

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING-REVISED 11/2/99
DATE: November 4, 1999
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS
3. EXECUTIVE OFFICER COMMUNICATIONS
4. AUDITOR COMMUNICATIONS
5. MPAC COMMUNICATIONS
6. MCCI ANNUAL REPORT Durtchi
7. CLASSICAL CHINESE GARDENS PRESENTATION Tonkin
8. DEPARTMENT OF AGRICULTURE PRESENTATION Johnson
9. CONSENT AGENDA
- 9.1 Consideration of Minutes for the October 28, 1999 Metro Council Regular Meeting.
10. RESOLUTIONS
- 10.1 **Resolution No. 99-2850**, For the Purpose of Changing the Representatives of Cities of Multnomah County and Changing the Alternate for the Affordable Housing Technical Advisory Committee. Park
- 10.2 **Resolution No. 99-2857A**, For the Purpose of Granting a Time Extension for Compliance with Title 4 of the Urban Growth Management Functional Plan For the City of Sherwood and Requiring Actions to Assure Coordination Among The Comprehensive Plans of the Cities of Sherwood, Tualatin, Tigard, Beaverton, And Washington County Concerning Title 4 of the Functional Plan. Growth
Management
Committee

10.3 **Resolution No. 99-2863**, For the Purpose of Directing the Executive Officer In the Preparation of the 2000-2001 Budget and Creating a Task Force to Recommend Allocation of Certain One-Time Expenditures. Bragdon

10.4 **Resolution No. 99-2868**, For the Purpose of Adopting the Portland Area Air Quality Conformity Determination for the FY 2000 Metropolitan Transportation Improvement Program. Bragdon

11. CONTRACT REVIEW BOARD

11.1 **Resolution No. 99-2846**, Authorizing an Amendment to the Contract between Metro and OTAK Inc. for Design and Engineering Services at Oxbow Regional Park and Howell Territorial Park. Kvistad

11.2 **Resolution No. 99-2852**, For the Purpose of Approving a Sole Source Agreement with Creative Information and Transformation Education. McLain

12. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for November 4, 1999 Metro Council Meeting

	Sunday (11/7)	Monday (11/8)	Tuesday (11/9)	Wednesday (11/10)	Thursday (11/4)	Friday (11/5)	Saturday (11/6)
CHANNEL 11 (Community Access Network) (most of Portland area)						2:00 P.M. *	
CHANNEL 21 (TVCA) (Washington Co., Lake Oswego, Wilsonville)	7:00 P.M. *	1:00 A.M. *		7:00 P.M. *			
CHANNEL 30 (TVCA) (NE Washington Co. - people in Wash. Co. who get Portland TCI)	7:00 P.M. *			7:00 P.M. *			
CHANNEL 30 (CityNet 30) (most of Portland area)		POSSIBLE 2:00 P.M. (previous meeting)					
CHANNEL 30 (West Linn Cable Access) (West Linn, Rivergrove, Lake Oswego)		12:00 P.M. (previous meeting)	7:00 P.M. (previous meeting)	1:00 P.M. (previous meeting)		8:00 P.M. (previous meeting)	7:00 A.M. (previous meeting)
CHANNEL 19 or CHANNEL 33 (ATT Consumer Svcs.) (Milwaukie)	4:00 P.M. (previous meeting)					10:00 P.M. (previous meeting)	9:00 A.M. (previous meeting)

* These meetings may be preceded by a 30-minute public affairs program, *The Regional Report*, produced by Metro.

PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES.

PUBLIC HEARINGS: Public Hearings are held on all Ordinances second read and on Resolutions upon request of the public. Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING – REVISED 10/28/99
DATE: November 4, 1999
DAY: Thursday
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PLACE: Metro Council Chamber

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Consideration of the October 28, 1999 Regular Metro Council Meeting minutes.

**Metro Council Meeting
Thursday, November 4, 1999
Council Chamber**

MINUTES OF THE METRO COUNCIL MEETING

October 28, 1999

Metro Council Chamber

Councilors Present: Rod Monroe (Presiding Officer), Susan McLain, Ed Washington, Rod Park, Bill Atherton, David Bragdon, Jon Kvistad

Councilors Absent:

Presiding Officer Monroe convened the Regular Council Meeting at 2:08 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATION

A. OPEN SPACES ACQUISITION ACKNOWLEDGEMENT

Mr. Bob Treverseau and Mr. Jack Parker, Parker Northwest Paving Company, were presented with an award by Councilor Atherton for donating a 130,000-acre parcel of land along the Clackamas River. It is Metro's largest donation to date.

Mr. Treverseau thanked the Metro Council, noting the professionalism of those with whom he dealt. He acknowledged Charlie Ciecko, Mike Burton, Jim Desmond, April Olbrich, Jim Morgan, Joel Morton, and Barbara Edwardson for their hard work and dedication to completion of the project.

3. EXECUTIVE OFFICER COMMUNICATIONS

Mike Burton, Executive Officer, said with regard to the Parker Northwest Paving Company donation, that the property rights dated back to 1898, and was a daunting task to have been undertaken.

Mr. Burton spoke to the solid waste savings. He said he was aware of the input from citizens and the Council itself as to the disposition of the savings of approximately 60% for general purposes and 40% for solid waste. He congratulated the Council on their commitment to maintain stabilization of the tipping fee over the next three years. Combined with the rate subsidy that Metro has provided during the last two years and the actual rate reductions made during that time there has been a significant cost savings to the citizens of the region. He also congratulated them on their commitment to the priority of waste reduction and recycling.

Mr. Burton said that earlier in the week, he had been asked by Council to submit a budget assuming that the dollars resulting from converting 60% or about \$3.6 million in savings not be programmed in the budget. By Metro Charter and Code, he is required to submit to Council a

budget by February. While some Councilors expressed specific ideas, he did not hear a consensus of direction. Without some assurances that the Council wanted to generally maintain current programs next year, prudent management suggested that spending be reduced now to protect the ending balance. Appropriate steps at this time would include hiring freezes, and a freeze on discretionary spending. Another prudent step in preparing a budget with no new resources would be to have departments and legal counsel review Metro Code to identify those sections which must be amended or eliminated for the next fiscal year.

Mr. Burton understood that a subcommittee was to be established by Council to provide him with further policy direction by early next year. He requested adoption of a concept soon, possibly within the next two weeks, as to where the additional resources were to be allocated. He said he understood Council consensus on Metro's general fund reserve be increased to \$1 million. He urged the Council to move forward as soon as possible.

4. AUDITOR COMMUNICATIONS

None.

5. MPAC COMMUNICATION

Councilor McLain reviewed the two issues discussed at the last MPAC meeting. The first dealt with the 1997 Urban Growth Report Update discussing general concepts about opportunities to give assistance to the Council on that document. No motions were made, however, they discussed Resolution 99-2855, which Councilor Park and the legal staff had been working on in relation to the urban growth report update and other issues dealing with urban growth boundary review. Questions probably will be able to be answered by Councilors McLain and/or Park after next week's meeting.

Councilor McLain said Mr. Andy Cotugno, Transportation Department Director addressed MPAC regarding the regional transportation plan and the decision-making schedule, and suggested to MPAC that they had an opportunity to advise Council by November 24, 1999. Some good points were made about land use transportation connections and infrastructure concurrency issues and getting the MPAC and JPACT funding committees together for discussions about infrastructure costs.

6. CONSENT AGENDA

6.1 Consideration of the Meeting Minutes of the October 14, 1999 and October 21, 1999 regular Council Meetings.

Motion: Councilor McLain moved to adopt the meeting minutes of October 14, 1999 and the October 21, 1999 Council meetings.

Seconded: Councilor Washington seconded the motion.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Presiding Officer Monroe moved ahead to Agenda Item 10.1, since a time certain hearing was to begin at 2:30 p.m.

10.1 Resolution No. 99-2843, For the Purpose of Adopting the Portland Area Air Quality Conformity Determination for the FY 2000 Metropolitan Transportation Improvement Program.

Motion: Councilor Bragdon moved to adopt Resolution No. 99-2843.

Seconded: Councilor Washington seconded the motion.

Councilor Bragdon said that Federal Transportation expenditures in the region required that the region demonstrate conformity with federal air pollution guidelines. This document approves the conformity determination that has been carried out and reviewed by DEQ and the Federal Government. There is an update to the 82nd Avenue Corridor in the year 2015, the CO budget is out of compliance, and this resolution allows analysis, and if changes in the air shed need to be made, it can be determined later.

Councilor Kvistad requested if an amendment needed to be moved.

Mr. Cotugno said yes, that he had submitted a memo with recommendations to incorporate the amendment that Councilor Bragdon just referenced.

Councilor Bragdon said that the pages on the attachment would coincide with the original pages.

Motion to Amend: Councilor Kvistad moved an amendment to Resolution No. 99-2843.

Seconded. Councilor Bragdon seconded the amendment.

Vote to Amend: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Councilor Atherton asked Mr. Cotugno to explain why the test data showed a declining parts per million measurement in the field, yet the model showed an increasing level of emissions.

Mr. Cotugno, responded that the model actually showed a declining level of emissions over the forecasted time period consistent with the declining level of emissions that the measure data shows for the past time period, however, the established procedure for a specific area was for a budget or quota for emissions be set, and this area is slightly over the budget that was set. There continues to be a declining level of emissions but a very tight budget was set and it has not been achieved. This action causes closer attention to this area to see if the budget makes sense, and if so, what additional action is needed to maintain the standard.

Councilor Atherton asked if the model and the budget account for the airport light rail project and the increased usage in that area.

Mr. Cotugno said yes, all regional growth has been accounted for in this modeling.

Councilor Atherton said the model also includes urban settlement expansion with a certain level of transit, and reduce vehicle miles traveled, and inquired how this can be reconciled when vehicle miles traveled were increasing.

Mr. Cotugno said vehicle mile travel was going up, there had never been assertion otherwise, but the goal of vehicle miles per person going down.

Councilor Atherton asked where the model showed the limit of carrying capacity.

Mr. Cotugno these projections indicate the current status was right at the limit.

Councilor Atherton said the whole purpose of this exercise was to make certain that the expenditures of federal funds will not result in air pollution violations.

Mr. Cotugno said that was correct.

Councilor Atherton said that the expenditures that were planned would conform to the model and not result in air pollution violations.

Mr. Cotugno said yes, and the budgets for each progressive year state that there should be lower emissions over time and the estimates provided indicate that those limits were being adhered to, but right at the budget. There was no spare room.

Councilor Bragdon urged passage to continue federal fund eligibility.

Vote on the

Main Motion: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

7. PUBLIC HEARING ON IMAX LAND USE FINAL ORDER

Presiding Officer Monroe asked Councilor Washington, Chair of the Light Rail Steering Group to introduce this public hearing.

Councilor Washington read an opening statement regarding the South/North Light Rail Project regarding Resolution No. 99-2853A. This agenda item involved an application by Tri-Met for Council adoption of a Land Use Final Order amending the original South/North final order adopted by the Council last year by Resolution No. 98-2673. The requested amendments involved areas of the South/North project from the Steel Bridge to the Expo Center. A LUFO is an order adopted in accordance with Oregon law established in House Bill 3478. It differs from Locally Preferred Strategy which is a requirement of federal law. In 1999, the Council amended the LPS to incorporate the Interstate Max Project. HB 3478, adopted in 1996, required the Metro Council to decide the light rail route, stations, park and ride lots, maintenance facilities and high improvements, including the boundaries within which the facilities and improvements may be located. This would be accomplished by usage of a land use final order. HB 3478 required findings of fact demonstrating that the route, station, lots and improvements comply with ten land use criteria established by LCDC. LUFOs are governed by special procedures contained in HB 3478 which include the announcement of a number of procedures.

Councilor Washington said the Council will decide the route, stations and park and ride lots including their locations. This information has been attached to Tri-Met's application and on maps posted in Chambers, and available for public review. He asked Mr. Dan Cooper, Legal Counsel, to summarize the procedural requirements.

Mr. Cooper stated that these procedures differ in some important aspects from other land use hearings. He explained the process and the appeals process under HB 3478. Metro's LUFO must comply with the ten established criteria by LCDC, which were available in the back of the Chamber. They were listed in the proposed findings. All public testimony should be directed toward the application of the LCDC criteria to the proposed amendments. Following the public hearing the Council might adopt the LUFO amending the light rail route, stations and lots including their locations as applied for by Tri-Met. Alternatively, the Council may chose to continue the public hearing and refer the matter back to Tri-Met for further review and new application submittal. Should the Council adopt the LUFO as submitted by Tri-Met, any appeal from the Council's decision must be filed within 14 days following the date the LUFO is reduced to writing and signed. Failure to raise an issue at this hearing, or failure to provide sufficient specificity regarding that issue, will preclude appeal by the Land Use Board of Appeals. Written notice of the Council's adoption of the LUFO amendment will only be provided to persons who have provided oral or written testimony at this public hearing and who have also provided, in writing, a request for written notice and a mailing address to which the notice should be sent. Testifiers or requestors of written Council decision information must do so at the sign up table in the back of Chambers. Persons whose names appear only on petitions submitted at the hearing and do not provide oral or written testimony are not considered to have provided oral or written testimony at this hearing, as provided in the statute. He asked Councilor Kvistad to explain the hearing process and introduce the Resolution.

Councilor Kvistad explained the order of the hearing. First, he was going to make a motion, Mr. Richard Brandman, Transportation Planning Division Director, was going to give a presentation, Tri-Met staff would make their application presentation, Presiding Officer Monroe would then open the hearing to the public, after which a short break would be taken, and rebuttal from Tri-Met and staff comments as needed. Oral and written testimony would be accepted up to closure of the hearing. During and after rebuttal, no further written testimony would be accepted unless the Council re-opened the hearing.

Councilor Kvistad said after Tri-Met's rebuttal, the Council would either close the public hearing and decide the application, or may continue the hearing to a date certain. Should the hearing be continued, a schedule will be established for further submittal of testimony, and may limit the issues for additional testimony. Should the hearing be closed due to need or change of findings, the matter may be continued on this day's agenda or to a future date certain allowing adequate time for changes to be prepared. With that, he read the resolution into the record.

7.1 Resolution No. 99-2853A, For the Purpose of Adopting a Land Use Final Order Amending the Light Rail Route, Light Rail Stations and Park-and-Ride Lots, Including their Locations, for the Portion of the South/North Light Rail Project Extending from the Steel Bridge to the Exposition Center.

Councilor Kvistad stated that the resolution provides for the adoption of the LUFO amendment and the adoption of land use findings of fact in support of the LUFO amendment.

Motion: Councilor Kvistad moved to adopt Resolution No. 99-2853A.

Seconded: Councilor Washington seconded the motion.

Councilor Washington thanked all involved in this process.

Mr. Richard Brandman, gave a brief report and visual presentation. The resolution sets the footprint for the route, stations and terminus. A steering committee chaired by Councilor Washington unanimously recommended this LUFO to Tri-Met and Tri-Met unanimously recommended its application to the Metro Council. The proposed LUFO and facts have been attached to the resolution (which may be found in the permanent record of this hearing). The ten criteria have been addressed. The findings show how the Max route, stations and lots comply with the LCDC criteria. The criteria have been listed. Tri-Met evidence and the Metro staff evidence have been considered relating to the applicable criteria and this has been included in the staff report to the Council. Metro staff's position is that the evidence demonstrates that the proposed project has met the legislative criteria.

Mr. Brandman stated that Metro now has a final environmental impact statement signed by the Federal Transit Administration and has been sent to Washington, D.C. for acknowledgment. A public comment document accompanied the statement. A shorter summary of the final environmental impact statement is available to be provided upon request. He turned the presentation over to Mr. Ross Roberts.

Mr. Ross Roberts, IMAX Planner, made a visual presentation of the alignments and stations for the proposed IMAX. He pointed out the changes to the alignments and stations. There were no highway improvements included in this project, and maintenance facility expansion consisted of expanding the existing Ruby Junction facility.

Presiding Officer Monroe opened a public hearing on Resolution No. 99-2853A. He stated that each person testifying would have three minutes.

Mr. Brandman clarified that Tri-Met needed to present their application.

Neil McFarland, Tri-Met Executive Director of Capital Improvement, thanked the Metro Council for their leadership, and Metro staff for their hard work on this project. It was hoped that by the next business day the completed LUFO, the City/Tri-Met Intergovernmental Funding Agreement committing local shares from the City of \$30 million and Tri-Met's financial commitment would be sent to the federal government.

Mr. McFarland stated the issue of the location of the Expo Station has been of special interest to some Councilors. He presented a letter from Mr. George Passadore and Mr. Fred Hansen of Tri-Met.

Presiding Officer Monroe opened the public hearing.

Rick Williams, Chair of the North Light Rail Citizen's Advisory Committee, 111 SW Columbia, Suite 1380, Portland, OR 97201. He urged the Council to go forward with this project. The report in front of the Council outlined the issues and concerns the Committee had at the beginning of the process. The main issues concerned funding, friendly condemnations and that

the money be used to support the goals and needs and wants of that community. Another issue; that of parking, was divided into the categories of parking around the Expo Center, neighborhood mitigation and on-street parking. The Committee felt bicycling was critical, but did not know if Interstate was the place to put the bikes. He asked Tri-Met and Metro to study the alternatives. Community involvement needed to be increased. He urged the Council to go forward.

Amanda McCloskey, Community Development Network, 2627 NE Martin Luther King Jr. Blvd. #202, Portland OR 97212, said they were an association of non-profit housing developers and community development corporations working in the Portland area. Their concerns involved social impact on housing affordability in the area. Bringing light rail to one of the last remaining supplies of affordable housing in the area meant improvement and increased property values, but for the low income renters, an increase in their rent. She asked that these affordable housing concerns be considered by using non-profit housing, community land trusts and housing cooperatives, and inclusionary zoning.

Jim Worthington, 3232 SE 153rd Rd., Portland OR 97236, said he had been told by the City of Portland that this light rail would not cost a thing. This was not private money. Second, there seemed to be very little park-and-ride planned. He said Tri-Met had promised north/south bus lines instead of park and rides at 148th, 162nd and 172nd. He said there were no park and rides and still no north/south lines. He encouraged more park and rides and more housing, suggesting housing was a problem. It had not been a positive situation along the light rail.

Lenny Anderson, Chair, Swan Island Business Association Transportation Committee c/o Freightliner Corp CIA-BLD 4747 N Channel, Portland OR 97217, read a letter into the record signed by Wayne Cozad, II, President of the Association (a copy of which may be found in the permanent record of this meeting.) He said that the addition of the shuttle from Swan Island to the Rose Quarter Max, had above average ridership for Tri-Met. He pointed out that this transit project and connections to Swan Island created roadway capacity for the movement of freight by giving those employees options to driving alone. He encouraged the Council to go forward.

David Eatwell, Executive Director of the Kenton Action Plan, 2601 N Willis Blvd., Portland OR, urged support of this proposal and its funding and asked consideration of the proposed siting of an amphitheater at the Expo Center, the temporary terminus of the IMAX line. He asked that any facility be brought forward as part of a master plan project and any proposed amphitheater be sited to take full advantage of the light rail station.

Art Lewellan, 3205 SE 32nd, Portland, OR, a Brooklyn Neighborhood resident, said earlier this year he had opposed this alignment. However, he had changed this opposition. He thought that the most important work that had come out of Metro was the regional center plan, the 2040 plan. He did not think it could occur without the expansion of light rail. He submitted a letter for the record (a copy of which may be found in the permanent record of this meeting). He supported this proposal, and hoped for redesign of the south end of the line so it would be more acceptable to those who opposed it.

Richard Ellmyer, 9124 N McKenna, Portland, OR, said in 1981, he served with State Senator Bill McCoy in the Legislature. In 1983 he worked for Commissioner Gladys McCoy and supported the north light rail line to Vancouver. He strongly supported this project and hoped that the Council would continue to give their support. This light rail system currently ends at the

Expo Center. There was a lot of development and planning going on at the Expo Center. He urged continued good planning for both Metro and the community.

Peter Teneau, 2715 N. Terry, Portland, OR 97217, read his letter into the to record (a copy of which may be found in the permanent record of this meeting).

Councilor Washington thanked those that testified from his district.

Presiding Officer Monroe called a short recess for Tri-Met to prepare their rebuttal. He closed the public hearing.

Presiding Officer Monroe announced the continuance of Resolution No. 99-2853A. He called Mr. McFarland to rebut.

Mr. McFarland indicated he had no rebuttal.

Mr. Brandman acknowledged the hard work of all involved. If the LUFO was approved, the next step would be for this project to be recommended in the President's budget for funding. By February, 2000 the decision would be made. By early summer, a contract could be signed with the Federal Transit Administration.

Councilor Washington thanked Mr. Brandman and Mr. Roberts for their dedication. He also acknowledged Mr. McFarland's openness and effective communication skills.

Presiding Officer Monroe thanked all those that testified. He said that the Council had before them Resolution No. 99-2853A for approval, or the public hearing could be continued. He opened discussion to the Council.

Councilor Kvistad recommended a vote of approval at the current time. He thanked Mr. Roberts and his crew, among them: Sharon Kelly, John Cullerton, David Unsworth, Randy Parker, Jeanna Cernazanu, John Gray, Skye Brigner, Jodie Kotrlik, Shawn Wood, Susan Finch and Jan Faraca. He also thanked Fred Hansen and Neil McFarland from Tri-Met. Finally, he thanked Rick Williams and his Committee. He recommended an aye vote on the Resolution.

Presiding Officer Monroe asked if any Councilor wanted to continue the process. There was no response. He closed the hearing to written and oral testimony.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Presiding Officer Monroe announced that the council would consider the Solid Waste Ordinances next on agenda.

9. ORDINANCES - SECOND READING

Presiding Officer Monroe opened a public hearing on Ordinance Nos. 99-823A, 99-824A, and 99-825A.

Jerry Rust, 3417 N Russet St., Portland, OR 97217, he is affiliated with St. Vincent de Paul of Lane County. He read his letter of opposition into the record (a copy of which may be found in the permanent record of this meeting.)

Jackie Dingfelder, 2124 NE 54th Ave., Portland, OR, said she testified previously in support of the Dakota Plan. She supported reinvesting in recycling and solid waste programs and supported existing natural resource programs that are currently underfunded. The plan also provides partnering with Metro in protecting fish and wildlife habitat. She urged support of this Plan. Public accountability must be made.

Jane Cromlin, Executive Director of Three Rivers Land Conservancy, 3125 SW Carolina St, Portland, OR referred the Council to her previous testimony. She supported the Dakota Plan's incentives programs providing resources to local jurisdictions. She supported keeping the solid waste savings, but only with a pre-determined plan. She urged support of Councilor Bragdon's Dakota Plan.

Councilor Atherton asked Ms. Dingfelder and Ms. Cromlin how they would propose these programs be funded after the that ten year window. What kind of dependencies would be created and what would the long-term funding be.

Ms. Cromlin responded that an excellent example would be the Greenspaces Bond Measure of \$135 million and the good that could be done with a short term program. Also, the Restoration Grant Program. These programs do not need to foster a dependency, unless the voters decide to continue them.

Ms. Dingfelder agreed and said Metro was at an essential point in the planning processes with programs that were not going to be funded. The Greenspaces Program suffers from lack of masterplanning. Jurisdictions are understaffed regarding technical resources necessary for the planning of Title 3 and Goal 5 implementation.

Councilor Atherton asked if there were other opportunities to do capital investment.

Ms. Dingfelder said this was a possibility for long term. When the bond measure was passed, long term planning, restoration and maintenance was not included. This savings provides an opportunity to use part of these funds to repair some of the past damage.

Councilor Atherton said it ended in ten years and that was the problem.

Ms. Cromlin said she thought the long term management and maintenance could be built in at the beginning of the program.

Councilor Atherton said he heard what they said, his suggestion was to pay off the debt early and use the interest on the savings to seed an endowment to provide in the long term.

Ms. Cromlin said she was not familiar with that particular plan and could not comment on it.

Rachel Bloom, 0606 SW Nevada, Portland, OR, founder of Portland Supported Employment to support disabled persons in environmental areas. She received from Metro, through Clackamas

County, a grant to recycle at the Clackamas Town Center Mall. The project has been successful and encouraged the Council to continue to provide that type of funding.

Presiding Officer Monroe closed the public hearing. He remarked that this had been a long process. Councilor Washington had held numerous public hearings. Much testimony had been heard from all sectors. He said the Council heard and supported the fact that these savings would not be used to grow a larger bureaucracy, that citizens wanted stable solid waste rates so when the ordinances are past, 40% of this money would be allocated to stabilize the rates for 3 years and an extra \$1 million had been allocated to enhance recycling. If more opportunities were found, more funding would probably be available. Also, appropriate uses for these funds could be natural resource development and development of the purchases made with the \$135 million open spaces bond measure money, habitat restoration and protection of fragile areas, assisting local jurisdictions with planning grant money and making the zoo more accessible to children. Because of the needs that have been brought forward, he appointed a budget subcommittee to commence immediately to review all of the testimony and needs. He appointed Councilor David Bragdon to chair the subcommittee, with Councilors Park and Washington as members.

Presiding Officer Monroe closed the public hearing. He remarked that this had been a long process. Councilor Washington had held numerous public hearing.

