexed, prepare a "District Plan" in substantial compliance with Title 13.
 - b. Portland's Comprehensive Plan update, including policy issues relating to jobs, industrial land supply and watershed health.
 - c. Willamette River Planning, including policies to enhance the Willamette River as a regional economic, recreational and ecological resource.
 - d. Addressing evolving state and federal regulatory requirements including floodplain management and the ESA.
2. The Bureau of Planning and Sustainability and Metro will check in at agreed upon milestone points related to ongoing and future projects and continue to share relevant data and information per the effective monitoring and reporting requirements of Title 13 and future collaborative efforts.

Modifying or Terminating the Agreement:

1. Portland and Metro may modify or extend this agreement in writing by mutual consent.
2. Either Portland or Metro may terminate the agreement by giving 30 days written notice to the other party.
3. Modification or termination would be carried out by ordinance.

Other terms that state law requires to be included in an IGA:

1. The term of the agreement (10 years? 20 years? No termination date?)
2. Dispute resolution (how disagreements will be resolved)

Other terms that are typically included:

1. Notice provisions (identifying the representative of each party to whom notices should be given)

2. Definitions (specifying that words are given their ordinary dictionary definition unless otherwise defined in the agreement)

3. Governing law (usually stating that the agreement will be governed by Oregon law)