Presiding Officer Monroe appointed a budget subcommittee to report back to the full council, which acts as a budget committee of the whole, no later than Jan 1, 2000 or sooner if possible. He asked Councilor David Bragdon to chair the subcommittee with Councilors Park and Washington as members. He urged them to get to work as quickly as possible and assigned John Houser, Senior Analyst to be the primary staff assistant. He further stated that all of the staff in the Council office and in the Executive office were eager to work with the subcommittee to develop a specific plan for determining where the needs are, how much money was needed to stabilize various funds that have been depleted and where investments should be made to best serve and best return to the voters of this region the benefits of this negotiation.

9.1 **Ordinance No. 99-825A, For the Purpose of Amending Metro Code Section 5.02.025 to Modify the Disposal Charge at the Metro South and Metro Central Transfer Stations.**

Motion: Councilor Bragdon moved to adopt Ordinance No. 99-825A.

Seconded: Councilor McLain seconded the motion.

Councilor Bragdon said he thought everyone was familiar with this ordinance regarding the tipping fee.

Councilor McLain said she would be supporting this ordinance. The major debate was on the tipping fee; why it should be kept at \$62.50 or lowered, and what the ramifications would be to recycling and other issues. She said that there was proof that returning the money would not be effective, efficient or valued from comments the Council heard in testimony. Another thing that she said was expounded on at the last meeting, but perhaps not emphasized enough, was that keeping the rate constant was a signal that Metro values recycling. She said it was important to support this ordinance because of the thorough conversation on these elements, but particularly because lowering the rate would harm recycling.

Councilor Atherton said this debate was not about the \$62.50; it was about flexibility and the creation of a very large tax. He noted that he and Councilor Kvistad had voted against this tax at the last meeting. He said he was very much against creating a task force; Council was a seven member deliberative body and should take this large complex issue, break it down into manageable pieces and work through them to find agreement. Another issue that should be agreed on was protecting the core enterprise, the Solid Waste Management Fund, its operation and recycling. He said that there was a legal challenge that created a great deal of uncertainty to flow control. Metro has a state mandate to recycle; that was not being met. He said it was premature to create a tax without a better understanding of how it will be spent. The Solid Waste Advisory committee recommended looking out 7 years in testimony before the Council, and from his business experience he recommended looking out at least 10 years in order to stabilize the system. He said that Council also should examine its liabilities: Metro has extensive debt, not only in the solid waste system, but also in the agency. With this level of uncertainty Council should do one thing really well before starting a hodgepodge of other enterprises that cannot be done well. He recommended a no vote.

Councilor Kvistad said that it hard to know where to start. Out of a group of 7, 3 were picked as a special committee because the process was such a mess that we cannot make a decision – unbelievable. This ordinance would increase taxes by raising the tipping fee by 50 cents, but also increasing the excise tax within it from \$8.35 to \$9.00. He said that was a tax increase and even worse, Council was raising taxes before deciding how it would be spent. The process should be 1. Look at priorities, 2. Figure out where the money was needed, 3. Figure out how to spend the money and 4. Find the tax revenue to pay for it. He said he disagreed with all of this and would vote against it.

Councilor Park said the easiest thing would be to give the money back, however the issues were more complex. If, after all the testimony the Council believes those who know the recycling system and said lowering the tipping fee would undo the economic underpinnings of how this system works, then the conclusion must be to leave the fee at \$62.50. If, however, someone believes all of this testimony was untrue, people have not told the truth, or has hidden agendas, then any conclusion can be reached. He said he chose to believe the evidence he heard from people in the industry. He felt it was ironic that if the recycling rate goes down and the Council does nothing, leaving the tipping fee approximately the same on a percentage basis, Metro would increase revenues. Even if the money was given back this year, next year it would need to be raised and in the mean time the recycling system would be destroyed. He said that the important questions are, what does it do to the tipping fee, the recycling rate and the conflicting goals of Metro and the region, not to mention the state mandate of 50% recycling.

Councilor Bragdon said he would be supporting this ordinance in spite of some ambivalence and hesitation, as in effect Council was not just asking people they are buying a pig in the poke , but telling them that they are. This ordinance would create a windfall that does not belong to any of the seven councilors, but to the people. He said the burden was on the Council to describe and account for every penny of where the money goes. If it passes everyone should take the burden seriously and he believed that everyone has expressed that belief and should move on to track and spend this money in the most responsible way possible. He said he would vote yes with the understanding that this next step would happen.

Councilor McLain said another reason she was voting for this was because people said that they didn't want 2-1/2 cents, or 50 cents, \$8 or wait around for 10 years for \$80, but would rather have it invested in the community in the items listed in the charter. She said that was common sense and makes sense to her.

Councilor Washington said again that it has been quite a process and the easiest thing to do would be to give it back and not worry about it. However, he said, he guaranteed that if that happened the Council would be criticized for that; this was one of those no win situations. He did not see this process as an attempt to circumvent the will of the Council; if he did, then he would not do it. He asked everyone to bear with the Council as they work to do the right thing.

Presiding Officer Monroe commented that subcommittee was a part of Council life, all of the work was done in subcommittee and always has been except for the budget, which was traditionally done by the Council as a whole. There are 3 member committees dealing with land use, transportation and solid waste, so a time-certain budget subcommittee was not all that different. Three people can often ferret through the issues and come up with recommendations. Council subcommittees have no power unto themselves, but can only recommend. All decisions remain with the full Council. He also said that if these measures pass today, they will take effect February 1. Prior to one penny being collected there will be a complete plan. That plan may include more money than the \$1 million for recycling, it may include additional reserves, it may include checks to everybody on an annual basis as one Councilor has suggested, or it may include any of the other needs that have been suggested, especially in the Dakota plan.

Vote: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilors Kvistad and Atherton voting no.

9.2 **Ordinance No. 99-824A, For the Purpose of Amending Metro Code Chapter 7.01 to Modify and Adjust Excise Taxes and Making other Related Amendments.**

Motion: Councilor Washington moved to adopt Ordinance No. 99-824A.

Seconded: Councilor McLain seconded the motion.

Councilor Washington felt that everything had been said.

Councilor McLain pointed out that on page 5 of 99-824A the excise tax credit schedule was important to note. If people did not want to pay excise tax and could continue to improve their recycling rate, they would pay less excise tax. They could get as much as \$1.50/ton excise tax credit for between 40-100% recycling. She said that on pages 6-7, the Forest Grove situation, i.e. a privately owned transfer station, was addressed and included their tax not starting until June 30, 2000. It also provided an opportunity not to pay excise tax on out-of-district waste. She said the Council welcomed the opportunity to make sure the arrangement was equitable to all sides.

Motion to Amend: Councilor Kvistad moved Kvistad Amendment #3.

Seconded: Councilor Atherton seconded the amendment.

Councilor Kvistad reviewed his amendment as a policy amendment that dealt with the way in which facilities are taxed. He said it would shift the excise tax currently collected at the Oregon Zoo (\$700 thousand) and at the MERC facilities (\$1.2-1.4 million) leaving those dollars with these facilities for a renewal and replacement fund. He believed that funds collected were best kept at the facility that generates the revenue, that Metro's tax policy should be clear and consistent across the agency, and utility based if it was a utility-based tax. The Hotel/Motel industry, the Visitors' Association and many of MERC and the Zoo's partners supported it. He believed that this was an opportunity to make a policy change in the way this government operates and funds itself and the way in which the operation managed by Metro are run, particularly MERC and the Zoo.

Councilor Park asked if, in this form would any funds be returned to the ratepayers?

Councilor Kvistad said the rate stabilization would return the funds to the ratepayers through stabilizing the rates for a much longer time.

Councilor Park asked if he had a projection of how far out it would go?

Councilor Kvistad said it would go out for the 9-years plus of the contract. He asked Mr. John Houser, Council Analyst, for the figures.

Mr. Houser said the Council has talked about carrying the existing rate, \$62.50, using existing reserves out about 3 years. He said that in the fourth year \$3.6 million additional funding would be needed to hold that rate. Then about \$4.3 million the next year and \$4.9 the year after that. If, as Councilor Kvistad suggested you began setting aside up to \$4.2 million a year in addition to existing reserves in all likelihood Metro could probably carry that rate out for the remaining life of the contract with the 10 years.

Councilor Park said he was trying to relate the fact that the hotel/motel tax was only paid by those businesses that are within Multnomah County while Metro was a regional facility and solid waste was gathered by region. He said he was looking for the incentive at what time do we get regional funding for those regional facilities and if this helps or hurts in the effort.

Councilor Kvistad said that the Zoo belongs to the region; the regional facilities, while they may be located within Multnomah County, are for the region as a whole. Metro has regional priorities and focus in areas beyond a commitment to green spaces. What this amendment says was that Metro was entrepreneurially based and leaves the revenue with the agency that generated it rather than siphoning it off into Metro general government.

Councilor Atherton reminded the council that the Solid Waste Advisory Committee has talked about stabilizing the rates for 7 years as well as stabilizing other Metro core businesses, the Zoo, Expo and Convention Center facilities. He agreed it would leave fewer funds available for flexible sources, but thought that this was an advantage. He urged support of the amendment.

Councilor McLain said Councilor Atherton had made a very good comment she wanted to address. The Council wanted a beginning of stabilized rates for 3 plus years, but this review would be happening every year, because this fund would come in every year. This was not \$60 million arriving here this year, it was over a 10 year period. If this agency went forward this year or next year that 7 years of funding can still be reached. There was a stabilization account in

place that could be used or added to, in fact the committee has agreed it was a fund that would be added to.

Councilor Bragdon said he could not support this amendment for he perceived it as a tax shift. He believed that making the general funds of this agency entirely dependent on solid waste and move away from diversification would be a mistake at this time. The government structure between this council and MERC seemed very odd to him, he would like the structure resolved in a larger discussion of where the authority and accountability resides. He closed by saying that he was supportive of these facilities and was not speaking against the facilities per se, just in terms of how they figured into the mix at this time.

Councilor Kvistad said he did not want to leave the impression that the way this would operate would free visitors from paying for the facilities they enjoy, rather the tax money would be returned to the facility that crated it for improvements and repair. It would be a healthy decision for the Council to make. The decision as how MERC should operate in the future was irrelevant to the fact that these facilities belong to Metro and are under its care and control. He believed the best and healthiest thing to do would be to pass this amendment.

Vote to

Amend: The vote was 2 aye/ 5 nay/ 0 abstain. The motion failed with Councilors Kvistad and Atherton voting yes.

Councilor Bragdon said to the main motion he would vote for it with reluctance as before as the amendment directs a certain percentage into the general fund. He said he would do that unless he was sure that it will be defines as to exactly what it means. He felt it had been approached in a backward manner and should be rectified as soon as possible. If it passes he would like to make some additional comments.

Vote on the

Main Motion: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilors Kvistad and Atherton voting no.

9.3 **Ordinance No. 99-823A**, For the Purpose of Amending Metro Code Chapter 5.02 to Modify Charges for Direct Haul Disposal, to Modify Metro System Fees, to Create Additional Regional System Fee Credits, and Making Other Related Amendments.

Motion: **Councilor Washington** moved to adopt Ordinance No. 99-823A.

Seconded: **Councilor McLain** seconded the motion.

Marv Fjordbeck, Senior Assistant Counsel, reviewed. the ordinance; it modifies certain solid waste fees, the regional system fee and the Metro facility fee. Additionally it includes a regional system fee credit of \$9 per ton and retains the current regional system fee credit system that the Council approved in modifying the ordinances in 1998.

Vote: The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilors Kvistad and Atherton voting no.

Councilor Bragdon said in regard to his new duties that this committee assignment will probably disappoint 70% of the people and anger the other 30%. People have said that he, Councilor Bragdon, wants money for green spaces or natural resources planning, and that was true, but the result he wants most was to know what the money gets spent on, how it gets spent and that it gets spent in a responsible way. That was what he understands this subcommittee was about and he expects it to be conducted the way all subcommittees he has observed at Metro, with fairness and impartiality, just as JPACT was conducted, whether or not people agree with one another. He felt that one of the first steps was to establish criteria and asked each Councilor for their criteria, not programs. Councilor Atherton mentioned taking care of existing needs which was an important criteria for the subcommittee to know.

Presiding Officer Monroe said that like all meetings at Metro, the Special Budget subcommittee meetings are open and anyone was welcome to come and listen to the deliberations.

Councilor McLain said she didn't want to leave the audience going away thinking that this subcommittee was just starting to prioritize and give signals to the Executive for this year's budget and programs. There are some things that have been generally agreed to by the Council: 1. Keep a stable rate, 2. Funds like the Capital and Rate Stabilization Operations should be supported, 3. Business grants are important, 4. In recycling there are particular areas e.g. organic programs and construction debris, etc. that should get review and support, because they were the areas where the waste stream still was, 5. Started with 3 years plus, but continue to look at stabilization of rate as industry change was reviewed, 6. Agreed on \$1 million for Contingency, 7. Agreed that current charter related programs would not be decimated; i.e. Goal 5 and water issues would be finished, the affordable housing task force would finish their work, 2040 and RTP work in planning and functional growth compliance would be finished, a Green Spaces Master Plan would happen so that land Metro has acquired would not stay land banked. This task force will use the work of all seven Councilors as a base since Councilor Washington started deliberations in January.

Councilor Kvistad said he had calmed down, although he was still angry that a committee was arbitrarily sprung on the Council without talking to all of the Councilors in advance – that was a really bad precedent to set. He had a real problem with some of the Council being in the loop while others were not. Secondly Metro makes decisions on running a \$200 million dollar utility all the time, but when revenue becomes available that was labeled "discretionary", or "extra" it becomes a free-for-all and focus was lost. Perhaps the charter should be reevaluated and fundamental changes made to it.

Councilor Washington said he didn't set the committee up on his own. He said Councilor Park and Councilor Bragdon didn't set the committee up on their own either. They were asked to do it by Presiding Officer Monroe who had a responsibility to preside over the Council.

Councilor Park said he wanted to apologize but he wasn't sure exactly what he was apologizing for. He wasn't aware that the other councilors weren't aware of the task force. He planned to work with the Council to improve communications and avoid similar problems in the future.

He agreed with Councilor Washington that it was within the purview of the Presiding Officer. He didn't want to give the public the impression that Metro had unlimited tax and spend authority. He said observers might have thought that Metro could tax and spend forever. He said Metro had already been given their Ballot Measure 547 or 50. In 1992, when voters approved the

Council's Charter, Metro was unique, because it was the only elected regional government in the nation. He said the agency was also unique because it had a spending cap set on its general fund. In 1992, voters capped Metro's general fund at a maximum of \$12.5 million dollars. That figure was indexed to the inflation rate and that was it, period.

He said that if Metro's solid waste facilities or any other agency operations generated an excise tax in the hundreds of millions of dollars, the agency wouldn't have been able to spend it. He said it was important to remember that Metro has been working with funding mechanisms and budget constraints that voters placed on Metro several years ago. He said he would hate if the public got the impression that Metro had an unlimited amount of money and an unlimited ability to spend it. He said Metro doesn't. He praised those who created Metro's Charter for including taxing and spending restrictions. He said it would be nice if voters could accomplish that at the state level. But he said that was another discussion.

Councilor Bragdon said he also wasn't aware that all his colleagues didn't know about the committee meeting. He said it certainly wasn't his intention to surprise anybody. He added that one of the most important features of the draft resolution he wrote codified something that he thought a majority of the councilors said Tuesday. The resolution directed the Executive Officer to develop his budget for the next fiscal year and assume that the contract renegotiations and savings for Metro never happened. In other words, the Executive Officer was asked to develop a no new revenue budget and put it in writing for the Council to consider next week.

8. ORDINANCES – SECOND READING – QUASI- JUDICIAL PROCEEDINGS

8.1 Ordinance No. 99-816, Denying Urban Growth Boundary Locational Adjustment Case 98-7: Jenkins/Kim, and Adopting the Hearing's Officer's Report Including Findings and Conclusions.

Dan Cooper, General Counsel, said it was a continuation of the Council's discussion, which was at the point where they had already heard from the hearings officer and the record had been closed. The hearings officer made his report and recommendations, and the Council heard from both the proponents and opponents. The applicant and other people interested in the issue testified regarding the hearings officer's report and recommendation. Now it was back in front of the Council for further discussion.

In the meantime, the hearings officer prepared a memo to for the Council that outlined what he understood they were discussing to give councilors some sense of what further choices were in front of the Council. He repeated what he said at an earlier hearing that the Council's options were to either (1) approve a motion to adopt the hearings officer's original report and recommendation, (2) adopt a motion to direct him to have a modified order, findings of fact and conclusions to support denial for different reasons, or (3) direct him to prepare for the Council an ordinance that would approve the application and prepare findings and conclusions, and a report that would support that approval. Those were the Council's three choices.

He said that if the Council hadn't had the hearings officer's memo they should have gone straight to their further discussion and consider their vote on which, if any, of the motions they wanted to adopt. He would then come back to the council with whatever the council directed to be prepared, assuming it was different than what the Council had in front of them. At that time,

everybody would get an opportunity to comment on what those revisions were. Mr. Epstein however, put that in front of the Council. It was probably very appropriate that he gave a very short description of it and that he gave the Council the chance to ask him any questions. Then Mr. Cox, who represented the applicant in all fairness, ought to have had a chance to briefly say what he thought about it. He said hopefully the Council would then have enough information to have made a decision and have moved forward from there.

Mr. Larry Epstein, Hearings Officer, drafted a memorandum to assist the Council in the reconsideration process. He said the Council had options to adopt. The first page explained it, and the first half basically explained what Mr. Cooper said. He said the Council had the choice to adopt the ordinance or affirm that they were going to adopt the ordinance without any changes to the draft order. The Council could adopt the ordinance with changes to the draft order or they could adopt a different ordinance – one that would approve the locational adjustment with substantial changes to the draft order.

What he gave the Council was a list of a dozen issues that he understood were under discussion at the last hearing. He tried to identify what it was he said in the original final order, what the issues were, and what both sides of the issue were. He understood what the Council would do, whether they reached consensus or a majority was reached on each issue, and he gave Metro language to adopt to replace the findings that were in the hearings officer's original order, depending upon how the Council evaluated each issue. What Mr. Cooper asked him to do was prepare two decisions - one for approval and one for denial. But he had a lot of trouble doing that because there were some sub-issues. He said the Council may have decided differently than he recommended on some of those sub-issues and still may have come up with the decision to deny. To find for approval the Council had to conclude that all of the findings that he made to support denial were wrong.

He gave the Council a memorandum with findings that they could have adopted, either to have modified his decision or to have reversed it, or to have modified their decision or to have reversed it. There were two modifications: one on page 5 and one on page 7. One dealt with sanitary sewer service that needed to be corrected because it incorrectly reflected the facts. So, he recommended the Council make that change. It was item B on page five of his memo. On pages 6-7 there was some discussion of parks and open spaces. He said the Council might remember there was some question about whether parks and open space, as it's used in 3035Cc1, whether it included private open space. He believed there seemed to be consensus on the Council that it was meant to apply only to public open space. If the Council wanted to make that change to reflect that decision then they would make the change that was described on page 7. He said there was one other change that the Council might make and that was whether land inside the urban growth boundary that was used for agricultural purposes was relevant to the evaluation of whether the locational adjustment would conflict with nearby agricultural uses.

He said in his opinion the Council couldn't do that. He said the adopted Metro code is clear on that issue, but the Council adopted the code and they would get to construe it. He said then all Mr. Cooper would have to do is defend the Council. He didn't recommend that change because of the meaning of the words that were in the Metro code.

He just wanted to identify those three in particular. He thought all of the issues that the Council raised or were raised by the exceptions and by their discussions were in there. He said he was happy to answer any questions the Council had or he could walk them through the memo.

However, he said he had not planned to walk the Council through it, but instead to let them discuss the contents of the memo.

Councilor McLain asked in his original if he said it was relevant or irrelevant.

Mr. Epstein said it was relevant. The question was whether the locational adjustment would adversely affect existing agricultural uses. The Metro code said when a proposed adjustment would allow an urban use in proximity to existing agricultural activities the justification in terms of this sub-section must clearly outweigh the adverse impact of any incompatibility. He found that the agricultural activities that adjoin this property, which were occurring on land inside the boundary were relevant under that standard and that the use would be incompatible with that agricultural activity on land inside the boundary. He also found that it would be incompatible with land outside the boundary, which was used for agricultural purposes. So the Council could still find that the applicant or petitioner failed to comply with this standard based only on agricultural activities outside the boundary.

Presiding Officer Monroe said that was the question that Councilor Park was most interested in.

Councilor Kvistad asked if the Council was in the questions and rebuttal phase or discussion? He said following the rebuttal he was going to make a comment or motion.

Councilor Atherton asked Mr. Cooper a question. He thought he heard Mr. Epstein say that the Council had to find that all of the conditions were violated. He thought that the Council had to find only one.

Mr. Cooper said to support an approval, the Council must find that all of the reasons Mr. Epstein found for denial were ones they disagree with. Now, since the way the code was written the Council could cumulate some of these things and balance and weigh and add up multiple impacts. The Council may simply find that some of the things Mr. Epstein found tipped the balance one way, weren't quite that bad and since the Council may disagree on some other ones then that effect is a superior urban growth boundary. But he said, in general, this was a case were to approve you have to have found they have met the criteria.

Mr. Cox said what he put in front of the councilors spoke to the issue of whether or not a political boundary is or was an appropriate means by which to divide property when the Council brought it into the urban growth boundary. What he presented to the Council was a document dated 1979 the CRAG Urban Growth Boundary Findings Supplement submitted under the auspices of the Metropolitan Service District. He took from selected sections of it. He instructed the Council to look at page 9, under the envelope area 3.2.2. It said map 3 also showed lands, which were in sewer districts. The lands were clear candidates for an urban designation because some commitment had been made to urban use. Properties within sewer districts were assessed taxes by the district even though they may not have had sewers. Concerning the boundary features on 3.3, the last sentence on the first paragraph said commonly accepted legal features, such as city limits and property lines, were also appropriate for a UGB. The UGB coincided with existing administrative or political boundaries. The record also showed that other documents in the Council's history indicated that over 10 percent of the boundaries were located primarily because of the sewage possibilities. In this case, USA followed the Multnomah and Washington County boundaries. People in Washington County are serviced by sewer and that was one of the initial reasons why the boundary was placed where it was. In addition, the county boundary there

was chosen and is also available. I think the statistics showed that the majority of the various ways that the bound was solved was either by urban service district, which in this case was USA and by city boundaries. Those two made up the predominant of about seven different factors that went into it. The reason he presenting this was merely to contest the concept or to help explain the concept that a political boundary was not a satisfactory boundary under the UGB. In fact, that was one of the basic reasons the UGBs were selected.

He also wanted to point out that in the discussion by Mr. Epstein of this proximity he was correct. The Metro code said that proximate agricultural activities or agricultural activities in proximity, to the extent that that indicates that the Council has then considered those, even if they were not in the UGB, seemed also to be an incorrect interpretation of the Council's policy. He said it might have been an interpretation of the word proximity. He referred to the Council's policy as it goes back to when CRAG/Metro was first set up. He referred to the land use element of the CRAG regional Plan under the Metropolitan Service District. This was also dated and revised in December of 1977 and November of 1978. He wanted to remind the council that it says, "All areas within urban growth boundaries on the regional land use framework map are urban areas." Urban areas included land forecasted to meet urban population needs for a minimum of 20 years. It was intended that most population and employment growth in the region would occur within urban areas. The presumption was that it was urban land. The Council couldn't, in effect, have it both ways because if the Council carried that concept they use land inside the urban growth boundary to its logical conclusion, the Council could defeat every piece that was inside the UGB. He also said that while there was discussion that you had to meet all or none of it, he would go back to the controlling language. Metro Code Section 3.01.035 provided that a locational adjustment shall result in a net improvement in efficiency goes on. The word net was a balancing act. It was a balancing word. It was not saying that you had to meet every one of these elements. It was a net balancing act.

There were a couple of other things that he had to point out. There were a couple of presentations made that he didn't believe were supported by the record. Those were the representations made in some of Mr. Epstein's statements. Specifically, it said that the UGB did not otherwise facilitate needed development on existing urban land. The petition did not specifically argue the issue and Council did not discuss it. Therefore, changes of finding did not need to be made. He said he did argue that the whole purpose was in effect a connectivity argument for all the utilities, all the roads, etc. To have said he didn't argue that was too much of a summary statement.

He also wanted to point out other areas of Mr. Epstein's memo where he disagreed. On page 8 it said, "There is no substantial evidence that including the subject property will necessarily enhance transportation efficiency." He said he thinks Mr. Epstein failed to recall that in the record was a letter from Washington County's Transportation Department that said it will increase the efficiency of the transportation system out there. Regarding the question about retention of agricultural land, Mr. Epstein seemed to focus only on one service issue, the sewer issue. Mr. Cox said it was services, and it went back to his connectivity argument. He said the last time he spoke to the Council he talked about a balancing act. The more that Mr. Epstein's original position has changed, the less weight it has been given. He believed that he dealt with all the issues, and his client has established sufficiently that he has a right and the proper evidence to produce the proper findings to allow the land to be included as a locational adjustment.

Councilor Atherton asked if Mr. Cox said he (Mr. Cox) and his client have a right to a locational adjustment.

Mr. Cox said if he established that he had met the standards, he believed he had established the right to a locational adjustment.

Councilor Atherton asked if there was a right to a locational adjustment.

Mr. Cooper said in quasi-judicial proceedings, in general, where the Council has applied specific criteria to the facts, if they find that all of the evidence in the record showed that the applicant had met all of the criteria and there was no other evidence that was credible that would controvert it, then the Council must approve. If the Council failed to approve, they would be subject to being reversed on appeal and being directed to approve it. That was quasi-judicial in general. He said he thought it was fair to say there was controverted evidence. So the Council would get to pick and choose between what evidence they wanted to believe is most credible. He thought it was appropriate for Mr. Cox to advocate on behalf of his client that he had a right to it. He thought the Council was in a position, depending on which evidence they believed was most credible, to make a decision either way.

Councilor Atherton said because of this balancing act, this weighing, this does not imply a right.

Mr. Cooper said Metro had never had a case where the Council had turned down a locational adjustment and had been reversed on appeal, but there are land use cases where that had happened.

Motion: **Councilor McLain** moved for denial with different findings.

Seconded: No seconder of the motion.

Motion: **Councilor Atherton** moved to adopt Ordinance No. 99-816.

Seconded: **Councilor McLain** seconded the motion.

Councilor Atherton said he believed the Council had a full testimony of the hearings officer's arguments and they were adequate to support his recommendation to accept this ordinance.

Councilor Kvistad said that Mr. Cox had made a compelling case and should the motion fail he would offer another.

Councilor Park said he understood the motion to accept the ordinance as was originally presented.

Presiding Officer Monroe said it originally passed at one time and was reconsidered.

Councilor Park said one of the reasons he asked for reconsideration was because some of the findings that Mr. Epstein found were very confusing. For example, agricultural activities inside the UGB could be used to deny additional acreage coming in. Knowing what he knew about land use laws, and farming and right to farm laws and so forth, it didn't make any sense to him. He couldn't accept that fact. The legislature had denied right to farm inside the UGB. He sited the

part about gravity feed in terms of sewers. Probably the crowning issue for him was the similar situated land. He couldn't support the ordinance because of those particular issues. He said he did think that the county line made a difference. He mentioned Urban Reserve 5 last time and different tax issues in terms of other findings that the council had done. He said that there is a line there. He said he would vote no.

Councilor McLain said because the lack of second on her motion, and because of her inability to go against the hearing officer's report that was in front of the Council, she thought it followed to the T the criteria that Metro had in their code. She said it was unfortunate that she still had to do that because she believed that accepting this particular motion and the way it was formed would require Metro to go against its own code to reach agreement with the individual coming forward.

She talked about areas on page 18 in the draft order where the hearings officer found the petition does not include all similarly situated property and that if it did the locational adjustment would exceed 20 acres contrary to MC3.01.035B. If as little as 26 feet on the land north of the subject site was similarly situated and therefore included in the petition, the petition would include more than 20 acres. She said she knows that Metro hasn't had over 100 acres of locational adjustment, but said this flied in the face of the Metro Code, which says Metro didn't want to inch out the boundary. That's why the Council put in the original similarly situated as an important criterion. She would be negligent in reviewing the Metro code if she accepted anything other than the motion that she was allowed on the floor. She wanted on the record that she believed that changes that the hearing officer made on sewer, public parks and open spaces, and the use of agriculture outside the urban growth boundary only, already accepted by the Council, would improve the document.

Motion to

Amend: **Councilor McLain** moved to amend Ordinance No. 99-816 to accept the additional language on page 5 on the sewer issue, on page 7 on the public parks and open spaces issue, and on page 15 on agricultural use inside versus outside the urban growth boundary.

Councilor Washington asked for a point of order. He requested that audience members either turn their cell phones off or leave the Council Chamber.

Councilor Atherton requested a further clarification to understand what the Council was trying to do. He asked that Councilor McLain reframe and clarify her amendment.

Seconded: **Councilor Atherton** agreed to a friendly amendment concerning the additional language on page 5 only.

Councilor McLain provided the clarity, one item of the amendment at a time.

Councilor Kvistad asked for a point of order. He said when dealing with an amendment, the amendment is taken in parts, but the amendment was made in total. He said discussion on the actual amendment itself was in order if it was to discuss the individual portions of it that were supposed to be made in the amendment making not in the acquiescence to the amendment.

Presiding Officer Monroe ruled the process of changing one item of the amendment at a time by friendly amendment was in order.

Councilor Atherton asked Mr. Cooper what the relevance was to trying to write code through a hearing process and adoption of findings.

Mr. Cooper said the courts had recognized that most, if not all, laws particularly local ordinances had some inherited ambiguities from time to time. When a body that had the power to write the rules interprets its own rules, the courts gave deference to those interpretations. The better practice was to hire more lawyers to write more precise language. But the Council has not followed his advice so they must interpret their own rules. Once the Council interprets the rules, if they find themselves interpreting something regularly, it is probably better to go back and clean it up and write it the way you had been interpreting it. That way the Council wouldn't find themselves in the same problem in the future. It was appropriate as the Council deemed necessary to have made those interpretations.

Councilor Atherton said he would vote no on the amendment.

Councilor McLain said she would go forward with the friendly amendment that was accepted. She would also put those two amendments back up for consideration independently if that was what the rest of the Council wanted.

Councilor Kvistad clarified that the ordinance before the Council was an existing ordinance. For it to be amended in any way required a vote for that amendment not a friendly amendment to an ordinance. It was already on the table.

Mr. Cooper said Councilor Atherton's motion was originally to adopt the ordinance that was there. He had now amended his motion so that his original motion was now a motion to adopt the original ordinance with the one modification indicated on page 5 of the hearings officer's memo. So that was now Councilor Atherton's motion.

Presiding Officer Monroe said the seconder agreed so the Council was in order on that motion.

Councilor Washington asked for a clarification about what constituted a yes vote and a no vote.

Presiding Officer Monroe said a yes vote meant the Council accepted Mr. Epstein's original denial with one change and the reasoning. A no meant the Council rejected Mr. Epstein's original denial and other motions were in order. A yes denied the locational adjustment. A no kept all options open on the table.

Councilor Atherton said this was the inappropriate venue for amending the Metro code and making serious policy considerations. The net effect was it still did not meet the locational adjustment criteria. He recommended a yes vote to deny the application and accept the ordinance.

Vote: The vote was 2 aye/ 5 nay/ 0 abstain. The motion failed with Councilor McLain and Atherton voting aye.

Motion: Councilor Kvistad moved to direct the Office of General Counsel to develop an ordinance and an order to approve the locational adjustment application.

Seconded: **Councilor Bragdon** seconded the motion.

Councilor McLain talked about similarly situated land. The passage of the motion was in direct disagreement with the Metro code and the arguments in Mr. Epstein's memo were not compelling. They were talking in 3.3 about a boundary feature not a locational adjustment. These were original boundaries that they talked about. The location adjustment asked the Council to remember two things that the motion couldn't prove. They were on net improvement inside the urban growth boundary and similarly situated land that they could show a difference in the dirt. Just because one said Multnomah County on one side on an official map and one side said Washington County. She said that flew in the face of Metro's code. The similarly situated land issue was extremely important, especially to the agricultural protection. It was extremely important especially to the reasons that had been listed on elevation, slope and soils based on the SCS classifications. Mr. Cooper may have been put in a situation of demonstrating that within 26 feet where it is not similarly situated. She said Mr. Copper probably wouldn't be able to do that. She asked if metro didn't take these issues into consideration because the region had a sewer company, USA, that served more than one jurisdiction and that those county lines meant nothing. She said her vote in this particular situation was to accept the reasonable interpretation of the Metro code.

Councilor Park . . . very difficult to weigh, in some ways, easy in others. Councilor Atherton's motion to repeat last time's ordinance did not solve anything. He said last time he requested a reconsideration because the Council was not sending clear signals as to its criteria for allowing certain things to happen. He thanked Mr. Epstein for the good job on the rewrite, and said he appreciated the extra effort to help the new Councilors. He said the hard part was the fact that the Council could only take the evidence that was presented to it, and future actions or intentions could not be considered. If the land adjacent to the property in question was not inside the UGB, then he would have to favor the denial. However, the adjacent land was currently inside the UGB, the county line did exist, and legally he could not take into consideration the next-door land owner's intent to remove his land from the UGB, under recently passed law. Therefore, he had to vote in favor of Councilor Kvistad's motion.

Presiding Officer Monroe said he need to ask Mr. Cooper one clarifying question because he was not sure how to vote on the motion. He said he thought Mr. Cooper had said that if the Council found that even one of the points made by Mr. Epstein was valid, that the Council should vote to deny.

Mr. Cooper clarified that the criteria set forth all had to be satisfied, but many of the criteria were written as cumulations of particular factors, and so the ultimate criteria was, would the new boundary created by approval superior to the existing urban growth boundary? So if the Council found that one of the criteria that was an "and" was unsatisfied, then the Council should vote for denial. But each of the sub-criteria did not have to be specifically satisfied because they cumulate and they end up with balancing and net improvement. As Mr. Cox said, the question was, was there a net improvement in the efficiency of the urban growth boundary? He said if the Council was concerned about a specific criteria, Mr. Epstein could probably say in which category the criteria fit.

Presiding Officer Monroe said the most compelling issue for him was adjacent land being of like type, and whether or not the fact that it was in another county made it different in some way,

when even an earthworm crossing that line would not know the difference. He said he found that compelling, and he would vote against the motion.

Councilor Kvistad said if that earthworm paid property taxes, there was a big difference. He said he found the applicant's case to be made, he found it compelling, and he felt the new boundary line would be superior and would make a good adjustment for the urban growth boundary. He recommended an aye vote.

Vote: The vote was 3 aye/ 4 nay/ 0 abstain. The motion failed with Councilors Bragdon, Kvistad and Park voting aye.

Motion: **Councilor Kvistad** moved to table the ordinance to next week.

Seconded: **Councilor Park** seconded the motion.

Vote: The vote was 3 aye/ 4 nay/ 0 abstain. The motion failed with Councilors Kvistad, Washington and Park voting aye.

Presiding Officer Monroe called for a five-minute recess.

Motion: **Councilor Washington** moved to reconsider the vote by which Councilor Kvistad's motion failed.

Second: **Councilor Kvistad** seconded the motion.

Vote: The vote was 4 aye/ 3 nay/ 0 abstain. The motion passed with Councilors McLain, Atherton, and Monroe voting nay.

Presiding Officer Monroe called for further discussion of Councilor Kvistad's motion. There was none. Presiding Officer Monroe asked Councilor Kvistad to close.

Councilor Kvistad recommended an aye vote.

Vote: The vote was 4 aye/ 3 nay/ 0 abstain. The motion passed with Councilors McLain, Atherton, and Monroe voting nay.

Mr. Cooper said once he had a document prepared, he would furnish the Council with a copy so that notice may be given to everybody. He said it would come back to the Council for further opportunity for public comment and comment by the applicant, and then it will come before the Council for final action.

10. RESOLUTIONS

10.2 **Resolution No. 99-2857**, For the Purpose of Granting a time Extension for Compliance with Titles 1, 2, 4 and 6 of the Urban Growth Management Functional Plan for the City of Sherwood and Requiring Action to Assure Coordination among the Comprehensive Plans of the Cities of Sherwood, Tualatin, Tigard, Beaverton, and Washington County Concerning Title 4 of the Functional Plan.

Councilor McLain asked Presiding Officer Monroe to move Resolution No. 99-2857 to the Growth Management Committee.

Presiding Officer Monroe moved Resolution No. 99-2857 to the Growth Management Committee.

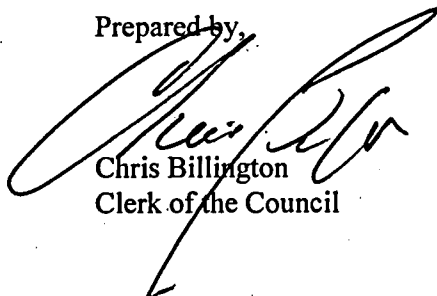
11. COUNCILOR COMMUNICATION

There were none.

12. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Monroe adjourned the meeting at 5:40 p.m.

Prepared by,



Chris Billington
Clerk of the Council

Document Number	Document Date	Document Title	TO/FROM	RES/ORD
102899c-01	10/28/99	Metro Council Session – Oct. 28, 1999: Thank you to Bob Traverso for 130-acre land donation		Openspaces Acquisition Acknowledgme nt
✓102899c-02	10/14/99	Minutes of the Metro Council Meeting, October 14, 1999	TO Metro Council / FROM Chris Billington	Consent Agenda
102899c-03	10/21/99	Minutes of the Metro Council Meeting, October 21, 1999	TO Metro Council / FROM Chris Billington	
102899c-04	10/28/99	Resolution No. 99- 2843: Portland area Conformity Determination	TO Metro Council / FROM Andrew Cotugno, Transportation Director	Resolution No. 99-2843
102899c-05	10/28/99	South/North Light Rail Project, Resolution No. 99- 2853A: Opening Remarks, Metro	TO Metro Council / FROM Councilor Washington	Resolution No. 99-2853A

		Council LUFO Hearing	
102899c-06	10/1/99	Interstate MAX Advisory Committee Final Report, October 1999	TO Tri-Met / FROM Interstate MAX Advisory Committee
102899c-07 (attached to item 102899c-06)	10/25/99	Regional funding for Interstate MAX	TO Tri-Met Board of Directors and Metro Council / FROM Wayne E. Conzad, II, President, Swan Island Business Association (SIBA)
102899c-08 (attached to item 102899c-06)	10/26/99	Interstate MAX/Expo Stations (attached to item 102899c-06)	TO Councilor Kvistad / FROM George Passadore, President, Tri- Met Board of Directors, and Fred Hansen, General Manager, Tri- Met
102899c-09 (attached to item 102899c-06)	10/28/99	Testimony at Portland hearing on "North" light rail.	TO Metro Council / FROM Art Lewellan
102899c-10 (attached to item 102899c-06)	10/28/99	Written testimony from Peter Teneau, 2715 N Terry, Portland, OR 97217	TO Metro Council / FROM Peter Teneau, 2715 N Terry, Portland, OR 97217
102899c-11	10/28/99	South-North Land Use Criteria	
102899c-12	10/19/99	Exhibit C: Proposed Findings of Fact and Conclusions of Law, South/North LRT Land Use Final Order Amendment, Interstate MAX	
102899c-13	10/28/99	News Release: Metro Council Oks Interstate Max Line	FROM Beth Anne Steele, Council Public

			Outreach Coordinator	
102899c-14	10/28/99	Amendment #3	TO Metro Council / FROM Councilor Kvistad	Ordinances Nos. 99-825A, 99-824A, 99- 823A
102899c-15	10/22/99	Financial Projections for Amended "Dakota" Ordinance	TO Metro Councilors / FROM Terry Peterson, Interim Director, Regional Environmental Management	
102899c-16	10/28/99	Metro Council Hearings – Solid Waste revenue issues	TO Metro Council / FROM Jerry Rust, St. Vincent de Paul of Lane County	
102899c-17	10/28/99	Resolution No. 99- 2857		Resolution No. 99-2857
102899c-18	10/28/99	Resolution No. 99- 2863		
102899c-19	1/1/79	CRAG Urban Growth Boundary Findings Supplement (To the December 28, 1978 Submission), Submitted Under the Auspices of the Metropolitan Service District	FROM Metropolitan Service District	

Agenda Item Number 6.0

MCCI ANNUAL REPORT.

**Metro Council Meeting
Thursday, November 4, 1999
Council Chamber**

**ANNUAL REPORT
METRO COMMITTEE FOR CITIZEN INVOLVEMENT
JUNE 1999**

This was the first year that the Metro Committee for Citizen Involvement (MCCI) has changed from a calendar year to a fiscal year. This only affects the election of officers and changing term limits to end with the June 30 date rather than December 31st of each year.

It has also been the first year of restructuring our committees and their program focus. The change has been to meet with the designated department once a month on either the first Wednesday before the Steering committee or on the third Wednesday before the Regular Committee Meeting. This change of format has been very successful in building a working relationship with the department staff and our citizen members. The main purpose for this change was to begin our Chartered mandate at the beginning of the process and effect a better citizen involvement strategy to be more inclusive of the diversity of the community.

Each of the Subcommittee Chairs has prepared reports, as attached, for the year 1998-99 and the following comments are a paragraph summary, as I perceive the results.

The Budget/Council Subcommittee has presented the first formally constituted budget for MCCI that has been worked up by members of MCCI. The Charter says "we shall" and "we have" and to our satisfaction you accepted it as presented. Thank you! Jerry Penk chaired the Budget Subcommittee.

The Nominating Committee had a major responsibility to change expiration dates for the members and fill a number of slots left open due to a higher than usual turn-over of long term members. Most of these have been long serving members and replacing them was not an easy task. However, during the year it became apparent that we needed to do a more thorough job of screening the applicants so we began interviewing those who returned applications. We have recently presented several for your approval and have several more to submit shortly. Aleta Woodruff chaired the Nominating Committee.

The Growth Management Subcommittee has had an intense but informative and satisfying year working with the staff. The subject matter has been difficult, but the citizens have responded to our work plans for each project and have helped make the process productive. We got off to a rocky start with recommendations for Affordable Housing Committee citizen members, who ended up not being appointed. However, we have continued as best we could under the present format to press forward wherever possible to open the process to citizens. We participated on pre-work for the Goal 5 Riparian Area Study outreach and also attended, as a field trip, one of the open houses that was part of this process. Throughout the year, concern arose regarding the outreach budget and MCCI supported this need to the Council in the form of a request for some of the REM savings funds or other available funds to be restored to the department. Kim Vandehey chaired the Growth Management Subcommittee

The Parks & Greenspaces Subcommittee, in some ways, is the least controversial and most pleasurable. Also, this committee and department interact with the public more regularly and on

a less confrontational ground. The Natural Resource Protection Plan brochure worked on by this committee shows the distinct relationship that citizens and Metro share in planning and protecting livability in the region for the future. Bob Bothman chaired the Parks Subcommittee.

The Transportation/REM Subcommittee has taken the lead, as you may know, in working with departments to write how-to books for Metro such as Transportation Planning Public Involvement Policy and Transportation Planning Local Public Involvement Policy. This year, with many new members, much time was spent getting briefed on the various projects underway and those coming to completion. Several projects were taken to the community and the groundwork laid in the past paid off as the citizens responded with well thought out and community supported work. REM has little or no public involvement in place but we were able to discuss that, helping them see where it could be useful to them and beneficial all around. In the process, we took time to learn about REM programs and review several ad campaigns. Ray Sherwood chaired the Transportation/REM Subcommittee.

Citizen Involvement is a never-ending process, but I believe MCCI members are better informed and able to contribute positive and supportive suggestions as the work plans are formulated with this working structure.

It has been a pleasure and privilege to serve you, the Metro Council, as Chair of MCCI. I wish you both much success in the future.

Submitted by Kay Durtschi
MCCI Chair January 1998 – June 1999

METRO COMMITTEE FOR CITIZEN INVOLVEMENT

Nominating Committee Annual Report

Members: Chair Aleta Woodruff, Don MacGillivray, Bob Bothman, Kay Durtschi and Bill Merchant

The MCCI Nominating Committee accomplished a great deal of work over the last 18 months. Following the passage of new bylaws for MCCI, we began working on Membership Development Procedures to outline processes for recruitment and nomination, orientation of new members, training and recognition. We reviewed the contents for packets to be sent to interested persons and handbooks to be given to new members.

Some new materials were identified and created as key ingredients for the member handbooks: a Short History of MCCI, an MCCI member job description, communications guidelines, an MCCI organizational chart and meeting ground rules.

In addition to the above, the Nominating Committee also created a set of supplemental application questions and interview questions for use in the recruitment and nomination process. We are considering a new application form as well.

Over the course of the year several positions were filled as members resigned or moved from their Councilor District. June 30, 1999 marked the end of 1/3 of our member's terms, leaving nine positions open in addition to other existing vacancies. Some members whose terms expired were delighted to serve again but several were term limited to six years and could not. After advertising, accepting and reviewing applications and interviewing, four nominees were passed to the Council for approval.

Though nine vacancies still remain on the committee, we are looking forward to working with and discovering the talents of our new members.

The Nominating Committee will continue to strive to keep all positions filled while taking into consideration our long-term struggle in District 4 which seems to have spread to other outlying areas. We may strategize about new ideas and may even consider options such as limiting the number of representatives from each district if we cannot keep vacancies filled throughout the year. We are also looking at other tools, such as member profiles and ways to allow interested persons to participate at a less-than-member level in order to increase interest and potential membership.

The Nominating Committee would welcome any suggestions the Metro Council may have with regards to its work.

1998-1999
Annual Report

BUDGET/COUNCIL SUBCOMMITTEE

The Budget/Council Subcommittee was formed following the Annual Retreat of 1997-98.

Except for the general guideline of the Subcommittee's name, the detailed functions were left to be defined by the committee members, subject to the approval of the Steering Committee.

The Sub-Committee's membership consisted of Juanita Crawford, Jerry Penk, chair, Nancy Rangalia, and Bob Wiggin in 1998-99.

The Sub-Committee's first 1998-99 meeting (July 1, 1998) was with Craig Prosser, Metro Financial Planning Manger. The process of the budget development and the time-lines were discussed. The committee determined at this time that an important part of its function would be to serve as the budget experts for the entire MCCI.

The committee also took the lead in generating information for the next MCCI budget request. A form for making special requests to be included in MCCI's budget were distributed to the several other sub-committees.

The Sub-Committee met in October with Jennifer Sims, Administrative Services Director. Sioms informed the committee of the over-all structure of the budget and some of the constraints that were expected in terms of revenue shortfalls. Penk emphasized the need for the other sub-committees to submit special budget requests ASAP if they are to be included in the budget request.

The Sub-Committee reviewed the MCCI budget request and recommended its approval to the committee as a whole. Several scenarios with regard to both increases and decreases in the funds available for the budget were discussed.

Juanita Crawford was assumed to have left both the Sub-Committee and MCCI, as she has not attended any meetings since the general election.

In January, the Sub-Committee began considering whether to couple evaluation and performance measures with the budget analysis. Terri Ewing had presented information on performance analysis, and the committee planned to invite Dennis Strachota from REM who is reported to have considerable expertise in the practice of performance measurement.

The Sub-Committee did not meet in March. The work plan for the April meeting was to brainstorm activities for evaluating citizen participation in departmental budget hearings.

In April, the Metro Council advanced a budget which reflected a 7 percent decrease in spending. Because the cuts could be covered through personnel attrition, there were no plans to make cuts in the MCCI budget.

At the April General Meeting of the MCCI, Penk made a brief presentation on the sources of revenue and the expenses of Metro. He also reported that the budget committee had been requested to take a role in examining the departmental budget expenditures in support of citizen participation.

In May, Nancy Rangilia submitted her resignation from the Sub-Committee and from MCCI. She indicated a desire to take a more active role in her neighborhood association. This reduced the Sub-Committee's membership to Penk and Wiggin. It was the Sub-Committee's opinion that either more members would have to be assigned to budget matters or the function of the Sub-Committee would have to be re-examined.

In June, the Sub-Committee developed a check list that could be used to identify both over-head expenses and specific costs in departmental citizen participation activities. The checklist was viewed to be only a starting point. It was further felt that the checklist could be and would be modified by the departments as they employed it.

The Sub-Committee's year could be summarized as there having been a run or two, a couple of hits, and several errors.

For the Budget Sub-Committee,

Jerry Penk
7/5/1999

To; Metro

From; MCCI Growth Management Sub Committee Chair

16 June 1999

The two main things we have concentrated on are Goal 5 and Affordable Housing. Goal 5 is a federally mandated program and receives some money to help pay for public input.

The sub-committee attended the second open house and reviewed it with growth management department head Sherry Oeser. We think that the Education portion of the meeting went well and helps to enlighten the citizens to create the dialogue for the topic presented. The open houses cost money and we feel that the Metro Council should not only reinstate the money cut from the GM budget but add some as the planning for the future is Metro's number one mission.

We think that this first year has went well for the Growth Management sub committee and the Department as we have gotten to know one another and become better acquainted with the way things get accomplished.

We have tried to input our ideas and Sherry has been very receptive to most of the suggestions. Our requests for more information have been met and we have tried to come up with suggestions that can help the Department and Metro accomplish their goals.

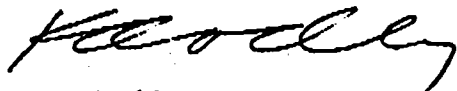
The quarterly evening meetings are a great opportunity for the Metro councillors and the citizens to get together after the regular work day and talk about the issues that concern the citizens of that area. It also lets the councillors see other areas of the region in a different light. We hardily endorse this program.

The committee members have attended and offered information to the citizenry at local meetings, such as the land use workshops at Sunset, Tigard, and , Hillsboro.

The deadlines on Affordable Housing have not been as close as those for Goal 5 so we have not done very much in that regard. We intend to do more as this new year comes about.

The committee intends to keep reviewing the Growth Management Departments actions and helping them wherever we can.

Sincerely



Kim A Vandchey

REPORT MCCI PARKS/ADMINISTRATION/ZOO SUB-COMMITTEE
METRO COMMITTEE FOR CITIZEN INVOLVEMENT
1998-99

Bob Bothman, Chair

After meeting with the Executive Officer and department Liaisons in June 1998, the Sub-Committee meet separately with Parks & Greenspaces, Administration (Creative Services), and Zoo staff to review their public involvement, discuss the Metro Principles of Citizen Involvement and Metro Public Involvement Planning Guide, and discuss the sub-committee expectations for public involvement. Department staff completed and presented Project Public Involvement Plan Forms for their projects.

The sub-committee felt the Zoo was involving the public adequately in Zoo activities but did suggest a wider involvement to gain support for the Zoo programs in the future. Particularly adjacent neighborhoods should be involved with Zoo activities.

The sub-committee focused upon the Parks Department during the year due to the major activities involving Parks including the Regional Parks Master Plan and Blue Lake Master Plan. The sub-committee was briefed regularly by Ron Klein. The sub-committee monitored the Parks Master Plan Planning process and assisted with developing a presentation and flow chart to present the varied efforts connected with the Natural Resource Protection Plan to the public. It took some time for the sub-committee just to understand all the efforts connected with the plan. The public will need good explanations for sure.

The sub-committee reviewed the RFP for the consultant contract and the process for developing the Blue Lake Master Plan public involvement. Involvement of a regional public in addition to adjacent neighborhoods was recommended for this regional park.

Early and continuous public involvement on a regional level was continuously recommended to Parks staff. Concern was expressed that adequate funding for staff involvement with regional level public involvement was not included in the Parks Program.

The sub-committee met jointly with the Growth Management Sub-Committee to coordinate the work effort of these two Metro Departments working on Parks, Open Space and Growth issues (Goal 3 and Goal 5).

Ron Klein present the CPR concept to the sub-committee including the workshop formats which members participated. Reduced budgets did prevent pre-event mailings for the workshops resulting in participants not having an opportunity to prepare for the workshops.

The large public involvement process in the fall of 1999 will be very important as these efforts move to a region wide public.

SUBCOMMITTEE APPROACH

Particularly since February, 1998, members of MCCI have sought ways of placing greater emphasis upon evaluating, rather than simply encouraging, Metro's efforts to involve citizens in its decision-making processes. The subcommittee joined the rest of MCCI in this effort, and has begun to develop a method designed to assist in it.

The subcommittee's approach has been to synthesize the resources and tools available into a method which will be useful in encouraging and evaluating the Transportation Department's and REM's citizen involvement efforts. The approach includes:

- (a) identifying all of the activities in which the respective Departments engage;
- (b) distinguishing between Departmental activities which are conducted simply in the course of business and those which constitute, contribute to, or result in "actions and policy decisions that significantly affect the public or alter public policy beyond the normal course-of-business activity" (Metro Public Involvement Planning Guide, Section 3);
- (c) reaching agreement with the Departments as to which Department activities are subject to Section 3 of the Planning Guide;
- (d) requesting timely Public Involvement Plans (PIPs) for those activities which are described in Section 3 of the Planning Guide;
- (e) monitoring the Departments to determine or assess:
 - i) the timely completion of PIPs;
 - ii) the apparent adequacy of each PIP to achieve the purpose of informed citizen involvement (analysis of the steps proposed);
 - iii) the execution of the steps proposed in each PIP;
- (h) making recommendations to the Departments both with respect to the content (steps to be taken by the Departments) and to the implementation (execution) of the PIPs;
- (g) making periodic subcommittee reports which evaluate, by activity, the Departments' citizen involvement efforts, and offering the Departments the opportunity to comment upon the reports;
- (h) encouraging the Departments to make their own evaluations of the effectiveness of their efforts with respect to each appropriate activity for inclusion in, among other places, the subcommittee's annual report;
- (i) compiling an annual report furnishing an evaluation of the Departments' efforts, both by activity and generally, during the course of the reporting period, and offering the Departments the opportunity to comment.

Steps (a) through (c), immediately above, are intended to be accomplished primarily through discussions with Metro Departments' MCCI liaisons. As initially proposed, with respect to step (d):

- (1) Subcommittee members will select Department activities, or particular elements of them, to monitor based upon the members' expressions of personal interest in the subject matter;
- (2) Each month, each subcommittee member will contact the Department's MCCI liaison (or other Metro staff, in coordination with the liaison) to inquire as to the activity, and particularly as to the Department's citizen involvement efforts with respect to it;
- (3) Each month, the member will independently exert his best efforts to attend relevant proceedings and to heed developments concerning the activity;
- (4) Each subcommittee member will render a summary report to the subcommittee regarding citizen involvement efforts, if any, which the Department engaged in during the month respecting the activity, or the particular sub-element of it;
- (5) Where necessary or convenient, MCCI staff will assist in reducing such monthly summaries to writing, for inclusion into MCCI records;
- (6) Monthly summaries will be combined to form interim, periodic reports to MCCI regard-

ing the activity;

- (7) These periodic reports will be combined for purposes of completing the subcommittee's annual report to MCCI;
- (8) When a Department activity concludes, prior reports will be combined to assist in MCCI's evaluation of the Department's efforts with respect to the activity;
- (9) MCCI will employ the resources and tools it has at its disposal to analyze and assess Metro's citizen involvement efforts with respect to the activity.

ACCOMPLISHMENTS

- (1) Member recommendations concerning citizen involvement efforts proposed by each Department.
- (2) Member recommendations as to other or additional citizen involvement efforts of potential value.
- (3) Member attendance at Transportation/REM - related proceedings, and oral reports to subcommittee concerning them.
- (4) Communication to Department liaisons and Metro staff of community concerns.
- (5) Written requests to both Departments for initial written activities lists asking that lists be updated each month (in order to ascertain when a particular activity has come to an end; or when another has just come into being, with the purpose of allowing early citizen involvement from the earliest moment and at all "key decision points").¹
- (6) Receipt of first written Transportation Department activities list.
- (7) First draft of "action plan" outlining monitoring activity.
- (8) Discussion of "action plan" at subcommittee meeting; initial selections by subcommittee members of Department activities according to members personal interests.
- (9) Establish members' capacity to make written reports on regular basis with MCCI staff assistance.
- (10) Receipt of second (updated) Transportation Department activities list.
- (11) Compilation and distribution of first 'Department Activities and Subcommittee Monitors', matching members to activities of interest.
- (12) First set of written questions submitted to Transportation Department as part of monitoring approach.²
- (13) Receipt of first activities list from REM
- (14) First submission of written subcommittee reports to MCCI (March and April, 1999)
- (15) Initial subcommittee member report regarding previous month (Woodruff)
- (16) Receipt of written response from Transportation Department to written monitor questions (outlining specifically where citizen involvement influenced decisions in the Priorities 2000 [MTIP] process): oral response to written questions concerning Columbia River Channel Deepening, averring no Metro connection
- (17) Additional subcommittee member reports regarding previous month.

¹ In due course, each department provided a beginning list for the subcommittee's initial examination (but compare responses to request letters). The lists were taken from the Departments' own work plans. Since opinions may vary as to whether any particular activity has policy implications, it was not expected that the initial lists furnished would precisely meet the requests. Rather, it was the purpose of this exercise that, over time, give-and-take between the Departments and the subcommittee would produce a realization upon the part of the Departments that certain activities *did* have policy implications (where none were seen before), or that the subcommittee would be persuaded that other activities which appeared to have policy implications were in actuality "course-of-business" matters.

² It was anticipated that, in beginning the process, members would make oral inquiries so that the process would not be burdensome for members and so that no significant amount of Metro staff time would be spent.

The purpose of this initial list of questions, submitted in writing, was to illustrate, to both subcommittee members and to the Departments, the range which could be explored in the monitoring process. Simple questions could be asked about a project central to Metro's concerns and already identified as having a PIP (e.g., the RTP). Or difficult questions could be asked about a regional development apparently remote from Metro's purview (e.g., Columbia River Channel Deepening). The point sought to be made was that members ought to feel free to ask questions freely upon topics of interest to them and which they believed might affect Metro at some juncture, and even upon matters which Metro had not specifically announced to be of direct interest to Metro.

LIMITATIONS AND UNCERTAINTIES

(1) The Transportation/REM Subcommittee was created in April, 1998. A general subcommittee workplan was furnished to the subcommittee in June, 1998. The subcommittee workplan was to correspond to Metro Department workplans. Department workplans to be reviewed by the subcommittee were not available to the subcommittee through much of the period covered by this report. The subcommittee acknowledges that the unavailability of firm Department workplans was due, in the case of each Department, to the uncertainties each faced with respect to the continuation or discontinuation of major Department activities in existence, and with respect to announced, but unquantified, funding limitations.

(2) During the reporting period, MCCI and the subcommittee have both experienced a lack of full membership. Limited membership, combined with attrition through resignation, irregularity of membership attendance due to participation in other citizen groups, and health problems of subcommittee members have delayed subcommittee undertakings.

(3) Unanimity may not exist as to the value of the "monitoring" process among subcommittee members. Further, the time commitments required of individual members for successful implementation may be insupportable. Concern exists that the monitoring process may be too ambitious a venture in a voluntary organization of limited membership and resources.

(4) Unfamiliarity with the subcommittee approach may cause hesitancy on the part of members to engage fully in it.

(5) Metro liaisons may be hesitant to embrace the subcommittee approach, partly due to its novelty and partly due to concerns about its unknown future demands upon the time of Metro staff.

(6) The approach is not common to all MCCI subcommittees, nor are methods of reporting uniform. While the latter aspect of the approach was chosen for the purpose of freeing individual members to pursue topics of interest to them at their own pace, the lack of guidelines may prove to be a hindrance, instead.

TIMELINE

Previous subcommittee structure (Nominating, Advisory, PIP, Development)

February, 1998

Kennedy School Retreat: A re-organization of the committee structure was allowed to occur in a voluntary, free-form exercise, clearly evidencing the inclination of committee members to structure themselves so as to be able to examine and evaluate Metro's citizen involvement activities. This exercise resulted in the formation of committees named Evaluation, Communications, Budget and _____. Initial workplan formulation began.

April, 1998

Restructuring of committees at suggestion of MCCI Chair, Metro Executive Officer into current structure (Transp/REM: Growth Management/Parks-Greenspaces/Budget-Council): approval of restructuring by full MCCI.

June, 1998

New MCCI 'workplan/calendar' to fit April restructuring:
Subcommittee workplans to correspond to respective department workplans:
Rely on Department work plans, forwarding of tentative work plans to subcommittees

July -
September, 1998

Metro Department work plans not yet complete (July):
General presentations by departments to subcommittee:
Initial presentations of partial Department workplans

December, 1998

New co-chairs appointed to replace departed subcommittee chair

February, 1999

Written request to Departments for Departments' "activities lists":
MCCI Retreat

March, 1999

First written subcommittee report to MCCI:
Second written request to REM for "activities list":
Transportation Department furnishes first written activities list:
Draft of "action plan" regarding subcommittee monitors mailed to members for April discussion

April, 1999

Transportation Department furnishes updated (2d) activities list and 'Regional Transportation Communications timeline/plan':
Second written subcommittee report to MCCI:
Subcommittee discussion of monitors list: initial choices of projects to monitor

May, 1999

REM provides chart outlining "activities list": oral presentation explaining chart:
Production of written proposed "monitors list" :
First submission of written questions to Transportation Department:
First monitors' reports (Woodruff)

June, 1999

Resubmission of written questions to Transportation Department:
Transportation Department provides written answers to May question regarding citizen involvement influence upon MTIP process: oral response to May questions relating to Columbia River Channel Deepening by stating Metro has no participation in or connection to this matter whatsoever:
Second set of monitor's reports (Woodruff, Sherwood):
Annual report to MCCI

TRANSPORTATION

<u>Activity</u>	<u>Subcommittee Monitor</u>	<u>PIP Required?</u>	<u>PIP Status</u>
Regional Transportation Plan			
(a) as impacting water	Phil Dreyer		
(b) light-rail transit			
i. N/S (and Interstate Avenue MAX) -listening posts" element	Stan Lewis Ray Sherwood		
ii. Clackamas extension/service	Larry Bissett		
iii. Portland Airport light-rail	Larry Bissett		
iv. Gateway/Opportunity Gateway	Aleta Woodruff		
(c) Bus service			
i. regional rapid bus	Bob Pung		
ii. frequent bus	Bob Pung		
iii. primary bus	Bob Pung		
iv. Tri-Met's Transit Choices for Livability	Bob Pung		
v. Improved Local Transit	Bob Pung		
(d) Transportation Demand Management			
i. generally	Larry Bissett		
ii. telecommuting	Bob Pung		
(e) analysis of Department PIP	Stan Lewis		
(f) freight mobility (and "Transportation 2000")	Ray Sherwood		
(g) planning			
i. generally	Ray Sherwood		
ii. 2040 goals	Ray Sherwood		
iii. OPB Pilot	Stan Lewis		
iv. impacts of Strategic Investment Plans	Don MacGillivray		
(h) RTP/MTIP process (2004-2008)	as listed above		
Transportation Improvement Plan			
(a) hearings process	Ray Sherwood		
(b) specific TIP projects (reserved, pending final selection of projects by Council/JPACT: members to express interest following selection)			
(c) local plan coordination (reserved, pending final selection of projects by Council/JPACT: members to express interest following selection)			
(d) analysis of Department PIP	Stan Lewis		
(e) as affecting water quality/sources	Phil Dreyer		
(f) RTP/MTIP process (2004-2008)	as listed above		
South Willamette River Crossing Study			
(a) generally	Dan Small		
(b) analysis of Department PIP	Stan Lewis		
Traffic Relief Options Study			
(a) express (HOV) lanes	Larry Bissett		
(b) congestion pricing	Don MacGillivray		
(c) Washington County commuter rail/ high capacity transit	Dan Small		
(d) analysis of Department PIP	Stan Lewis		
(e) anticipated developments (2004-2008)	as listed above		
North/North Light Rail	Stan Lewis		

<u>Activity</u>	<u>Subcommittee Monitor</u>	<u>PIP Required?</u>	<u>PIP Status</u>

I-5 Trade Corridor Study			
(a) generally	Ray Sherwood		
(b) analysis of Department PIP	Stan Lewis		
(c) I-5 Corridor			
i. related elements	TBD		
ii. (problem analysis/non-transportation solutions)	Don MacGillivray		
iii. sub-phases	TBD		
iv. "blue ribbon" advisory committee	Ray Sherwood		
Highway 217 Corridor Study			
(a) generally	Dan Small		
(b) as affecting water	Phil Dreyer		
(c) I-5/Highway 217 interchange/related	Aleta Woodruff		
(d) analysis of Department PIP	Stan Lewis		
(e) 217 Corridor			
i. growth impacts	Don MacGillivray		
ii. problem analysis/non-transportation solutions	Don MacGillivray		
iii. related elements	TBD		
iv. sub-phases	TBD		
Commercial Transportation Study			
(a) generally	Ray Sherwood		
(b) analysis of Department PIP	Stan Lewis		

TIP projects			
(a) Transit Oriented Design (TOD) projects	Don MacGillivray		
(b) as affecting water quality/sources	Phil Dreyer		
Local Plan Coordination			
Alternative Mode Implementation	Don MacGillivray		
Regional Freight Program	Ray Sherwood		
Commuter Rail	Dan Small		
Schools Program/Education/MILT	Stan Lewis		
Commercial Transportation Study	Ray Sherwood		

Metro Advisory Committees			
(a) nominating process	Aleta Woodruff		
(b) selection process	Larry Bissett		
	Stan Lewis		
(c) citizen member effectiveness	Stan Lewis		
	Larry Bissett		

<u>Activity</u>	<u>Subcommittee Monitor</u>	<u>PIP Required?</u>	<u>PIP Status</u>
WRPAC - Metro Transportation/REM citizen involvement impacts/issues	Phil Dreyer		
Metro notices, announcements, communications, mailings, etc. relating to monitored activities: communications team activities	Aleta Woodruff MCCI Staff		
Updated Department Activities List (monthly)	MCCI Staff		
Budget Constraints/citizen involvement budgeting	MCCI Budget subcommittee		
Partner's Forum	Kay Durtschi (MCCI Chair)		

Regional Environmental Management (REM)

<u>Activity</u>	<u>Subcommittee Monitor</u>	<u>PIP Required?</u>	<u>PIP Status</u>
Service Provision Plan (Regional Transfer Stations Project)	Dan Small		
Waste Reduction Project (Waste Prevention Campaign)	Aleta Woodruff		
Education Projects	Stan Lewis		
Updated Department Activities List (monthly)	MCCI Staff		
Contracts			
Regulation/regulatory matters	Aleta Woodruff		
Budget Constraints/citizen involvement budgeting	MCCI Budget subcommittee		
Others (TBD upon receipt of activities list)	TBD		

TRANSPORTATION/REM Subcommittee

Larry Bissett (239-7994, [w] 239-7450): Phil Dreyer (231-8587): Kay Durtschi [MCCI Chair] (244-9467): Stan Lewis (224-6502): Don MacGillivray (234-6354): Bob Pung (491-9600): Ray Sherwood (282-1345): Dan Small (771-7368, [w] 401-4099): Aleta Woodruff (252-8564) Staff: Karen Withrow (797-1539)

Metro Transportation Department

MCCI Liaison Gina Whitehill-Baziuk (797-1746): Pamela Peck (797-1866): Marci LaBerge (797-1894): Marilyn Matteson (797-1745): Susan Finch (797-1872): Jeanna Cernazanu (797-1865)

Initial inquiries in the monitoring process to be directed to Gina Whitehill-Baziuk, with possible subsequent reference to others, as identified in the April 7, 1999 Transportation studies and projects update.

To reach the following, dial 797- (and the corresponding number):

Activity	Project Manager	Public Involvement Contact
RTP Transportation Improvement Plan	Tom Kloster (1832)	P. Peck
S. Willamette River Crossing	Terry Whisler (1747)	P. Peck
Traffic Relief Options	Chris Deffebach (1921)	M. LaBerge
S/N Light Rail	Bridget Wiegart (1775)	M. LaBerge
	*	G. Whitehill-Baziuk
I-5 Trade Corridor Study	Chris Deffebach (1921)	G. Whitehill-Baziuk
Highway 217 Corridor Study	Bridget Wiegart (1775)	M. LaBerge
Commercial Transportation Study	Chris Deffebach (1921)	G. Whitehill-Baziuk

1. This proposed monitor roster is based upon past expressions of interest by subcommittee members in particular areas as disclosed by inquiry and by comments made in subcommittee and MCCI meetings. Members are not being "assigned" to any activity, and may offer corrections to the roster. Trades may be arranged. Members may identify other or additional Department activities they would like to monitor.
2. This roster attempts to associate known Department activities with the "studies and projects" lists furnished by the Departments (initially, from Transportation's written list, and REM's oral presentations) as a starting point. The result is an imperfect match, since the Departments' and the subcommittee's views of whether citizen involvement is called for with respect to a particular activity may not correspond precisely.
3. One of the purposes of the monitoring project is to clarify, for both the Departments and for MCCI, which activities ought properly to be viewed as involving "actions and policy decisions that significantly affect the public or alter public policy beyond the normal course-of-business activity", as referred to in Metro's adopted Public Involvement Planning Guide and which, therefore, do require citizen involvement as a matter of Metro's own principles. Accordingly, activities may be listed in the roster which may or may not be by identifiable through a strict interpretation of external requirements (e.g., ISTEA or TEA-21 citizen involvement components as conditions for federal funding), although the degree of citizen involvement actually achieved may have some pertinence to the latter.
4. Each month, monitors will contact the appropriate Department to ascertain what citizen involvement activities, if any, have been conducted with respect to each listed Departmental activity. Monitors will report these citizen involvement activities to the subcommittee (MCCI Staff will assist in transcription of oral reports from monitors if necessary). It is intended that monthly reports will be aggregated and summarized to furnish the subcommittee's portion of MCCI's annual report on citizen involvement to the Metro Council. It would be helpful, therefore, if monitors would frame their reports, insofar as possible, to fit into the outlines of MCCI's annual work plan, so that the Transportation/REM subcommittee's report will be consistent with those of other MCCI subcommittees.
5. Monitors are encouraged to be acquainted with Metro's Public Involvement Planning Guide as they make their inquiries of the Departments, as Departments are charged with the responsibilities appearing there.
6. Monitors will, over time, assess and report whether any particular Departmental activity ought to be viewed as affecting the public or public policy (see #3, above) and whether citizen involvement, therefore, is called for with respect to it; and whether the Department is providing for it (particularly at any 'key decision point' [see PIPG]).

Generally:

(1) We asked each department to furnish the subcommittee with a list of department activities, divided into three categories (derived from the language of the Public Involvement Plan Guide developed by MCCI):

- (a) (Department) actions and policy decisions that significantly affect the public or alter public policy beyond the normal course-of-business activity;
- (b) Normal course-of-business activity
- (c) Actions and decisions about which uncertainty may exist in the Department as to their significance in affecting the public or altering public policy.

Transportation provided a list divided into the following three categories:

- (a) studies and projects with existing public involvement plans
- (b) new studies and projects - public involvement plans to be determined
- (c) (other) studies and projects - where there is no PI component or Metro makes no decision and holds only a support role

- We will be comparing the lists to see to what degree the Department's list responds satisfactorily to our request, but we were favorably impressed by the promptness of the initial effort.

- Transportation said they would furnish an updated list each month. These lists may not change enormously from month to month, but they will show both current activities and (1) activities that come on to the list at any particular time, and (2) activities that drop off the list, and when they do. For example, the Regional Transportation Plan and the Transportation Improvement Plan projects are coming to an end, as is the S. Willamette River crossing study. But new projects, such as the important I-5 Trade Corridor and Highway 217 Corridor studies would be revealed as they emerged. Whether or not even this sort of a list will truly disclose Department directions in a truly timely may be a matter of debate, but we feel that Transportation's efforts are a step in the right direction.

- Additionally, Transportation said that they could furnish a "skinny" PIP for covered projects as they are being developed, with a final PIP when each project is fully formed. The Department notes that it drafts its plans to meet the requirements and goals of the Department, with very complicated work plans that are created subsequently. These vary during the course of further work. Suiting the description of a project to a target audience (i.e., to a citizen involvement perspective) is difficult, and translation is required. Still, "skinny" periodic PIPs could outline Department plans at any particular moment.

REM was not present at the last subcommittee meeting.

(2) We will be kicking around the idea of having subcommittee members (and other MCCI members who may be interested) choose particular elements of projects or activities to "monitor", to see whether principles of citizen involvement are being observed. The monitor would make a brief written report each month, and all the reports would be aggregated together at the end of the year to provide the subcommittee's portion of MCCI's report on Metro's citizen involvement practices. The "elements" or projects reported on may range from the very broad (such as commenting on citizen involvement in the Priorities 2000 Project) to the very narrow (such as inquiring of citizen members of the advisory committees as to whether they feel their participation is having some actual effect so that citizens' views are taken seriously, or whether their expressions of opinion do not seem to carry appropriate weight in committee deliberations).

(3) Budget: Work sessions on department budgets are scheduled on March 24 (for transportation planning) and April 14 (for REM). We will be able to get a prospective look at what the departments plan in the way of expenditures for citizen involvement as the budgets are settled. We may be able to obtain some idea of the importance the departments attach to citizen involvement activities by seeing the percentage of their budgets they intend to devote to citizen involvement activities.

Recognizing that there is a certain diffusion of expenditures among departments, and that there is a general "communications group" overlapping departments at Metro, so that precise department expenditures may not always be identifiable prospectively, we have been talking to our MCCI budget subcommittee to see whether they can monitor the departments and furnish current expenditure reports periodically and, more importantly, to review department expenditures at the end of the year retrospectively, to see what actually was spent on citizen involvement activities. We believe this information would give us great insight both as to (1) actual activities carried out, (2) the importance of citizen involvement to the departments as measured by the percentage of their budgets which they devote to citizen involvement. Determination of the actual amounts spent at the end of the year would also furnish MCCI with a tool in deciding whether a "reasonable" effort had gone into citizen involvement, considering all factors - including budgetary restraints. In making our yearly report, we would have some hard facts to point to in supporting whatever conclusions we reach about the adequacy of Metro's citizen involvement activities.

Respecting substantive activities

Transportation

Priorities 2000 is active. The department is trying to decide between hosts of projects submitted by the various jurisdictions competing for a limited amount of funding. Lists of the projects are available, and at least two public meetings will have (Feb. 23 and tonight, March 17) been held in which citizens (or special interests) could speak openly in support of or in opposition to proposed expenditures. Close of public comment is March 22. Additionally, public hearings have been scheduled by the Metro Council and JPACT on April 6 and May 4 (where additional comments may be made formally).

As other committees will be aware, we do not exist in a static environment. It would seem as though recent developments with respect to the Endangered Species Act and potential superfund listings (and other events) may have impacts on regional development. These, in turn, may significantly affect plans for transportation facilities, improvements or funding directed to serve them. Roads tend to follow rivers and streams, and it may well be that their protection may knock some long hoped-for (or at least expected) projects into a cocked hat.

We'll report on other Transportation activities, including the I-5 Corridor study and the Highway 217 Corridor study as more information becomes available.

REM

REM's principal worry, at last report, was whether two additional transfer stations are warranted. Haulers want them to reduce travel cost and wait times. However, current stations satisfy capacity requirements, and Metro policy as written discourages construction of additional transfer stations. REM is supposed to be in the process of producing a PIP covering this project. Our understanding is that they are currently contacting jurisdictions. "stakeholders" and others in an opinion survey, but we haven't sufficient information on these efforts to provide more now.

A thought which might enter a citizen's mind upon this subject, however, is that the greatest amount of Metro's general fund is derived from transfer station revenues. Revenues from two additional stations might be attractive quite independent of the need for the stations themselves. Again, since we are without sufficient information concerning this matter at this time, we will await further Department reports.

Generally:

(1) In February, we asked each department to furnish the subcommittee with a list of department activities, divided into three categories (derived from the language of the Public Involvement Plan Guide developed by MCCI):

- (a) (Department) actions and policy decisions that significantly affect the public or alter public policy beyond the normal course-of-business activity;
- (b) Normal course-of-business activity
- (c) Actions and decisions about which uncertainty may exist in the Department as to their significance in affecting the public or altering public policy.

In March, Transportation provided a list divided into the following three categories:

- (a) studies and projects with existing public involvement plans
- (b) new studies and projects - public involvement plans to be determined
- (c) (other) studies and projects - where there is no PI component or Metro makes no decision and holds only a support role

- We will be comparing the lists to see to what degree the Department's list responds satisfactorily to our request, but we were favorably impressed by the promptness of the initial effort.

In April, Transportation provided an updated list.

In April, REM agreed to compile a list of activities, and indicated it will work to provide the subcommittee with something in the near future.

(2) We have made an initial, loose assignment of subcommittee members to monitor particular activities of the two Departments, with members being able to select the activities they wish to watch. We will need to review the entire list of Departmental activities to make sure we are not missing something of great importance to MCCI, and fill the gaps if necessary. We are inviting other members of MCCI to participate in the monitoring activities. If anyone has a particular interest in any activity of Transportation or REM, and wishes to follow it along, we'd be happy to have your help.

Subcommittee members are working up a series of questions to be answered each month relating to citizen involvement in Department activities. We have not established a uniform list of questions, leaving it to subcommittee members to ask the questions which they believe to be the most important in the initial stage of the "monitoring" process. We expect to benefit from this approach as we learn what types of questions other members of the subcommittee would pose to the Departments. Thereafter, we may be able to develop an adequate, comprehensive list for easy use and uniform application.

In keeping with the approach being developed in the Budget subcommittee (and as evidenced from the minutes of the Growth Management subcommittee, we expect to develop questions relating to what is spent in terms of money upon citizen involvement as a component of each activity. We also believe it would be a good idea to develop questions relating to the amount of time spent by staff as another indication of the importance attached to citizen involvement.

It would appear that the "monitoring" approach will furnish an adequate method to help satisfy the requirements of MCCI's Work Plan for the year. The monitoring process seems to match some of the goals enunciated in the Work Plan.

Respecting substantive activities

Transportation

Priorities 2000 is active. The department is trying to decide between hosts of projects submitted by the various jurisdictions competing for a limited amount of funding. A final public hearing (Council/JPACT) is scheduled for May 4, 1999. Extensive written materials are available for review.

We'll report on other Transportation activities, including the I-5 Corridor study and the Highway 217 Corridor study as more information becomes available.

REM

REM's principal worry, at last report, was whether two additional transfer stations are warranted. Haulers want them to reduce travel cost and wait times. However, current stations satisfy capacity requirements, and Metro policy as written discourages construction of additional transfer stations.

Generally:

(1) The subcommittee prepared and submitted its annual report (on June 16). The report reflected the subcommittee's efforts over the past year to identify a method which is useful in evaluating Metro's citizen involvement activities, in addition simply to encouraging them. The report described the subcommittee's approach in outline form, as follows:

- (a) identifying all of the activities in which the respective Departments engage;
- (b) distinguishing between Departmental activities which are conducted simply in the course of business and those which constitute, contribute to, or result in "actions and policy decisions that significantly affect the public or alter public policy beyond the normal course-of-business activity" (Metro Public Involvement Planning Guide, Section 3);
- (c) reaching agreement with the Departments as to which Department activities are subject to Section 3 of the Planning Guide;
- (d) requesting timely Public Involvement Plans (PIPs) for those activities which are described in Section 3 of the Planning Guide;
- (e) monitoring the Departments to determine or assess:
 - i) the timely completion of PIPs;
 - ii) the apparent adequacy of each PIP to achieve the purpose of informed citizen involvement (analysis of the steps proposed);
 - iii) the execution of the steps proposed in each PIP;
- (h) making recommendations to the Departments both with respect to the content (steps to be taken by the Departments) and to the implementation (execution) of the PIPs;
- (g) making periodic subcommittee reports which evaluate, by activity, the Departments' citizen involvement efforts, and offering the Departments the opportunity to comment upon the reports;
- (h) encouraging the Departments to make their own evaluations of the effectiveness of their efforts with respect to each appropriate activity for inclusion in, among other places, the subcommittee's annual report;
- (i) compiling an annual report furnishing an evaluation of the Departments' efforts, both by activity and generally, during the course of the reporting period, and offering the Departments the opportunity to comment.

(2) REM furnished a chart which listed its departmental activities. Although the chart itself is in somewhat cryptic a form, the Department liaison provided an explanation of its elements at the June subcommittee meeting. It appears that the chart will offer a good starting point for the subcommittee in moving through steps (a) through (d) of the subcommittee's "monitoring" approach, which is described above. The Transportation Department had previously provided an activities list (in March), and also an updated list (in May) as per the subcommittee's continuing request for updated monthly departmental activities lists, although an updated list was not provided in June. It would appear that the subcommittee has been successful, then, in beginning the process which it hopes to accomplish through its adopted approach.

(3) Of particular note is that the Transportation Department, in response to written questions submitted in May regarding Priorities 2000 (or MTIP [Metropolitan Transportation Improvement Program], an activity by the Metro Council and JPACT determine how available state and federal transportation funds are to be distributed in the region), provided a written summary of how citizen involvement had influenced decisions about which local projects should be funded and which should not. Summaries of this sort ought to be very helpful to the subcommittee if provided with respect to other activities, and the subcommittee will continue to ask for them. They should be useful during the evaluation efforts of both steps (e) iii and (h) of the subcommittee's monitoring approach. The fact that Transportation responded in this way is very encouraging. Additionally, Transportation responded orally to another set of questions concerning the Columbia River Channel deepening project, denying any Metro interest or participation in this area. Although it would seem

that both Metro's growth management and transportation policies would eventually be impacted by this undertaking, Metro is taking no current steps with respect to it, according to the Transportation Department.

Particular items of interest:

(1) REM

- (a) As may be noted from the MCCI regular meeting packet for June, a public process is now underway to determine how nearly \$70 million ought to be spent by Metro. The funds arise from the renegotiation of contracts with Waste Management and STS. A schedule has been released outlining the process, which includes public hearings. The potential use of the funds does not appear to be limited to solid waste disposal purposes. Other interest groups have made pitches for its use in other Metro projects and programs, such as urban-reserve planning, green-space acquisition, and encouraging particular kinds of private enterprise.
- (b) The Department is undertaking activities to determine the need for additional regional transfer stations, apparently at the suggestion of haulers and potential operators of such stations. Public involvement at this stage appears to consist of surveying "stakeholders". It should be noted that the suggestion has been made that privatization might be an option for solid waste disposal. It would appear that this would constitute such a major change in policy direction that a PIP is merited, and full early citizen participation warranted.
- (c) REM has conducted a survey of citizens in the region, in part asking about Metro's purposes and what citizens feel Metro ought to be doing in certain areas. The results of the survey may be of some interest to MCCI members, although the survey did not cover a broad range of topics.

(2) Transportation

- (a) The MTIP process for the current period is practically complete. What is of interest now to MCCI members (other than keeping an eye out to insure proper implementation of the current process - i.e., the proper use of the allocated funds), is that the process for the next cycle (2004-2007) will be starting at the local level right away. Metro's Local Public Involvement Policy (July, 1995) applies to the local processes. Since this is the best opportunity for early public involvement, MCCI should use its best efforts to make the public aware of this.
- (b) The Highway 217 project is in its "study" phase. Since studies are conducted in order to identify problems and propose initial solutions, they can involve "key decision points" for purposes of citizen involvement, since they tend to shape subsequent discussions. The subcommittee encourages MCCI to be alert to the importance and implications of "studies" and "surveys", and to consider methods which will allow citizens to play significant roles at these early stages of what turn out to be Metro projects and activities. The Transportation Department's most recent activities list indicates only that public involvement plans are "TBD", to be determined.
- (c) The I-5 Trade Corridor Study involves a process which is underway and is referred to as the 'Portland/Vancouver I-5 Trade Corridor Freight Feasibility and Needs Assessment' process. Sound appetizing? A "policy committee" has appointed a "leadership committee" to study freight movement and problems in the Portland-Vancouver area. Attendance at a "leadership committee" meeting at ODOT on June 3 suggests that solutions to problems perceived by the trucking and rail industries may include "a big fix" - essentially a new or reconstructed I-5 bridge to Vancouver and major changes in the Columbia railroad bridge. Commuter rail, light-rail and river channel deepening all figure into the over-all picture, with potential impacts on Metro growth management and transportation planning and subsequent projects. Metro provides a member of the leadership committee's Technical Advisory Committee. The Oregonian has described the leadership committee as being a "business and civic committee". The "policy committee" is apparently comprised of ODOT and WDOT, although it is not fully apparent who the prime movers are at this point.

7/2/99

Date: April 7, 1999
To: MCCI Transportation Sub-committee members
From: Gina Whitehill-Baziuk
Re: Monthly studies and projects PI update

Contacts and Codes:

GWB Gina Whitehill-Baziuk 797-1746 // whitehillg@metro.dst.or.us
PP Pamela Peck 797-1866 // peckp@metro.dst.or.us
MLB Marci LaBerge 797-1894 // lbergem@metro.dst.or.us
MM Marilyn Matteson 797-1745 // mattesonm@metro.dst.or.us
SF Susan Finch 797-1872 // finchs@metro.dst.or.us
JC Jeanna Cernazanu 797-1865 // cernazanu@metro.dst.or.us

Studies and Projects listed in the Unified Work Program:

	PI Contact	Project Manager	
Studies and Projects with PI Plans			
Regional Transportation Plan	PP	Tom Kloster	x 1832
Transportation Improvement Plan	PP	Terry Whisler	x 1747
South Willamette River Crossing Study	MLB	Chris Deffebach	x 1921
Traffic Relief Options Study	MLB	Bridget Wieghart	x 1775
South/North Light Rail	GWB		

New Studies and Projects – PI Plans TBD

I-5 Trade Corridor Study	GWB	Chris Deffebach	x 1921
Highway 217 Corridor Study	MLB	Bridget Wieghart	x 1775
Commercial Transportation Study	GWB	Chris Deffebach	x 1921

Other Studies and Projects w/no PI component

- TIP local projects
- Local Plan Coordination
- Alternative Mode Implementation
- Regional Freight Program
- Commuter Rail
- Schools Program

**MCCI (Transportation/REM subcommittee) questions concerning endorsement by "the region" of Columbia River Channel Deepening
Submitted to the Metro Transportation Department - May 5, 1999**

What public hearings have occurred at Metro respecting dredging of the Columbia River (as proposed in legislation currently before Congress)?

What, if any, other forms of public involvement have occurred at Metro with respect to this matter?

What public hearings have occurred (in any venue) respecting dredging of the Columbia?

The Portland Metropolitan Area Federal Transportation Position Paper (2/2/99) states, with respect to Columbia River channel deepening:

"The region endorses the request for a 'Contingent Commitment' for the channel deepening project in the Water Resources Development Act which is scheduled for reauthorization. This 'Contingent Commitment' authority is provided by Congress subject to satisfactory compliance with environmental regulations. The Columbia River Channel project is now in the DEIS comment period (until February 7) and the federal record of decision is expected by August. A contingent authorization from Congress is requested for inclusion in this bill. The estimated cost is \$192.9 million, of which 50 percent will be sought from the Federal Government."

Please describe the formal steps taken by which "the region" endorsed this request.

Please describe the citizen involvement component(s) which went into these formal steps.

Has Metro taken any official action endorsing the channel deepening project in the Water Resources Development Act?

Please identify the Resolution or method by which such action was taken.

What formal citizen involvement preceded Metro's endorsement of the channel deepening project?

What participation did Metro undertake during the DEIS comment period?

What citizen involvement activities did Metro undertake during the DEIS comment period?

What action has Metro taken, and what action does Metro contemplate taking, during the period prior to the federal record of decision in August, 1999, respecting this matter?

What plans does Metro have for citizen involvement with respect to these actions?

As a threshold policy matter, what citizen involvement is contemplated for the process of deciding whether "the region" should seek federal funding for a channel deepening project, or whether it should not?

What role might Metro have in seeking federal funding for a channel deepening project?

What citizen involvement is contemplated in determining whether Metro should undertake such a role?

What role might Metro have in the receipt, allocation or distribution of federal funds in connection to a channel deepening project?

What citizen involvement is contemplated by Metro relative to this role?

If fifty percent of the estimated cost of the channel deepening project is sought from the federal government, what is the anticipated source of the remaining fifty percent?

What role would Metro expect to have in identifying and obtaining non-federal funding for a channel-deepening project?

What citizen involvement is contemplated by Metro relative to this role?

Is it anticipated that, if accomplished, the deepening of the Columbia River Channel may have significant impacts upon the growth of the Metro region and, if so, upon Metro's actions and policy decisions affecting growth management?

Is it anticipated that, if accomplished, the deepening of the Columbia River Channel may have significant impacts upon Metro's current and future actions and policy decisions relating to regional transportation needs?

If the answer to either or both of the preceding questions is "yes", what citizen involvement is contemplated by Metro at this 'key decision point': (a) as it affects Metro and Metro's actions and policy decisions relative to supporting or opposing deepening of the Columbia River Channel, and (b) considering and influencing any Metro "actions and policy decisions that significantly affect the public or alter public policy beyond the normal course-of-business activity" ² in these areas?

What citizen involvement is contemplated by Metro at the Metro level insofar as deepening of the Columbia River Channel is being considered as part of the 'Portland/Vancouver I-5 Trade Corridor Freight Feasibility and Needs Assessment' process, in which Metro is a participant? (Please see, also, a separate series of questions submitted under this heading.)

What decisions have been made with respect to channel deepening in the last thirty days? What are the operative assumptions concerning such deepening which currently affect Metro actions and policy decisions? Have these decisions or assumptions been influenced by citizen involvement activities and, if so, how?

What citizen involvement activities relating to channel deepening have been conducted by Metro in the past thirty days?

¹ Metro Public Involvement Planning Guide, Section 3

² Ibid.

**MCCI (Transportation/REM subcommittee) questions concerning the Regional Transportation Plan (RTP) [re: light-rail "listening posts", freight mobility, planning], and Metropolitan Transportation Improvement Plan (MTIP)
Submitted to the Metro Transportation Department - May 5, 1999**

RTP (Regional Transportation Plan)

Does this activity involve actions or decisions that significantly affect the public or alter public policy beyond the normal course-of-business?

Does this activity have a Public Involvement Plan?

With respect to this activity, were any 'key decision points' (see Metro Public Involvement Planning Guide) reached in April, 1999?

What decisions were made?

What citizen involvement activities were conducted in April, 1999?

How did citizen involvement at the Metro level influence any decisions which were made?

Metro Listening Posts

- (a) Please summarize the genesis of (reasons for) this activity, and how it was conducted.
- (b) Please summarize the tenor of comments received from citizens.
- (c) A mailing from the City of Portland announcing a series of Interstate MAX Open Houses reads:

"Why a new light rail proposal? After voters turned down property tax support for light rail last November, Metro held a series of listening post meetings asking citizens how to proceed with transportation plans for the South/North corridor. Community and business leaders asked whether a route could be built with no property tax support, no displacements and serve the Expo Center."

Was the specific inquiry made by "community and business leaders" actually raised at any of the listening post meetings?

Who are the specific "community and business leaders" who made the inquiry?
Did any of them attend the listening post meetings?

Did comments received from other citizens at the listening post meetings demonstrate consensus on the matter, or did they differ from this specific inquiry in any significant ways?

- (d) Are the 'Open Houses' Metro or Tri-Met (or City of Portland) activities?
- (e) What further public involvement will be conducted by Metro in this matter?

MTIP (Metropolitan Transportation Improvement Plan) 'Priorities 2000'

Does this activity involve actions or decisions that significantly affect the public?

Does this activity have a Public Involvement Plan?

With respect to this activity, were any 'key decision points' (see Metro Public Involvement Planning Guide) reached in April, 1999?

What decisions were made?

What citizen involvement activities were conducted in April, 1999?

How did citizen involvement at the Metro level influence any decisions which were made? If earlier citizen involvement played a role, reference to this may be made as well (including a description of the compilation of 'Priorities 2000 Projects: Blended Technical and Administrative Project Rankings', and references to public support and comments therein).

What citizen involvement activities were conducted (in April, 1999 or previously) to establish that public support existed (as indicated in these 'Blended...Rankings') for the several Transit Improvement Projects, specifically for Washington County Commuter Rail (WTr1) and for Light-Rail to the Portland Airport (RTr1)?

Metro had established a 'Priorities 2000 Cut List' (150% Cut List) for the funding of proposed transportation projects by the beginning of April, 1999. In April, a proposed 100% funding recommendation was compiled. In what specific way or ways did public involvement (as opposed to simple lack of ability to fund all proposed projects) significantly alter or affect the Department's project rankings or funding recommendations?

**I-5 Trade Corridor Study/Commercial Transportation Study/Regional Freight Program
'Portland/Vancouver I-5 Trade Corridor Freight Feasibility and Needs Assessment'**

Do these activities involve actions or decisions that significantly affect the public or alter public policy beyond the normal course-of-business?

Do these activities have Public Involvement Plans?

With respect to these activities, were any 'key decision points' (see Metro Public Involvement Planning Guide) reached in April, 1999?

What decisions were made?

What citizen involvement activities were conducted in April, 1999?

How did citizen involvement at the Metro level influence any decisions which were made?

Date: June 2, 1999
To: MCCI members
From: Gina Whitehill-Baziuk *GWB*
Re: Brief Summary of MTIP Priorities 2000 Recommendations

At an earlier meeting you had asked for a brief recap of projects that were most significantly influenced by the public process associated with the MTIP. It is important to note that all projects that come through the local jurisdictions to Metro for funding must have had thorough local public review. (See Metro Transportation Planning Local Public Involvement Policy, July 1995: This document describes Metro's public involvement policy for local jurisdictions submitting projects for regional funding or other action. Also see, ISTEA Public Involvement Provisions: "There must be adequate opportunity for public official (including elected officials) and citizen involvement in the development of the transportation plan before it is approved by the MPO.")

The following represents a good sampling of projects that were identified for funding out of the Priorities 2000 process, whose status was significantly influenced by input from the public:

Sunnyside Rd/Mt Scott Creek:	Was on the 150% list even though its ranking was quite low. Stayed on list due to concerns with endangered species (salmon) (both environmental and permit/policy questions.
SE Foster Rd/Kelly Creek:	(See as above)
Hwy 213/Beavercreek Rd:	Was on 150% list even though its ranking was quite low. Received significant community and local agency comment.
223 rd Over Crossing:	Although this was originally left off the 150% list, it was a priority for the Bike community and also had significant support from freight interests regarding access to the Troutdale industrial area.
Johnson Creek Blvd 36 th /45 th :	Received significant comments from the local community, including a petition. The comments reinforced the need for the City of Milwaukie to work more closely with the community in identifying and resolving issues.

Main St. 10 th /20 th – Cornelius:	Originally ranked low, however, major input from the public and the community at large as well as significant support from the Governor’s Strategic Investment Team, impacted the project’s positioning.
Capitol Hwy, Bertha/Beav. Hills. Hwy:	Strong support from the Hillsdale community, highlighting the projects links with previously funded ped improvements and the relationship to the development of the library impacted the project’s positioning.
Morrison Bridge Ped/Bike Access:	Project was not originally recommended in the staff 100% list, due to the recent completion of the Hawthorne Bridge improvements and the need for additional site/PE work. Significant outpouring of support for the project resulted in partial funding by MTIP and partial funding by the City of Portland and Multnomah County.
Fanno Creek Trail Phase 2:	Although it ranked low, this project and the following project were cited as jointly needed to preserve the ROW. There was strong multi-agency and bike/ped community support that impacted the project’s positioning.
Red Electric Line/ Will Park/Oleson:	(See above)
E. Bank Trail– Phase 2:	(See above)
NE 47 th Environmental Renovation:	(See as above)
TMA Assistance Program:	This program and the following program received strong support from all public agencies as well as employer/business community and community at large.
2040 Initiatives:	(See above)

Priorities 2000 Project Selection Schedule

- 22-May-98** Public notification to kick-off process
- 23-Jun-98** Public hearing on draft criteria
- 16-Oct-98** Deadline for local governments to submit projects
- Oct – Feb** Technical ranking of projects
- 8-Feb-99** Public comment period begins
- 23-Feb-99** Public workshop with ODOT (in Portland): Comment on technical and administrative factors
- 27-Feb-99** Open house (in Hillsboro) – distribute information to public
- 17-Mar-99** Public workshop with ODOT (in Oregon City) – Comment on technical and administrative factors
- 22-Mar-99** Public comment period ends
- 26-Mar-99** TPAC: review/approve 150% cut list
- 6-Apr-99** JPACT/Transportation Planning Committee public hearing on 150% cut list
5:30 p.m., Council Chamber, Metro Regional Center,
600 NE Grand, Portland
- 8-Apr-99** JPACT/Metro Council Review/Approve 150% cut list
- 20-Apr-99** Transportation Planning Committee review
- 30-Apr-99** TPAC Approval of Program Recommendation
- 4-May-99** JPACT/Transportation Planning Committee public hearing on program
recommendation – 5:30 p.m., Council Chamber, Metro Regional Center, 600
NE Grand, Portland
- 13-May-99** JPACT consideration of program approval
- 27-May-99** Metro Council consideration of program approval

SCHEDULE OF 1999 UNIFIED WORK PLAN MANAGEMENT TEAMWORK

CONTACT	TASK	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
DA	1. "Remedial" waste reduction action plan									
LL	2. Assessment of Regional System Fee Credit Program									
DS	3. Consensus on Metro's transfer station ownership and the future role of Metro in transfer operations									
DA	4. Consensus on provision of transfer station services, including the policy towards self-haul									
LL	5. Revision of Designated Facility Agreement and Non-System License									
TP	6. Initiate discussion with Washington County on landfill rate regulation									
LL	7. Full implementation of regulatory and inspection program									
DS	8. Recommendations from Clark County task force									
JW	9. BFI/Allied merger									
DS	10. Management of the 10%									
DS	11. Long-term Metro funding alternatives									
LL	12. Adoption of new fees and excise tax to reflect contract savings and other changes									
JO	13. Survey to determine how we are currently perceived by the public									
JO	14. REM Communication Plan									
	15. Maintain and improve good working relationships with local government partners									
JW	16. Consensus on Metro's role in abandoned regional landfills and a decision on KFD									
DA	17. Aggressive hazardous waste plans									
	18. Role of REM in regional salmon recovery									
TP	19. Legislative restrictions on disposal of hazardous waste									
	20. Disaster Management Plan									
	21. Standardized performance plans for all REM managers and supervisors									
	22. Continue tracking performance measures and write annual report on performance measures									

Agenda Item Number 10.1

Resolution No. 99-2850, For the Purpose of Changing the Representatives of Cities of Multnomah County and Changing the Alternate for the Cities of Washington County on the Affordable Housing Technical Advisory Committee.

**Metro Council Meeting
Thursday, November 4, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CHANGING THE) RESOLUTION NO. 99-2850
REPRESENTATIVES OF CITIES OF)
MULTNOMAH COUNTY AND) Introduced by Executive Officer
CHANGING THE ALTERNATE FOR THE) Mike Burton
CITIES OF WASHINGTON COUNTY ON)
THE AFFORDABLE HOUSING)
TECHNICAL ADVISORY COMMITTEE)

WHEREAS, the Metro Council adopted a Chapter to the Metro Code (3.07) creating an Affordable Housing Technical Advisory Committee; and

WHEREAS, Ordinance 98-769 subsequently confirmed the appointment of voting and non-voting members and Resolution 99-2759 completed the appointment of members; and

WHEREAS, it is the responsibility of the Metro Council to confirm members of the Affordable Housing Technical Advisory Committee; and

WHEREAS, the Affordable Housing Technical Advisory Committee (H-TAC) has adopted Bylaws on October 19, 1998 stating that when vacancies exit, the appointee organization shall nominate new member and H-TAC members shall nominate their alternates, and all names shall be submitted for appointment by the Metro Executive officer and confirmation by the Metro Council; and

WHEREAS, Resolution 99-2759 confirmed that alternate members shall serve only during the term of their advisory committee member; and can vote only in the absence of their advisory committee member; and

WHEREAS, the representative of the Cities of Multnomah County, Mayor Roger Vanderharr has indicated his wishes to resign from the H-TAC; and

WHEREAS, per letter from Charles J. Becker, Mayor of Gresham, indicated the nomination of Councilor Chris Lassen of Gresham to fill the vacant position of East Multnomah County cities, and nomination of Councilor Vicki Thompson of Gresham to replace Andree Tremoulet as the alternate for East Multnomah County cities; and

WHEREAS, per memo from David Lawrence, representative of the Cities of Washington County, a request was made to change the alternate position from Pat Ribellia to Gail Brownmiller to facilitate attendance; now, therefore

BE IT RESOLVED:

1. That the Metro Council confirms the appointment of Gresham City Councilor Chris Lassen to serve as the representative of the Cities of Multnomah County and Councilor Vicki Thompson to serve as

the alternate on the Affordable Housing Technical Advisory for the current term for these positions ending October 2000.

2. That the Metro Council confirms the appointment of Gail Brownmiller to serve as the alternate for the Cities of Washington County for the current term for this position ending December 2000.

ADOPTED by the Metro Council this _____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

ogu

i:\gm\long range planning\projects\housing\Council\H-TAC -changed members

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2850 FOR THE PURPOSE OF CHANGING THE REPRESENTATIVES OF CITIES OF MULTNOMAH COUNTY AND CHANGING THE ALTERNATE FOR THE CITIES OF WASHINGTON COUNTY ON THE AFFORDABLE HOUSING TECHNICAL ADVISORY COMMITTEE

Date: October 1, 1999

Presented by: Elaine Wilkerson
Gerry Uba

PROPOSED ACTION

This resolution would make the following changes to the Affordable Housing Technical Advisory Committee (H-TAC).

Recommended for appointment to H-TAC to complete the remaining term of the representatives of the cities of Multnomah County ending October 2000 are:

1. Councilor Chris Lassen of Gresham, representative of the Cities of Multnomah County; and
2. Councilor Vicki Thompson of Gresham, alternate of the Cities of Multnomah County

Recommended for appointment to H-TAC to complete the remaining term of the alternate of the Cities of Washington County ending December 2000 is:

1. Gail Brownmiller, alternate representative of the Cities of Washington County.

BACKGROUND INFORMATION

The Council established H-TAC on November 20, 1997 (Resolution 97-2583B) and included it in the Regional Framework Plan, adopted by the Council on December 11, 1997 (Ordinance 97-715B).

H-TAC was formerly organized via Metro Code (Ordinance 98-769) and Resolution 99-2759 which adopted the membership list of entities and persons to serve on H-TAC. Bylaws were developed and adopted by H-TAC on October 19, 1998 stating that when vacancies exit, the appointee organization shall nominate a replacement and that members shall nominate their alternates for approval by the Metro Executive Officer and confirmation by the Metro Council.

The representative of the Cities of Multnomah County, Mayor Roger Vanderharr of Fairview resigned from the H-TAC in June 1999. His two-year term expires in October 2000. Mayor Charles Becker of Gresham sent a letter nominating Gresham City Councilor Chris Lassen to fill the vacant position, and Gresham Councilor Vicki Thompson to serve as alternate (see attachment).

Additionally, Mr. David Lawrence, representing the Cities of Washington County nominated Ms. Gail Brownmiller, a staff of the City of Hillsboro, to replace Mr. Pat Ribellia and thereby facilitate attendance (see attachment).

EXECUTIVE OFFICER'S RECOMMENDATION

The executive officer recommends approval of Resolution No. 99-2850.

ATTACHMENT TO STAFF REPORT

1. Letter from Mayor Charles J. Becker of Gresham
2. Letter from Mr. David Lawrence of the City of Hillsboro



City of Gresham

Mayor Charles J. Becker

1333 N.W. Eastman Parkway
Gresham, Oregon 97030-3813
(503) 618-2306
Fax (503) 665-7692

Metro Growth Reg.

JUL 30 1999

July 28, 1999

Mr. Gerry Uba
Metro
Growth Management Services Department
600 NE Grand Avenue
Portland, OR 97232

Dear Gerry:

This letter is to officially inform you that Gresham City Councilor, Chris Lassen will represent the East Multnomah County cities of Gresham, Troutdale, Fairview, and Wood Village on the Affordable Housing Technical Advisory Committee.

Gresham City Councilor, Vicki Thompson will serve as alternate.

Thank you.

Sincerely,

Charles Becker

Charles J. Becker,
Mayor

CJB/clo

CITY OF HILLSBORO



August 30, 1999

Mr. Mike Burton, Executive Officer
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Mr. Burton,

As the current H-TAC representative for "Cities of Washington County", I respectfully request a change in the designated alternate for this position from Mr. Pat Ribellia to Ms. Gail Brownmiller.

As a City of Hillsboro employee, Ms. Brownmiller has assumed the responsibilities of monitoring the H-TAC activities and has been actively participating on both the Cost Reduction Subcommittee and the Land Use / Regulatory Subcommittee. She would be fully prepared to participate on H-TAC, should I be absent.

Thank you for your consideration.

Sincerely,



David Lawrence
Deputy City Manger
City of Hillsboro

CC: Diane Linn, H-TAC Chair
Gerry Uba
Gail Brownmiller
Pat Ribellia

Agenda Item Number 10.2

Resolution No. 99-2863, For the Purpose of Directing the Executive Officer in the Preparation of the 2000-2001 Budget and Creating a Task Force to Recommend Allocation of Certain One-Time Expenditures.

**Metro Council Meeting
Thursday, November 4, 1999
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DIRECTING) RESOLUTION NO 99-2863
THE EXECUTIVE OFFICER IN THE)
PREPARATION OF THE 2000-2001) Introduced by Councilor Bragdon
BUDGET AND CREATING A TASK)
FORCE TO RECOMMEND)
ALLOCATION OF CERTAIN ONE-TIME
EXPENDITURES

WHEREAS, Metro has renegotiated its solid waste, transportation and disposal contracts for a net savings to the region of approximately \$40 million over the next decade; and

WHEREAS, this money belongs to the people of the region with Metro serving as their fiduciary agent and this money is extraordinary, non-recurring revenue that should not be relied upon as a stable on-going funding source; and

WHEREAS, cutting the tipping fee would have hampered recycling; and

WHEREAS, the Metro Council has ordained that the most prudent priority for these funds is within the solid waste area itself, in order to responsibly sustain the system and incentivize recycling, and

WHEREAS, recognizing that even after that, a certain sum will be left over that can be used for other purposes in the public interest; and

WHEREAS, expenditure of these funds should be accounted for and explainable to the public now, therefore,

BE IT RESOLVED THAT:

1. The Metro Council directs the Executive Officer to prepare the FY '00-'01 Proposed Budget and all subsequent budgets on a "no new revenue" basis, as if the contract renegotiations mentioned above and the savings resulting therefrom had never occurred.

2. The Metro Council directs the Executive Officer to identify these funds accruing from aforementioned savings as one lump-sum "undesignated savings revenue" in his proposed budget, along with an identical lump-sum amount labeled "Undesignated Savings Expenditure (to be allocated)".

3. The Executive Officer's budget submission shall otherwise be balanced strictly with revenues other than those savings and shall show the calculation by which the savings in that year have been quantified.

4. The Council will create and the Presiding Officer shall name a three-member task force to report and disband no later than December 31, 1999.

5. The members of that task force shall include Councilors Bragdon, Park and Washington.

6. The task force shall identify:

- principles and criteria for expenditure (if any) of these funds in a disciplined and coherent manner that is transparent to the public
- methods of tracking and explaining all expenditures from the undesignated savings line item
- evaluation of adjustments required to the 99-00 (current) fiscal year budget
- guidance to the Executive Officer on most likely "add" packages, if any to the FY '00-01 budget

7. Options to be evaluated by the task force are both within and without the Metro budget, and they include, but are not limited to the Dakota Option, Kvistad proposals

regarding excise tax, Atherton proposals for debt restructuring at solid waste facilities, and rebates to ratepayers. Expenditure options may include grants to local governments.

8. The task force is directed to include MPAC, local governments and the previous public comment in its deliberations.

ADOPTED by the Metro Council this ____ day of _____ 1999.

Rod Monroe, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

B:\RESOLUT.MST

Agenda Item Number 11.1

Resolution No. 99-2846, Authorizing an Amendment to the Contract between Metro and OTAK Inc. for Design and Engineering Services at Oxbow Regional Park and Howell Territorial Park.

Contract Review Board

**Thursday, November 4, 1999
Council Chamber**

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN) RESOLUTION NO. 99-2846
AMENDMENT TO THE CONTRACT BETWEEN)
METRO AND OTAK, INC. FOR DESIGN)
AND ENGINEERING SERVICES AT OXBOW)
REGIONAL PARK AND HOWELL) Introduced by
TERRITORIAL PARK) Mike Burton

WHEREAS, Metro executed Contract No. 920810 with Otak, Inc. in August of 1998; and

WHEREAS, the RFP and Contract scope of work included the design and engineering for all elements included in both Master Plans with an estimated design cost of \$1,400,000; and

WHEREAS, the Contract was executed for the amount of funding in FY 98-99 budget (\$356,760) with those funds to be expended by the Contractor upon written task orders for design and engineering as project priorities were established and funding was appropriated; and

WHEREAS, funding has been appropriated for design and construction of parks capital projects at Oxbow Regional Park and Howell Territorial Park in the adopted FY 99-00 budget; and

WHEREAS, the Regional Parks and Greenspaces Department has established that Otak, Inc has performed the work as specified and satisfactorily within the terms of the contract; and

WHEREAS, Metro Council as Public Contract Review Board may declare that it is in the public's interest for this work on the parks capital projects to move forward in the most expedient manner; now, therefore,

BE IT RESOLVED,

That the Metro Contract Review Board authorizes the execution of Amendment No. 2 to Contract No. 920810 with Otak, Inc. pursuant to the terms of Metro Code Sections 2.04.053 (a)(2) and (3) by increasing the contract value by \$1,018,500.

ADOPTED by the Metro Contract Review Board this _____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

**AMENDMENT NO. 2
CONTRACT NO. 920810**

This Agreement hereby amends the above titled contract between Metro, a metropolitan service district, and OTAK, Inc hereinafter referred to as "Contractor."

This amendment is a change order to the original contract as follows:

Paragraph 2. Scope of Work as follows:

Incorporate by reference to the Exhibit A Scope of Work a Notice to Proceed which describes the specific design and engineering services required and specifies Council approved budget for the project.

Paragraph 3. Payment as follows.

Metro shall pay the Contractor for services performed and material delivered in the amounts, manner and at the times specified in the Scope of Work for a maximum sum not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000). Metro will not be responsible for any payments for services, materials, expenses, or other costs other than those specifically included in the Notice to Proceed and funding in the approved Council budget.

Except for the above, all other conditions and covenants remain in full force and effect.

In Witness to the above, the following duly authorized representatives of the parties referenced have executed this agreement.

OTAK

METRO

SIGNATURE DATE

SIGNATURE DATE

NAME

NAME

TITLE

TITLE

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2846 FOR THE PURPOSE OF AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN METRO AND OTAK, INC. FOR DESIGN AND ENGINEERING SERVICES AT OXBOW REGIONAL PARK AND HOWELL TERRITORIAL PARK

Date: October 13, 1999

Presented by: Charlie Ciecko

PROPOSED ACTION

Resolution No. 99-2846 seeks approval to amend the existing contract (Contract No. 920810) between Metro and Otak, Inc. for design and engineering services associated with the development of capital projects at Oxbow and Howell Parks.

BACKGROUND

In 1997 Metro Council approved a master plan for Howell Territorial Park including capital improvements estimated at \$1.7 million and a master plan for Oxbow Regional Park including capital improvements estimated at \$5.4 million.

In May 1998 Metro Council approved a competitive selection process (RFP #98R-25-PKS) to provide design and engineering services associated with the development of these capital projects at Oxbow Regional Park and Howell Territorial Park. The RFP allowed Metro to select one firm to provide full design, engineering and construction inspection services necessary to implement master plan improvements at both parks, as funding became available. In their successful proposal, Otak, Inc. estimated a total \$1.4 million for complete design, engineering and construction inspection services for the proposed park improvements.

In 1998 Metro Council authorized an initial contract with Otak, Inc. for the amount appropriated in the FY 98-99 budget (\$356,760). Contract Amendment No. 1 (for \$24,740) was executed in March 1999. The department requests Metro Council (Contract Review Board) approval to extend the contract beyond this amount in order to continue on capital projects at Oxbow and Howell parks. These proposed projects have been reviewed and approved as part of Metro's CIP process.

This amendment to Contract No. 920810 would increase the contract amount to include the entire amount (\$1,400,000) proposed in Otak Inc.'s RFP. Contractor will be given Notice to Proceed for additional work tasks only after funding for construction has been appropriated by the Metro Council through approval of the department's annual budget. \$1,405,488 was appropriated for FY 1999-00.

FISCAL IMPACT

\$1,405,488 for design and construction projects at Oxbow Regional Park and Howell Territorial Park was approved in the FY 1999-00 budget.

RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 99-2846.

METRO OPERATIONS COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 99-2846, FOR THE PURPOSE OF AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN METRO AND OTAK, INC. FOR DESIGN AND ENGINEERING SERVICES AT OXBOW REGIONAL PARK AND HOWELL TERRITORIAL PARK

Date: November 3, 1999

Presented by: Councilor Kvistad

Committee Action: At its September 14, 1999 meeting, the Metro Operations Committee voted 3-0 recommend Council adoption of Resolution No. 99-2846. Voting in favor: Councilors Atherton, Kvistad and Washington.

Committee Issues/Discussion: Heather Nelson Kent made the staff presentation on behalf of the Regional Parks and Greenspaces Department. Resolution No. 99-2846 amends an existing contract with OTAK, Inc. for design and engineering services associated with the development of capital projects at Oxbow and Howell Territorial Parks.

OTAK was the successful bidder in a May of 1998 Request for Proposal process for design, engineering and construction inspection services at Howell and Oxbow Parks. The estimated costs for these services were \$1.4 million.

The existing five-year contract with OTAK, first executed in 1998, and based on the RFP is for \$381,500, after one amendment. Resolution 99-2846 authorizes an increase in the contract value of \$1,018,500, for a total not to exceed \$1.4 million. The effect of this second contract amendment, authorized by this resolution, would be to allow the department not to return to council for incremental increases in the contract, based on additional work assignments. However, another avenue available for the Council to retain oversight of this project, is through the annual Capital Improvement Plan (CIP) and budget process.

Councilor Kvistad said that he was not entirely comfortable with approving the total contract amount without some periodic council review. Ms. Kent responded that all funding for the Howell and Oxbow projects was not in hand at this time. Approximately \$870,000 will be needed to fully fund and implement this contract. As money becomes available in future years to implement this contract, it will not be able to be spent before the Council authorizes the spending through the CIP and budget processes mentioned above.

Agenda Item Number 11.2

Resolution No. 99-2852, For the Purpose of Approving a Sole Source Agreement with Creative Information and Transformation Education.

Contract Review Board

**Metro Council Meeting
Thursday, November 4, 1999
Council Chamber**

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF APPROVING A) RESOLUTION NO. 99-2852
SOLE SOURCE AGREEMENT WITH)
CREATIVE INFORMATION AND) Introduced by Mike Burton,
TRANSFORMATION EDUCATION) Executive Officer

WHEREAS, Metro has adopted the functional Regional Solid Waste Management Plan (RSWMP) required ORS 268.390; and

WHEREAS, ORS 459.055 states that local government contracts, resolutions and ordinances must be consistent with the RSWMP; and

WHEREAS, the 1997 recycling rate for the region is 41.6% and not expected to rise more than a 1% as it is determined for 1998; and

WHEREAS, the key concept and approach of the recommended practice for residential waste reduction is described in the RSMWP as follows:

Because of the natural resources saved, waste prevention programs provide the greatest environmental benefits of all waste management alternatives. Waste prevention education, especially for school age children, provides a strong base upon which to build a resource and conservation ethic.

WHEREAS, the roles and responsibilities are described in the RSWMP as follows:

Metro and Local Governments will cooperatively develop and conduct regional education campaigns.

WHEREAS, educational theater is recognized as a tool for change moving students from contemplating a change in behavior to making a commitment to take action; and

WHEREAS, the play's author, Deborah Rodney Pex, and Metro Regional Environmental Management Department staff have written a 45-minute adaptation of the play, *In the Sweet Buy and Buy*, that is developmentally appropriate for students in grades 6-12 and reflects Metro's mission to reduce waste, protect wildlife habitats and reduce traffic congestion; and

WHEREAS, the author has not made the original script, nor the right to perform the adapted version of the play, *In the Sweet Buy and Buy*, available for sale to the public; and

WHEREAS, Creative Information and Transformation Education is the sole source for productions the play, *In the Sweet Buy and Buy*; now therefore,

BE IT RESOLVED:

1. That the Metro Contract Review Board hereby accepts the findings in the attached staff report and waives the competitive bidding requirements of Metro in accordance with Metro Code 2.04:
2. The Executive Officer is authorized to enter into this sole source agreement with CITE in a form substantially similar to that set forth as Exhibit "A".

ADOPTED by the Metro Contract Review Board this. _____ day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

CONTRACT NO. _____

PUBLIC CONTRACT

THIS Contract is entered into between Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter, whose address is 600 N.E. Grand Avenue, Portland, Oregon 97232-2736, and _____, whose address is _____, hereinafter referred to as the "CONTRACTOR."

THE PARTIES AGREE AS FOLLOWS:

**ARTICLE I
SCOPE OF WORK**

CONTRACTOR shall perform the work and/or deliver to METRO the goods described in the Scope of Work attached hereto as Exhibit A. All services and goods shall be of good quality and, otherwise, in accordance with the Scope of Work.

**ARTICLE II
TERM OF CONTRACT**

The term of this Contract shall be for the period commencing _____, 1998, through and including _____, 2000.

**ARTICLE III
CONTRACT SUM AND TERMS OF PAYMENT**

METRO shall compensate the CONTRACTOR for work performed and/or goods supplied as described in the Scope of Work. METRO shall not be responsible for payment of any materials, expenses or costs other than those which are specifically included in the Scope of Work.

**ARTICLE IV
LIABILITY AND INDEMNITY**

CONTRACTOR is an independent contractor and assumes full responsibility for the content of its work and performance of CONTRACTOR's labor, and assumes full responsibility for all liability for bodily injury or physical damage to person or property arising out of or related to this Contract, and shall indemnify, defend and hold harmless METRO, its agents and employees, from any and all claims, demands, damages, actions, losses, and expenses, including attorney's fees, arising out of or in any way connected with its performance of this Contract. CONTRACTOR is solely responsible for paying CONTRACTOR's subcontractors and nothing contained herein shall create or be construed to create any contractual relationship between any subcontractor(s) and METRO.

**ARTICLE V
TERMINATION**

METRO may terminate this Contract upon giving CONTRACTOR seven (7) days written notice. In the event of termination, CONTRACTOR shall be entitled to payment for work performed to the date of termination. METRO shall not be liable for indirect or

consequential damages. Termination by METRO will not waive any claim or remedies it may have against CONTRACTOR.

ARTICLE VI INSURANCE

CONTRACTOR shall purchase and maintain at CONTRACTOR'S expense, the following types of insurance covering the CONTRACTOR, its employees and agents.

A. Broad form comprehensive general liability insurance covering personal injury, property damage, and bodily injury with automatic coverage for premises and operation and product liability. The policy must be endorsed with contractual liability coverage.

B. Automobile bodily injury and property damage liability insurance. Insurance coverage shall be a minimum of \$500,000 per occurrence. If coverage is written with an aggregate limit, the aggregate limit shall not be less than \$1,000,000. METRO, its elected officials, departments, employees, and agents shall be named as an ADDITIONAL INSURED. Notice of any material change or policy cancellation shall be provided to METRO thirty (30) days prior to the change.

This insurance as well as all workers' compensation coverage for compliance with ORS 656.017 must cover CONTRACTOR'S operations under this Contract, whether such operations be by CONTRACTOR or by any subcontractor or anyone directly or indirectly employed by either of them.

CONTRACTOR shall provide METRO with a certificate of insurance complying with this article and naming METRO as an additional insured within fifteen (15) days of execution of this Contract or twenty-four (24) hours before services under this Contract commence, whichever date is earlier.

CONTRACTOR shall not be required to provide the liability insurance described in this Article only if an express exclusion relieving CONTRACTOR of this requirement is contained in the Scope of Work.

ARTICLE VII PUBLIC CONTRACTS

All applicable provisions of ORS chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the State of Oregon, are hereby incorporated as if such provision were a part of this Agreement, including, but not limited to, ORS 279.310 to 279.320. Specifically, it is a condition of this contract that Contractor and all employers working under this Agreement are subject employers that will comply with ORS 656.017 as required by 1989 Oregon Laws, Chapter 684.

For public work subject to ORS 279.348 to 279.365, the Contractor shall pay prevailing wages and shall pay an administrative fee to the Bureau of Labor and Industries pursuant to the administrative rules established by the Commissioner of the Bureau of Labor and Industries.

**ARTICLE VIII
ATTORNEY'S FEES**

In the event of any litigation concerning this Contract, the prevailing party shall be entitled to reasonable attorney's fees and court costs, including fees and costs on appeal to any appellate courts.

**ARTICLE IX
QUALITY OF GOODS AND SERVICES**

Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of the highest quality. All workers and subcontractors shall be skilled in their trades. CONTRACTOR guarantees all work against defects in material or workmanship for a period of one (1) year from the date of acceptance or final payment by METRO, whichever is later. All guarantees and warranties of goods furnished to CONTRACTOR or subcontractors by any manufacturer or supplier shall be deemed to run to the benefit of METRO.

**ARTICLE X
OWNERSHIP OF DOCUMENTS**

All documents of any nature including, but not limited to, reports, drawings, works of art and photographs, produced by CONTRACTOR pursuant to this agreement are the property of METRO and it is agreed by the parties hereto that such documents are works made for hire. CONTRACTOR does hereby convey, transfer and grant to METRO all rights of reproduction and the copyright to all such documents.

**ARTICLE XI
SUBCONTRACTORS**

CONTRACTOR shall contact METRO prior to negotiating any subcontracts and CONTRACTOR shall obtain approval from METRO before entering into any subcontracts for the performance of any of the services and/or supply of any of the goods covered by this Contract.

METRO reserves the right to reasonably reject any subcontractor or supplier and no increase in the CONTRACTOR's compensation shall result thereby. All subcontracts related to this Contract shall include the terms and conditions of this agreement. CONTRACTOR shall be fully responsible for all of its subcontractors as provided in Article IV.

**ARTICLE XII
RIGHT TO WITHHOLD PAYMENTS**

METRO shall have the right to withhold from payments due CONTRACTOR such sums as necessary, in METRO's sole opinion, to protect METRO against any loss, damage or claim which may result from CONTRACTOR's performance or failure to perform under this agreement or the failure of CONTRACTOR to make proper payment to any suppliers or subcontractors.

If a liquidated damages provision is contained in the Scope of Work and if CONTRACTOR has, in METRO's opinion, violated that provision, METRO shall have the

right to withhold from payments due CONTRACTOR such sums as shall satisfy that provision. All sums withheld by METRO under this Article shall become the property of METRO and CONTRACTOR shall have no right to such sums to the extent that CONTRACTOR has breached this Contract.

ARTICLE XIII SAFETY

If services of any nature are to be performed pursuant to this agreement, CONTRACTOR shall take all necessary precautions for the safety of employees and others in the vicinity of the services being performed and shall comply with all applicable provisions of federal, state and local safety laws and building codes, including the acquisition of any required permits.

ARTICLE XIV INTEGRATION OF CONTRACT DOCUMENTS

All of the provisions of any bidding documents including, but not limited to, the Advertisement for Bids, General and Special Instructions to Bidders, Proposal, Scope of Work, and Specifications which were utilized in conjunction with the bidding of this Contract are hereby expressly incorporated by reference. Otherwise, this Contract represents the entire and integrated agreement between METRO and CONTRACTOR and supersedes all prior negotiations, representations or agreements, either written or oral. This Contract may be amended only by written instrument signed by both METRO and CONTRACTOR. The law of the state of Oregon shall govern the construction and interpretation of this Contract.

ARTICLE XV COMPLIANCE

CONTRACTOR shall comply with federal, state, and local laws, statutes, and ordinances relative to the execution of the work. This requirement includes, but is not limited to, non-discrimination, safety and health, environmental protection, waste reduction and recycling, fire protection, permits, fees and similar subjects.

ARTICLE XVI YEAR 2000 COMPLIANCE

Contractor warrants that all software, hardware or equipment with imbedded microchips shall be designed to perform so that there shall be no abnormally and/or invalid and/or incorrect results from the software, hardware or equipment with imbedded microchips at the year 2000. Contractor must provide Metro with written certification of year 2000 compliance.

**ARTICLE XVII
ASSIGNMENT**

CONTRACTOR shall not assign any rights or obligations under or arising from this Contract without prior written consent from METRO.

METRO

By _____

By _____

Print Name and Title _____

Print Name and Title _____

Date _____

Date _____

Exhibit A

Scope of Work

1. Statement of Work.

Contractor shall perform the work described in

2. Modification of Contract

3. Payment, Billing and Term.

Contractor shall provide the above services for a maximum price not to exceed _____ AND ___/100 DOLLARS (\$_____.00).

The maximum price includes all fees, costs and expenses of whatever nature. Each of Metro's payments to Contractor shall equal the percentage of the work Contractor accomplished during the billing period. Contractor's billing statement will include an itemized statement of unit prices for labor, materials and equipment, will include an itemized statement of work done and expenses incurred during the billing period, will not be submitted more frequently than once a month, and will be sent to Metro, Attention Regional Environmental Management Department. Metro will pay Contractor within 30 days of receipt of an approved statement.

In the event Metro wishes for Contractor to provide services or materials after the maximum contract price has been reached, Contractor shall provide such services or materials pursuant to amendment at the same unit prices that Contractor utilized as of the date of this Agreement, and which Contractor utilized to submit requests for payment pursuant to this Scope of Work. Metro may, in its sole discretion and upon written notice to Contractor, extend the term of this contract for a period not to exceed 12 months. During such extended term all terms and conditions of this contract shall continue in full force and effect.

S:\SHARE\Dept\CONTRACT\FORMS\contract.pub.doc

PROJECT: Educational Theater – Phase Two

PROJECT TERM: October 5, 1999 – June 30, 2000

CONTRACTOR: CITE - Creative Information Transformation Education
3636 NE 63rd Avenue
Portland, OR 97213

PROJECT BUDGET: The amount of this contract will not exceed \$20,000.

CONTRACTOR'S RESPONSIBILITIES:

Contractor shall be responsible for:

1. Provide for the use of the 45-minute adapted script for middle and high school audiences of the full length play, *In the Sweet Buy and Buy*.
2. Providing music on tape and paying royalties for performing all songs including: *Shopping is My Destiny*, *Global Warming* and *She's Just a Little Planet*.
3. Providing the creation and transportation of the set, props and costumes for each performance.
4. Providing sound equipment.
5. Auditions and rehearsals under the direction of Judith Yeckel, artistic director of the Interstate Firehouse Cultural Center.
6. Training amateur actors from the EnviroCorps team on contract with Metro to perform the play, and/or sub-contracting with 5 actors and other support personnel as needed.
7. Booking of performances including initial call, scheduling, confirmation letter and reminder call.
8. Managing the performances in the schools.
9. Providing an evaluation survey to be distributed to participating teachers and principals.
10. A written evaluation of the project.

METRO'S RESPONSIBILITIES:

Metro shall be responsible for:

1. Providing the educational points for the play.
2. Collaboration on the production of the 45-minute adaptation of the full length play, *In the Sweet Buy and Buy*, written by Deborah Rodney Pex.

3. Approval of a preview performance.
4. Approval of the performance venues and a time line.
5. Providing teachers and students with supplemental resources and educational materials.
6. Payment of AmeriCorps members who are selected as cast members, stage manager(s) or stage hands who perform the work on assignment with Metro in support of the project such as giving pre and post tests to students who view the performance.

PAYMENT AND BILLING:

Metro will pay upon receipt of invoice the amount \$3,700 for development costs and \$495 per performance.

The total amount of this contract will not exceed \$20,000.

EXECUTIVE SUMMARY
RESOLUTION 99-2852
WASTE REDUCTION EDUCATION PLAY PRODUCTION CONTRACT

PROPOSED ACTION

Adoption of Resolution 99-2852 makes findings to allow a sole source agreement with Creative Information and Transformation Education (CITE), a nonprofit 501 c3 organization, under Section 501(c)(3) of the Internal Revenue Code for commencing production of the middle and high school adaptation of the play, *In the Sweet Buy and Buy*.

WHY NECESSARY

- Deborah Rodney Pex is the author of the full-length play, *In the Sweet Buy and Buy*, and holds all legal rights to its use and production as the underlying rights owner.
- Metro and Creative Information and Transformation Education (CITE), have adapted the play, *In the Sweet Buy and Buy*, for middle and high school students who are exploring waste reduction issues, and the production of the play is a continuation of that creative process.
- Metro has retained co-ownership of the adaptation and is allowed to produce the play in Multnomah, Washington or Clackamas counties only with mutual consent of Deborah Rodney Pex.
- The rights to produce the adaptation are currently retained by Deborah Rodney Pex, the author of the full-length play, *In the Sweet Buy and Buy*.
- Creative Information Transformation Education is currently the only organization producing *In the Sweet Buy and Buy*.

ISSUES

- The original production of the *In the Sweet Buy and Buy* in July 1999 received excellent reviews from The Oregonian, parents, teachers and the public for its message to invest in conservation because "There's more to life than more!"
- Metro's waste reduction education program received multiple requests from teachers and local government waste reduction staff to fund performances of the play for middle and high schools in the region.
- The author of the original play has collaborated with Metro on an adaptation of *In the Sweet Buy and Buy* that would be suitable for students in grades 6-12 and uniquely reflect Metro's mission to reduce waste, protect wildlife habitats and reduce traffic congestion.
- Metro benefits because CITE has access to the experience, set, costumes, actors, director and props from the original production of, *In the Sweet Buy and Buy*.
- Metro will enjoy direct access to Deborah Rodney Pex, the underlying rights owner of the script for *In the Sweet Buy and Buy*, and the Executive Director of CITE, who can quickly authorize any additional adaptations of the script or performances as requested by Metro's project manager.
- This contract allows Metro to continue its educational theater project that began as an effort of the waste reduction education program last year to increase the number of

middle and high school students reached with the message to prevent waste through resource conservation.

BUDGET/FINANCIAL IMPACTS

- The contract price for production, including 30 performances, is \$20,000.
- The adopted FY 99-00 REM budget includes sufficient funds for this project.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2852 FOR THE PURPOSE OF APPROVING A SOLE SOURCE AGREEMENTS FOR CREATIVE INFORMATION AND TRANSFORMATION EDUCATION

Date: October 1, 1999

Presented by: Susan Duncan

PROPOSED ACTION

This resolution would approve entering into a sole source agreement with the production company and author of a 45-minute adaptation of the play, *In the Sweet Buy and Buy*, for students in grades 6 –12 that reflects Metro's mission to reduce waste, protect wildlife habitats and reduce traffic congestion.

FACTUAL BACKGROUND AND ANALYSIS

Metro successfully used educational theater as a tool to teach students in grade 6-12 to re-evaluate their individual choices to use over-packaged and disposable products. The play selected for the 1998-99 school year was *Barbie, Get Real!* written by Jennifer Gailus and Olivia Martin who were winners in Baker's Plays high school playwriting contest. The play was licensed and royalties collected through Samuel French, Inc. of Hollywood, California. Metro paid total royalties of \$1,200 at a rate of \$40 for each performance. The estimated actual cost to Metro for last year's project (exclusive of Metro staff time) was a total of \$9,460, or \$1.80 per student. The estimate for this contract indicates the cost per students will remain approximately the same at about \$1.90 per student.

Metro provided schools with performances and teachers with lesson plans for academic subjects with the themes of packaging, product lifecycles, source reduction and worldwide resource use. The primary content standard defined by the Department of Education to which the educational theater project taught was Science in Personal and Social Perspectives. This content standard was written by the Department of Environmental Quality and Oregon Department of Education and indicates that students will be able to:

Describe how the daily choices of individuals, taken together, affect global resource cycles, ecosystems, and natural resource supplies.

The project also provided high school students with an opportunity to learn acting skills using waste reduction themes. By using educational theatre, the waste reduction education program increased the number of high school students reached by 95% from the 97-98 FY.

Based on last year's success, the waste reduction education program has included educational theater as a project for reaching the performance measure of again providing 30 performances for 5,000 students. Metro's waste reduction education staff has collaborated with Deborah Rodney Pex on a 45-minute adaptation of the full length play, *In the Sweet Buy and Buy*, for student in

Metro would benefit from entering into this sole source contract with the author's production company, CITE, because the author has already given rights to the company to perform the full-length play. The author has a long term vision for producing the play though out Oregon and nationally for both school and adult audiences.

Not substantially diminish competition

It would not be practical to engage in an open proposal process for this unique production because the production of the play is a continuation of the creative process used to adapt the original script for middle and high school audiences.

Because the production rights for the original version of the play, *In the Sweet Buy and Buy*, have been retained by the author and owner of Creative Information and Transformation education, no competition exists for the production of the play.

Production of the 45-minute adapted version of the play, *In the Sweet Buy and Buy*, is currently based on the mutual decision of Metro and CITE.

Provides Cost Savings

Producing the 45-minute adaptation of the play, *In the Sweet Buy and Buy*, with CITE saves Metro time, money and resources. Performers who debuted in the original production and the original director could possibly be retained to save rehearsal costs and teach amateur performers. Because CITE was the original production company, they also have an established relationship with the songwriters and could advocate for adaptations of songs on behalf of the 45-minute adaptation. CITE has already received in-kind music composition from the songwriters for adapting three songs. CITE has already produced the costumes, props and sets pieces for the original production that could be used in the 45-minute adaptation. CITE has already received requests from schools to book performances. CITE has already begun promotion for the play. CITE has already received coverage for the full-length production of the play in the Oregonian.

Unique Characteristics - Copyright

By entering into this sole source contract with the author's production company, Metro and CITE will have direct access to the underlying copyright owner of the play, *In the Sweet Buy and Buy*. Metro will work directly with CITE as a co-owner of the 45 - minute adaptation to provide 30 performance for middle and high school students in Multnomah, Washington and Clackamas counties. The issue of licensing performances in the Metro region becomes moot. The production of the 45-minute version of the play is only possible because of the original author's permission to adapt the script for the purpose of assisting Metro in providing high quality and engaging educational theater for middle and high school students. Because of this, the play uniquely reflects Metro's mission to reduce waste, protect wildlife habitats and reduce traffic congestion.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 99-2852



CITY OF PORTLAND
ENVIRONMENTAL SERVICES



1211 SW Fifth Avenue, Room 800, Portland, Oregon 97204-3713

(503) 823-7202, FAX (503) 823-4562

Dean Marriott, Director

email: wasteinfo@bes.ci.portland.or.us

September 22, 1999

Susan Duncan
Waste Reduction Outreach
Metro
600 NE Grand Ave.
Portland OR 97232

METRO
R.E.M. DEPT.
99 SEP 23 PM 3:52

Dear Susan:

The City of Portland Solid Waste & Recycling Program is preparing to enter into a contract with CITE (Creative Information and Transformation Education) to perform educational assemblies in Portland schools. The play, *In the Sweet Buy and Buy*, will be performed in 20 Portland middle and high schools. It will serve to increase students' awareness about the choices they make and how those choices pertain to waste reduction, recycling, natural resource conservation and other issues.

I am encouraged that Metro is pursuing development of a contract with CITE to perform plays in schools throughout our region. I look forward to working with you to coordinate this effort.

If there are any questions about our program's involvement with this valuable project please call me at 823-7772.

Sincerely,

Bruce Walker
Solid Waste & Recycling Program Manager

BETSY TOLL
3726 NE 16TH AVE, PORTLAND, OR 97212

August 2, 1999

Deborah Rodney-Pex
CITE
3636 NE 63rd Ave.
Portland, OR 97213

Dear Deborah,

On July 20, my seven-year-old son and twelve-year-old daughter and I went to see the premier performance of "In the Sweet Buy and Buy." What a creative, compelling production it was!

We were delighted with the subject matter, and also impressed with all the production elements that went into the play. The music was wonderful - my son is still singing "Buy Now, Pay Later" and "She's Only A Little Planet." Now my kids are wondering if there is some way they could help make a cassette recording of the songs! The talented and versatile cast had fun with the material, the direction and stage management were innovative without being self-conscious and the writing was a skillful blend of humor, pathos, information and insight.

The material in the play is accessible to a wide range of people, poking good-natured fun at all of us, and encouraging us to look at our own lives and begin to make changes for the sake of our beautiful Earth. You managed to make important ideas entertaining and palatable without being preachy, self-righteous or trite, and that is quite an accomplishment.

We thank you and IFCC for creating and presenting this energetic, thoroughly enjoyable piece of theatre, and encourage you in your efforts to find venues in which to present it. As I mentioned previously, the Buy Nothing Day Coalition is definitely interested in hosting at least one production of the play in November, and possibly more than one. Chris Frost will call you about that. I will be in touch as other possible locations come to mind.

You all did a wonderful job, and we appreciate the vision and creativity you've combined to make "In the Sweet Buy and Buy" such a success.

Best regards,


Betsy Toll

Attachment A

3285

To: Susan Duncan
FYI
797-1795

To: Deborah Rodney Pex
CITE
3636 NE 63rd
Portland, Oregon 97213

From: Deb
493-8070

Dear Deborah,

I had the pleasure of seeing The Sweet Buy and Buy at the Interstate Firehouse Cultural Center. You did an excellent job assimilating tons of information into an entertaining format. I am the mother of two teenagers and I'm a middle school teacher. I felt that The Sweet Buy and Buy was an important teaching tool for this age bracket. The play moved swiftly and covered topics that contemporary teenagers and adults could easily relate to. Just as teens are asked to 'say no to drugs and alcohol,' so they need to see examples of saying "yes" to conscious consumption and recycling. Since seeing The Sweet Buy and Buy I bring my own sacks to the grocery store (or at least kick myself when I forget!)

Thank you for making me a more conscious Earth citizen. I hope thousands of others will have the pleasure and educational opportunity to see The Sweet Buy and Buy.

Sincerely,

Stacy Anne Murphy
Stacy Anne Murphy
3508 NE Simpson Street
Portland, Oregon 97211
(503) 284-2965

P.S. My husband read this letter and believes I should have used more adjectives. He thinks The Sweet Buy and Buy was wonderful, great and fantastic!

To: "duncans@metro.dst.or.us" <duncans@metro.dst.or.us>
From: "Stapp, Eileen" <eileens@co.clackamas.or.us>
Subject: Overconsumption
CC:
Date Sent: Friday, August 20, 1999 3:52 PM

Susan

The overconsumption-focused play, "The Sweet Buy and Buy", featured in a recent Oregonian article sounds like just the right vehicle to spread the waste prevention message through not buying more stuff we really don't need. Barbie Get's Real was a huge success especially with middle school audiences, but this play sounds even better for driving home the effects of overconsumption ie: the strain on our finite resources, mounting pollution from increased manufacturing to satisfy our insatiable demands and the eventual garbage glut, when the products we couldn't live without become obsolete, unfashionable or break. I heartily support your efforts to secure this play as a Metro waste reduction outreach tool. It says what needs to be said.

Eileen Stapp
Clackamas County Recycling Partnership
902 Abemethy Rd., Oregon City, OR 97045
650-3239 fax: 557-6355
eileens@co.clackamas.or.us

To: "duncans@metro.dst.or.us" <duncans@metro.dst.or.us>
From: "Rankin, Jan" <Rankin@ci.gresham.or.us>
Subject: In the Sweet Buy and Buy
CC:
Date Sent: Thursday, August 12, 1999 12:34 PM

Susan,

Looks to me that the play "In the Sweet Buy and Buy" (as featured in this Tuesday's Oregonian "Living" Section) would be PERFECT as a waste reduction learning tool for high school students!

The "high school scene" is so heavily targeted by the media and influenced by the "culture of consumerism" (take it from me as a mother of high schoolers!) I feel one of the best ways to reach the masses and support those individuals who are questioning the whole practice of "spend, spend, spend!" is through entertainment with a message (fight fire with fire, so to speak!) There are MANY thoughtful students who don't buy into (sorry the pun) the over-consuming philosophy who we can encourage and support in their fledging attempts to explore alternative attitudes toward "stuff" and help promote reasonable, responsible purchasing practices.

I'm quite sure that several of the schools in my service area (namely, Centennial Learning Center, Centennial High School, Reynolds High School, Gresham High and Alpha High) would be interested in booking the play if Metro could provide the opportunity!

Thanks for whatever support you and Metro can provide.

Jan

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING A TIME) RESOLUTION NO 99-2857-A
EXTENSION FOR COMPLIANCE WITH TITLES)
1, 2, 4 and 6 OF THE URBAN GROWTH) Introduced by Rod Monroe, Presiding
MANAGEMENT FUNCTIONAL PLAN FOR THE) Officer and Mike Burton, Executive
CITY OF SHERWOOD AND REQUIRING) Officer
ACTIONS TO ASSURE COORDINATION)
AMONG THE COMPREHENSIVE PLANS OF)
THE CITIES OF SHERWOOD, TUALATIN,)
TIGARD, BEAVERTON AND WASHINGTON)
COUNTY CONCERNING TITLE 4 OF THE)
FUNCTIONAL PLAN)

WHEREAS, Metro established the desired urban form for the region when it adopted the 2040 Growth Concept and Map into its 1995 regional goals and objectives, called Regional Urban Growth Goals and Objectives (“RUGGO”) which has been acknowledged by LCDC; and

WHEREAS, Metro has the authority to adopt functional plans on aspects of metropolitan development, such as the desired urban form for the region, under ORS 268.390(2); and

WHEREAS, Metro is authorized by ORS 268.390(4) to “require cities and counties, as it considers necessary, to make changes in any plan to assure that the plan and any actions taken under it conform to the district’s functional plans ... ”; and

WHEREAS, the Metro Council exercised that statutory authority when it adopted the requirements in Urban Growth Management Functional Plan for early implementation of the 2040 Growth Concept on November 21, 1996, by Ordinance No. 96-647C; and

WHEREAS, compliance with Titles 1, 2, 4, and 6 of the Functional Plan, including any needed comprehensive plan and development code changes, was due in February, 1999; and

WHEREAS, the Urban Growth Management Functional Plan in Metro Code Section 3.07.820.C provides that Metro Council may grant extensions to timelines for

compliance with the Functional Plan “if the city or county has demonstrated substantial progress or proof of good cause for failing to complete the requirements on time;” and

WHEREAS, the City of Sherwood was previously granted an extension to comply with all of these titles of the Functional Plan but was unable to complete work by the end of its time extension deadline of September 30, 1999; and

WHEREAS, the City of Sherwood has requested in Exhibit A an additional extension for compliance with Titles 1, 2, 4, and 6 of the Functional Plan until June 15, 2000 because staff turnover and budget limitations have prevented completion; and

WHEREAS, the City of Sherwood has provided a “2040 Compliance Schedule and Task Outline” which describes the remaining work to be completed for Functional Plan compliance in Exhibit B; and

WHEREAS, Title 4 of the Urban Growth Management Functional Plan requires cities and counties to change their plans to either prohibit retail uses larger than 60,000 square feet of gross leasable area per building or business in the Employment on the 2040 Growth Concept Map Areas or add a process to demonstrate that all current and future transportation facility needs can be met; and

WHEREAS, the cities of Tualatin, Tigard, Beaverton (2 of 3 districts) ~~strictly~~ and Washington County have complied with Title 4 by prohibiting these very large retail uses in 2040 Employment Areas; and

WHEREAS, interest has been expressed in development of a retail use larger than 60,000 square feet of gross leasable area per building or business in a 2040 Employment Area within a City of Sherwood Light Industrial zone; and

WHEREAS, the Conditional Use Permit ("CUP") process required by the existing city code for reviewing an application for this use addresses only the current transportation facility needs of the proposed use itself; and

WHEREAS, this CUP process is insufficient to demonstrate that future transportation facility needs can be met, thereby violating the Title 4 provision in Metro Code 3.07.420(B); and

WHEREAS, the City of Sherwood's Functional Plan proposed Compliance Schedule and Task Outline shows that the city anticipates prohibiting retail uses larger than 60,000 square feet from its Office Commercial, Light Industrial and General Industrial zones to comply with Title 4; and

WHEREAS, without action by Metro the possibility exists for applications for very large retail uses to comply with the existing permit standards for the current zone despite violating Title 4 of the Functional Plan for Sherwood's 2040 Employment Areas; and

WHEREAS, Metro is required by ORS 195.025(1) to be responsible for coordinating all planning activities affecting land uses within the district to assure integrated comprehensive plans for the entire metropolitan area; and

WHEREAS, the comprehensive plans of the Cities of Tualatin, Tigard, Beaverton and Washington County are not coordinated with the City of Sherwood's comprehensive plan concerning Title 4 of the Urban Growth Management Functional Plan until the City of Sherwood completes its work plan in Exhibit B, including amending its comprehensive plan and land use regulations to comply with Title 4; and

WHEREAS, regional coordination action is necessary to assure that planning activities affecting land uses within the 2040 Employment Areas located inside the city limits of Sherwood

are coordinated with the comprehensive plan and land use regulations of its county and neighbor cities which protect the 2040 Employment areas in those jurisdictions; now, therefore,

BE IT RESOLVED:

1. That the City of Sherwood is hereby granted a compliance time extension for ~~Titles 1, 2, 4, and 6~~ of the Urban Growth Management Functional Plan until June 15, 2000 based on its demonstration of good cause for failing to complete the requirements on time due to staff turnover and budget constraints.

2. That the time extension granted to the City of Sherwood is for Functional Plan ~~Titles 1, 2, 4, and 6~~ and is approved subject to the actions required in Resolved 5, 6, and 7 herein which are necessary to assure that actions taken under Sherwood's existing plan conform to Title 4 of the Functional Plan during the time extension; and

3. That the Metro Council hereby determines that the City of Sherwood's planning activities are not coordinated with Washington County and its neighbor cities of Tualatin, Tigard and Beaverton concerning the requirements of Title 4 of the Urban Growth Management Functional Plan to protect 2040 Industrial Areas and Employment Areas from the transportation impacts of very large retail uses.

4. That a regional coordination action by Metro pursuant to ORS 195.025(1) and ORS 268.385 is necessary to assure coordination of planning activities affecting land uses within the Industrial Areas and Employment Areas identified on the acknowledged 2040 Growth Concept Map which are located in the City of Sherwood until that city amends its comprehensive plan and land use regulations in a manner that complies with Title 4 of the Urban Growth Management Functional Plan in coordination with the cities of Tualatin, Tigard, Beaverton and Washington County.

5. That the City of Sherwood is hereby required to make a determination of compliance with Title 4 of the Urban Growth Management Functional Plan prior to consideration of approval of any application for any retail use larger than 60,000 square feet of gross leasable area per building or business on land in Industrial Areas and Employment Areas identified on the acknowledged 2040 Growth Concept Map which are located in the City of Sherwood.

6. That the City of Sherwood is hereby required to obtain a demonstration of the adequacy of both current and planned transportation facilities for the proposed use and all planned land uses in the vicinity as required by title 4 in order to make a determination of compliance.

7. That the City of Sherwood is hereby required to deny any application for any retail use larger than 60,000 square feet of gross leasable area per building or business on land in Industrial Areas and Employment Areas identified on the acknowledged 2040 Growth Concept Map which are located in the City of Sherwood which do not demonstrate compliance with Metro Code 3.07.420(B).

ADOPTED by the Metro Council this _____ day of _____ 1999.

Rod Monroe, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

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OGC/LSS/kvw 11/02/99



Home of the Tualatin River National Wildlife Refuge

October 20, 1999

Marian Hull
METRO
600 Northeast Grand Avenue
Portland, Oregon 97232-2736

RE: City of Sherwood 2040 Compliance Program – Draft Revised Timelines.

Dear Marian:

We have reviewed comments received from Metro regarding our compliance report and capacity analysis (City of Sherwood's Compliance Report dated August 19, 1998). Based on our review and conversations with you and Lydia we have revised our scope of work and compliance schedule. Listed below is the tentative revised schedule and reformatted scope, together with the estimated completion dates for the various components of the work program.

While we are proceeding with the work tasks, the Planning Commission and City Council has not yet reviewed and approved the revised work program, schedule, and budget. Their review is scheduled for a joint work session on November 30, 1999. So, we will not be able to officially submit our program until the first week of December.

The City understands that this schedule fails to meet the compliance deadline of December 1999, as set by the Functional Plan. Therefore we are requesting an extension to June 15, 2000 in order to allow completion of the work program. However, regardless of the Metro Council's action on our request, we are proceeding with the scheduled work, to the extent our present budget allows.

As you know, the City of Sherwood is operating in a rapid growth environment with a severe shortage of staff. To assist with the compliance work, we have hired the firm of Ragsdale Koch Altman, LLC (RKA). Ben Altman of RKA has prepared the revised Work Program and schedule in coordination with city staff.

Please review our program and provide any comments and recommendations. Any comments provided will be forwarded to the Planning Commission and Council as part of the program review and approval on November 30, 1999.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Turner", followed by a horizontal line.

Greg Turner
City Planner

2040 COMPLIANCE SCHEDULE AND TASK OUTLINE

- I. General Back Ground and Initial Public Engagement
 - A. Define Geographic Framework – Set context through a series of public workshops.
 1. What are the desired and defining physical characteristics of Sherwood?
 - a) What defines it now?
 - b) How should that change, if at all?
 2. What is the desired future for Old Town?
 - a) What is its look and feel?
 - b) What is the appropriate land use mix and densities?
 - c) What about access and circulation, to, from, and through?
 - d) What are the boundaries?
 3. What about the Six Corners Commercial area?
 - a) What is its look and feel?
 - b) What is the appropriate land use mix and densities?
 - c) What about access and circulation, to, from, and through?
 - d) What are the boundaries?
 4. What about the Industrial Areas?
 - a) What is its look and feel?
 - b) What is the appropriate land use mix and densities?
 - c) What about access and circulation, to, from, and through?
 - d) What are the boundaries?
 5. What about Residential Neighborhoods?
 - a) What is their look and feel?
 - b) How do they relate to the other use areas?
 - c) What about access and circulation, to, from, and through?
 - d) What are the boundaries?
 6. What about Open Spaces, including the Wild Life Refuge?
 - a) What is their look and feel?
 - b) How do they relate to the other use areas?
 - c) What about access and circulation, to, from, and through?
 - d) What are the boundaries?
 7. What about Connecting Corridors?
 - a) Green corridors?
 - b) Local corridors such as Sherwood Blvd, Oregon Street, Washington/Meinecke?
 - c) Major transportation links such as 99W and Tualatin/Sherwood Rd?
 8. Public Review Process.
 - a) Based on citizen workshops, staff prepares comparative match of Community Character to Metro 2040: 10-27-99 to 11-29-99.
 - b) Planning Commission Review: 12-7-99, 12-21-99, 1-4-2000, and 1-18-2000.
 - c) City Council briefing: 1-11-2000 and 1-25-2000.

- d) Draft Recommendations to Metro: 1-31-2000.
- B. Metro 2040 Design Types.
 - 1. Based upon the conclusions from task set A, define the boundaries of the 2040 Design Types that fit Sherwood.
 - a) Town Center (Location?)
 - b) Main Street(s).
 - c) Corridors.
 - d) Green.
 - e) Transportation.
 - f) Employment Areas.
 - g) Industrial Areas.
 - h) Neighborhoods.
 - Inner.
 - Outer.
 - 2. Conclusion - Summary of Comprehensive Plan Policies and Map Issues.
 - 3. Public Review Process.
 - a) Based upon citizen workshops, staff prepares updated analysis and findings: 11-17-99 to 11-29-99.
 - b) Planning Commission review: 12-7-99, 12-21-99, 1-4-2000, and 1-18-2000
 - c) City Council briefing: 1-11-2000 and 1-25-2000.
 - d) Draft Recommendations to Metro: 1-31-2000.
- C. Refine and Reconcile vacant land inventory and population/employment allocations with Metro.
 - 1. Refine methodology for vacant land capacity analysis per Metro's comments.
 - 2. Update the vacant land inventory and reconcile with Metro housing and employment allocations, including mixed-uses centers.
 - 3. Public Review Process.
 - a) Staff prepares updated analysis and findings: 10-18-99 to 11-26-99.
 - b) Planning Commission Review: 12-21-99 and 1-4-2000.
 - c) City Council briefing: 1-25-2000.
 - d) Draft Recommendations to Metro: 1-31-2000.
- D. Assess public facilities master plans to identify any significant service capacity limitations relative to supporting the projected growth.
 - 1. Sewer (coord. USA).
 - 2. Water (C/C approved October '99 update).
 - 3. Storm (coord. USA).
 - 4. Parks (to C/C November '99 update).
 - 5. Assess draft Transportation System Plan (April '98) relative to Metro Title 6 design issues.
 - a) Street classifications.
 - b) Optional performance standards relative to congestion (Section 4.B).

- c) Assess current parking ratios compared to Metro's minimum and maximum criteria.
- d) Note: Full State TPR compliance review may occur at a separate time.
- 6. Assess City's current growth management policy framework to determine appropriate revisions, to address current UGB/City Limits versus Urban Reserves.
- 7. Public Review Process.
 - a) Staff prepares updated analysis and findings: 10-18-99 to 11-26-99.
 - b) Planning Commission Review: 12-21-99 to 1-4-2000.
 - c) City Council briefing: 1-25-2000.
 - d) Draft Recommendations to Metro: 1-31-2000.

II. Comprehensive Plan and Code Amendment Package.

A. Amendment of City's Comprehensive Plan.

- 1. Chapter 3 – Growth Management (Title 1).
 - a) Update the text and policies of the City's Comprehensive Plan to reflect the new planning horizon of 20 years.
 - (1) Growth assumptions:
 - (a) population allocation
 - (b) employment allocation
- 2. Chapter 4 - Land Use (Title 1).
 - a) Establish minimum residential densities particularly for high density districts.
 - b) Develop a policy to prohibit Big Box retail uses in identified Industrial and Employment areas.
 - c) Develop a mixed-use policy, which permits limited multi-family housing in certain commercial areas, particularly in the Old Town area.
 - d) Amend City's Comprehensive Plan Map to identify the boundaries of the applicable 2040 Growth Concept design types.
- 3. Chapter 5 – Environmental Resources (Title 3).
 - a) Develop policies to implement contextual framework identified for Corridors and Title 3.
 - (1) Review and adopt USA Title 3 package (Dec. '99).
 - (2) Refine policies as needed to acknowledge and protect open spaces, stream corridors, and the wild life refuge, including new maps.
 - b) Evaluate flood management policies for appropriate updates, including coordination with Washington County on possible FEMA, Firm Map updates.
- 4. Chapter 6 – Transportation (Title 6).
 - a) Evaluate whether optional Level of Service Standard (Title 6, Section 4.B) is needed for the designated Town Center.

- b) Revise transportation policies in Chapter 6 to include a reference to the design elements and performance standards in the Functional Plan.
 - c) Incorporate a new policy in Chapter 6 to recognize the Transportation Planning Rule and 2040 Growth Concept, which calls for more compact urban development.
 - d) Develop a policy commitment to review and amend parking regulations, if necessary, to meet the Regional Parking Ratios Table and parking Maximum Map.
5. Chapter 7 - Community Facilities and Services (Title 1).
- a) Identify any necessary amendments to City's adopted master plans (sewer, water, drainage) to assure that public facilities can be provided to accommodate the planned housing and employment capacity within the planning period.
 - b) Identify appropriate Code amendments as necessary to assure continued coordination between development and public facilities and services.
6. Public Review Process - Comparative match of Community Character to Metro 2040 Concepts and Design Types.
- a) Based on prior citizen workshops and Commission hearings, staff prepared recommended amendments: 12-7-99 to 1-17-2000.
 - b) Citizen Review Workshops (3): 1-26-2000, 2-2-2000, and 2-9-2000.
 - c) Planning Commission Review: 3-7-2000, 3-21-2000, and 4-4-2000.
 - d) City Council briefing: 4-25-2000.
 - e) Draft Recommendations to Metro: 4-28-2000.
 - f) City Council Adoption 5-9-2000 and 5-23-2000.
- B. Amendment of City's Zoning Code relative to applicable Titles of Metro Growth Management Functional Plan.
- Title 1. Requirements for housing and Employment Accommodation.
- a) Develop minimum density standards based on 80% of the maximum number of dwelling units per net acre permitted by the zoning designation.
 - b) Add a purpose statement specifying requirement of allowing partitioning or subdividing land inside the UGB where existing lot sizes are two or more times that of minimum lot size of the zone - Sherwood appears to already comply with this requirement.
 - c) Develop amendment to allow at least one accessory dwelling unit within any detached single family dwelling unit within all of the residential districts.
 - d) Select approach to identifying redevelopable lands to complete the capacity estimate. The City needs to analyze the Old Town area and Main Street areas and develop an approach

to identifying the redevelopable lands. The City will then be able to complete the capacity analysis.

e) Review residential zones to look for opportunities to increase housing capacity to meet the 2017 housing targets.

f) Consider methods of increasing housing and jobs in Town Center, Employment Areas and along Corridors.

2. Title 2. Regional Parking Policy.

a) The completion of these items would coincide with the completion of the City's Transportation System Plan.

(1) Establish process for considering variances when a development application is received which may result in approval of construction of parking spaces either in excess of the maximum parking ratios or less than the minimum parking ratios.

(2) In mixed use areas, provide blended parking ratios to account for cross-patronage and shared parking benefits

(3) Establish maximum parking ratios per Table 2 of the Functional Plan.

(4) Revise minimum parking standards in Code to coincide with Table 2, Regional Parking Ratios Title 2, Section 2.A.1.

(5) Count adjacent on-street parking spaces, nearby public parking and shared parking toward minimum standard.

(6) Rewrite Section 5.301.02 of the City's Zoning Code to read: "Two or more uses, structures or parcels of land may utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap..."

(7) Amend Section 5.301.04 of the City's Zoning Code to read, "When several uses occupy a single structure or parcel of land, the total requirements for off-street parking...shall be the sum of the requirements for the several uses computed separately with a reduction of 10-25% to account for cross-patronage of adjacent businesses or services."

(8) Relative to storm water management measures in parking areas, consider alternatives to hard, impermeable surface treatments for infrequently utilized parking areas, and on-site water retention in large parking lots.

3. Title 3. Water Quality, Flood Management and Fish and Wildlife Conservation.

a) Coordinate compliance package through Unified Sewerage Agency (USA).

- (1) Adopt a balanced cut and fill for any development occurring within the floodplain.
 - (a) Amend Flood plain regulations to include 1996 flood inundation areas.
- (2) Require erosion and sediment control for all new development regardless of size or location of site.
- (3) Provide protection for steep slopes within Water Quality Resource Areas defined by Title 3, including provisions for increasing riparian vegetation cover along Water Quality Resource Areas.
- (4) Prohibit new uses of uncontained areas of hazardous materials of hazardous materials defined by DEQ in the Water Quality and Flood Management Areas.
 - b) Develop code amendment to flood plain regulations to account to FEMA map revision process (CLOMR & LOMR).
4. Title 4. Retail in Employment Areas.
 - a) Prohibit retail uses larger than 60,000 square feet of gross leasable area per building or business from the OC, LI and GI zones. Request change to Title 4 map to remove employment designation for rail district property.
5. Title 5. Neighboring Cities and Rural Reserves.
 - a) Develop Code language to reflect Title 5 requirements to recognize and protect Green corridors.
6. Title 6 – Regional Accessibility.
 - a) The completion of these items would coincide with the completion of the City’s Transportation System Plan.
 - (1) Sherwood Boulevard from Gleneagle Drive to Oregon Street and Oregon Street from Sherwood boulevard to Lincoln Street have been designated on Metro’s Boulevard design map as Main Streets. The Transportation System Plan as well as the Comprehensive Plan should contain consideration of the design treatments listed in Title 6, Section 2B (1-9) for the two Main Streets.
 - (2) In the Comprehensive Plan, Part 2 Chapter 6C Policies 2-6 reference Title 6, Section 2B (1-9).
 - (3) In the Comprehensive Plan, Part 2 Chapter 6D 2(a) and Policy 11 should reference portions of Title 6, Section 2B (1-9).
 - (4) Revise Section 6.304.01 and 6.304.02 of Zoning Code to contain a reference of Title 6, Section 2B (1-9).
 - (5) Design Standards for Street Connectivity - The City will decide through the Transportation System Plan process whether to comply with Title 6 Section 3A (Design option) or Section 3B (Performance option).

b) Title 6, Section 4.A. Alternative Mode Analysis - The City shall establish mode split targets for the 2040 design types, which will be used to guide transportation system improvements.

c) Title 6, Section 4.B. Motor Vehicle Congestion Analysis - The City may establish optional performance standards and deficiency thresholds intended to identify transportation needs through multi-modal system-level planning.

d) Title 6, Section 4.C. Transportation System Analysis - The City shall establish the process to identify appropriate recommended solutions to address those needs identified through multi-modal system level planning.

e) Title 6, Section 4.D. Congestion Analysis Outside of Mixed Use Areas - Addresses congestion and capacity issues that result from the implementation of the functional plan. In Sherwood, these provisions would apply (a) areas outside the town center boundaries, and (b) the Town Center area, if the City elects not to use the alternative congestion standards contained in Section 4.B of the Functional Plan.

7. Public Review Process - Comparative Match of Community Character to Metro 2040 Concepts and Design Types.

a) Based on prior citizen workshops and Commission hearings, staff prepared recommended amendments 12-7-99 to 1-17-2000.

b) Citizen review Workshops (3) 1-26-2000, 2-2-2000 and 2-9-2000.

c) Planning Commission Review 3-7-2000, 3-21-2000, and 4-4-2000.

d) City Council briefing: 4-25-2000.

e) Draft Recommendations to Metro 4-28-2000.

8. City Council Adoption 5-9-2000 and 5-23-2000.

C. Title 7. Affordable Housing.

1. This Title deals with affordable housing and is currently advisory. No action is required by the City at this time. There is no specific work program task focused on this issue. However, any policy direction that may emerge from the public review process will be incorporated into the amendment package.

D. Title 8. Compliance Procedures.

1. Draft copies of the various elements will be forwarded to Metro for review and comment as noted in to above schedule. Formal notice of adoption, of proposed amendments to comprehensive plan provisions or implementing ordinances, shall be provided to METRO at the same time notice is provided to DLCD, as required by their administrative procedures. The notice shall include the city's analysis demonstrating that the proposed amendments are in substantial compliance with the 2040 Functional Plan, and shall address any requested exceptions.

GROWTH MAGEMENT COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 99-2857A, FOR THE PURPOSE OF GRANTING A TIME EXTENSION FOR COMPLIANCE WITH TITLE 4 OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN FOR THE CITY OF SHERWOOD AND REQUIRING ACTIONS TO ASSURE COORDINATION AMONG COMPREHENSIVE-PLANS OF THE CITIES OF SHERWOOD, TUALATIN, TIGARD, BEAVERTON, AND WASHINGTON COUNTY CONCERNING TITLE 4 OF THE FUNCTIONAL PLAN.

Date: Nov. 4, 1999

Presented by: Councilor McLain

Committee Action: At its November 2, 1999 meeting, the Growth Management Committee voted 3-0 to recommend council adoption of resolution No. 99-2857A. Voting in favor: Councilors Bragdon, Park and McLain.

Committee Issues/Discussion: Resolution 99-2857A grants an extension to the City of Sherwood to June 15, 2000, in able for the City to complete changes to its existing zoning code to come into compliance with Title 4 of Metro's Urban Growth Management Functional Plan. Sherwood is currently out of compliance with Titles 1,2,4,5 and 6 of the functional plan, based on an initial extension request, which expired on September 30 of this year.

Larry Shaw explained that Resolution 99-2857A not only grants a time extension, but also applies conditions that exercise Metro's regional coordination authority, explained further in L. Shaw memo dated October 26, 1999.

The substantive amendments to this resolution reduce the application of this time extension to only title 4 of the functional plan, while expanding application to industrial lands as well as employment areas.

STAFF REPORT

*CONSIDERATION OF RESOLUTION NO. 99-2857-A
GRANTING A FUNCTIONAL PLAN IMPLEMENTATION
TIME EXTENSION FOR TITLE 4 TO THE CITY OF
SHERWOOD AND ASSURING COORDINATION
BETWEEN THE CITIES OF SHERWOOD, TUALATIN,
BEAVERTON, AND TIGARD AND WASHINGTON
COUNTY*

Date: November 1, 1999

**Presented by: Mary Weber
Prepared by: Mary Weber**

PROPOSED ACTION

Adoption of Resolution No. 99-2857-A granting a time extension to implement the Title 4 requirements of the Functional Plan for the City of Sherwood.

BACKGROUND AND ANALYSIS

Metro Code 3.07.820.C (Title 8 of the Functional Plan) provides that Metro Council may grant time extensions to Functional Plan requirements if a jurisdiction can demonstrate "substantial progress or proof of good cause for failing to complete the requirements on time."

Compliance Progress

Metro Council granted the City of Sherwood a time extension for Functional Plan compliance in Resolution No. 99-2755. Due to budget constraints and staff turnover, the City has been unable to complete any of the work tasks identified in its first Functional Plan time extension. All implementation tasks were due to be implemented by September 30, 1999. The City is now out of compliance with titles 1, 2, 4, 5 and 6 of the Functional Plan. Sherwood understands the urgency of completing Functional Plan compliance and has hired a consultant to draft code changes and to manage the public involvement process needed to implement the changes.

Prior work completed by City and Metro staff shows that Sherwood will meet its employment targets, but may not meet its housing targets under existing zoning. The City will explore methods to increase housing capacity as a part of its compliance work.

Sherwood planning staff has drafted a new work plan for Functional Plan implementation. The new work plan and schedule will be presented to the City Council and Planning Commission for approval on November 30, 1999. The City will request an extension to titles 1, 2, 5 and 6 after City Council approval of the proposed implementation approach. In the meantime, the City has asked that Metro Council consider an immediate extension to Title 4 of the Functional Plan.

Extension Requested

The City has requested an extension to June 15, 2000 to complete implementation of Title 4 of the Functional Plan. Sherwood has submitted the following timeline to draft, review and adopt the code changes needed to implement Title 4 provisions.

Work Task	Completed By
Draft Code Changes	January 17, 2000
Conduct Citizen Workshops	February 9, 2000
Planning Commission Review	April 4, 2000
City Council Briefing	April 25, 2000
Draft Recommendations to Metro	April 28, 2000
City Council Hearing and Adoption	May 23, 2000

BUDGET IMPACT

Adoption of this resolution has no budget impact.

EXECUTIVE OFFICER'S RECOMMENDATION

Grant the City of Sherwood a time extension to June 15, 2000 to comply with the provisions of Title 4 of the Functional Plan subject to the conditions of the extension and the regional coordination action prescribed in this resolution. See the attached memo from Larry Shaw for a description of the regional coordination action. Any further requests for time extensions or requests for Functional Plan exceptions made by Sherwood would be determined as delineated in Metro Code 3.07.820, Sections B and C.

I:\gm\community_development\projects\COMPLIANCE\Sherwood\2nd extension staff report.doc



METRO

TO: Metro Council
Mike Burton, Executive Officer

FROM: *llh*
Larry Shaw, Senior Assistant Counsel

DATE: October 26, 1999

RE: Sherwood Functional Plan Extension and Conditions.

Effect of Functional Plan Extensions

Metro's Urban Growth Management Functional Plan, adopted in November, 1996, exercised functional plan authority to "require cities and counties . . . to make changes in any plan to assure that the plan and any actions taken under it conform to the district's functional plan . . ." ORS 268.390(4). The Functional Plan requires changes in city and county comprehensive plans to the extent necessary to achieve Functional Plan performance standards by February, 1999.

Time extensions have been granted into late 1999 for many requirements, longer for a few requirements. The lack of an extension for any requirement for any city and county puts that jurisdiction in violation of that Functional Plan requirement.

For new developments that would violate a Functional Plan requirement which need a comprehensive plan or zone change under the city or county's existing plans, Metro enforcement would be straightforward. Metro would point out the violation during the local hearing on needed local change, put the Functional Plan (regional law) in the record and successfully appeal to LUBA for violation of regional law if the plan or zone change were adopted.

However, if no time extension for Functional Plan compliance is in place and no action has been taken to change existing zoning code that directly violates a Functional Plan requirement, there is no proposed city or county plan or zone change to appeal. An application for development approvable under existing zoning could be filed. That is an application for a permit that the city or county must approve if the existing zoning code is met.

TO: Metro Council
Mike Burton, Executive Officer

October 26, 1999
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Sherwood "Big Box Retail" In 2040 Employment Area – Title 4

The City of Sherwood received a time extension to September 30, 1999, for most Titles of the Functional Plan. The city has not adopted changes to its plan and zoning for any Title, including Title 4 limits on big box retail in 2040 Employment Areas. A request for further extension was received October 21, 1999.

A large retailer has indicated interest in a new store in Sherwood's 2040 Employment Area. A development application may be allowable by Conditional Use Permit (CUP) under existing zoning while violating Title 4. No plan change or zoning amendment has been proposed for this development. Therefore, there is no new plan or code action for Metro to appeal for violation of the applicable regional law, Title 4 of the Functional Plan. The permit application would be appealable only for violation of the existing CUP standards.

Time Extension Conditions Concept

An alternative way of exercising regional coordination authority (discussed below) is to grant further time extensions with conditions based on how these "second round" time extensions coordinate with surrounding comprehensive plans. As more cities and counties complete their Functional Plan implementation work, incomplete work by neighbors may affect them. Sherwood is a prime example for Title 4 implementation. Sherwood's lack of Title 4 required plan provisions may be affected by other jurisdictions, like Tualatin, which have those provisions in place. Tigard, Tualatin, Beaverton (in 2 of 3 districts) and Washington County have changed their plans to prohibit Big Box retail in Employment Areas.

Metro Council approval of extensions could include an exercise of regional coordination authority to require a determination of Functional Plan compliance and denial of permits which would violate the Functional Plan. Such new requirements of a city or county could be in the form of conditions of approval of the time extensions as a further exercise of functional plan authority in ORS 268.390(4).

Regional Coordination Action - ORS 197.025(1)

Metro's regional coordination authority in ORS 195.025(1) and 268.385 is not limited by statutory words. A 1994 case stated Metro's authority to assure coordination among 27 city and county plans in broad terms. The facts of that case were limited to three (3) adopted comprehensive plan provisions which actually did conflict. Metro required a new plan provision for all three. Use of coordination authority here could be identifying a conflict between Sherwood's lack of Title 4 required plan provisions and other jurisdictions, like Tualatin, which have those provisions in place. Tigard, Tualatin, Beaverton and Washington County have changed their plans to prohibit Big Box retail in Employment Areas.

The use of a regional coordination action for a particular city or subregion is not an amendment to RUGGO, 2040 Growth Concept, Regional Framework Plan or Functional Plan ordinances. Therefore, a Metro Council action can be by resolution at any Metro Council

TO: Metro Council
Mike Burton, Executive Officer

October 26, 1999
Page 3

meeting. The action would state all the special circumstances, including potential applications under current city code that will violate Title 4 because Sherwood has not yet amended its Code. The action could be the same as the conditions discussed above: require (1) Sherwood to make a determination of whether Functional Plan requirements would be violated and (2) that any permit applications which would violate the Functional Plan be denied.

Conclusion

Sherwood's request for a further time extension can be addressed based on the staff report on the reasons for it. That extension for Titles 1, 2, 4, and 6 can include extension conditions to assure coordination among comprehensive plans of Sherwood, Tigard, Tualatin, Beaverton and Washington County. For such action to be effective at protecting Sherwood's 2040 Employment Areas from big box retail development during the extension, the city must be required to take actions at the permit process level. This would be the first such action taken by Metro. It would be based on both Metro's functional plan authority at ORS 268.390(4) and its regional coordination authority at ORS 195.025(1) and 268.385.

LSS/sm/kj/kww

Cc: Dan Cooper
Elaine Wilkerson
Mark Turpel

THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE) RESOLUTION NO. 99-2868
PORTLAND-AREA AIR QUALITY)
CONFORMITY DETERMINATION FOR THE FY) Introduced by
2000 METROPOLITAN TRANSPORTATION) Councilor Jon Kvistad
IMPROVEMENT PROGRAM) JPACT Chair
)

WHEREAS, State and federal regulation require that no transportation project may interfere with attainment or maintenance of air quality standards; and

WHEREAS, projects allocated funding in the FY 2000 through 2003 Metropolitan Transportation Improvement Program are regionally significant with respect to their potential effect on air quality; and

WHEREAS, The Interstate MAX light rail extension project has changed the alignment and terminus from that previously analyzed for air quality effects; and

WHEREAS, Extension of light rail from Downtown to Clackamas County has been delayed from the time assumed in the last regional air quality analysis; and

WHEREAS, These events trigger a need for preparation of an Air Quality Conformity Determination to demonstrate that they conform with the State Implementation Plan for maintenance of air quality standards; and

WHEREAS, Metro has convened the Intergovernmental Consultation Subcommittee of TPAC to confirm the technical basis for preparation of an Air Quality Conformity Determination; and

WHEREAS, TPAC is the standing body authorized by the State Air Quality Rule for approval of Determinations; now therefore

BE IT RESOLVED:

1. The Conformity Determination shown in Exhibit 1 of the Resolution is approved.
2. This Resolution repeals Resolution No. 99-2843A.

ADOPTED by the Metro Council this _____, day of _____, 1999.

Rod Monroe, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

99-2868. Res/TW/tw
11-3-99\

**Determination of Conformity
for the
FY 2000 Through 2003 Portland-area
Metropolitan Transportation Improvement Program**

I. SUMMARY AND HIGHLIGHT OF MAJOR CHANGES IN THE SYSTEM AND METHODOLOGY USED IN THIS DETERMINATION VERSUS THAT USED IN THE DETERMINATION APPROVED BY FHWA/FTA/EPA IN 1998.

Reason for Determination. This Conformity Determination is for the Portland Area FY 2000 through FY-2003 Metropolitan Transportation Improvement Program (MTIP). It has been prepared because:

- Projects or project phases have been approved for funding in the newly approved MTIP, thereby accelerating the timing of several regionally significant projects from that previously analyzed in the Conformity Determination approved by federal authorities in October 1998; and
- Metro recently approved amendment of the scope and concept of the South/North light rail extension project. The South corridor component has been delayed and the alignment and terminus of the North corridor component has also changed significantly. Funding for the project is included in the TIP.

None of these changes affects the 2015 horizon year of the RTP. The RTP continues to anticipate completion of a South/North light rail extension between Clackamas Town Center to the south and Vancouver, Washington to the north by 2015. The 2015 Financially Constrained transportation network remains the basis for determination of the region's conformity and only the scope and concept of interim analysis years has changed.

Amendment of the 1998 Conformity Determination Travel Network. Appendix 1 shows the projects that were allocated funding in the FY 2000 TIP. It first lists those for which no capacity effects can be modeled (e.g., bike and pedestrian improvements). It then lists those for which a change in system capacity has been identified in the regional transportation model.

- Of the projects capable of modeling, most are "Boulevard" design treatments intended to reduce auto speed and enhance multimodal function of select street segments in the region. The model effect of these design features is to reduce auto capacity of improved street segments by approximately 200 vehicles per hour. Though not regionally significant, Metro routinely models such improvements.

- The TIP action also advanced regionally significant projects or project phases analyzed in later analysis years of the 1998 Determination. The most notable of these projects include phase 1 of both the I-5/Hwy 217/Kruse Way Interchange reconstruction and the Sunnybrook Split Diamond Interchange project. Though timing of these first phase projects has not advanced, their receipt of TEA-21 High Priority funds has enabled expansion of their previously modeled scopes.
- The region's financing plan for the proposed South/North LRT project was rejected by the electorate in late 1998. Since that time, an alternative light rail extension proposal submitted by the City of Portland business community has been endorsed by Metro. The proposal calls for extension of MAX light rail north from Downtown to the Exposition Center running principally on Interstate Avenue. This alignment differs from that included in the 1998 Determination and would reduce Interstate Avenue from four travel lanes to two (900 vehicles per hour, peak direction, instead of the current 1,800 vehicles per hour). This represents a significant modification of project scope. The project terminus also extends further north than assumed in Interim Operating System 1 (IOS 1) analyzed in the 1998 Determination.

The southern leg of the previously analyzed South/North project has been delayed until some time after 2003, which is the start date assumed in the 1998 Determination for service to the Linwood station, just east of Clackamas Town Center. As part of this delay, a substantial number of park and ride spaces assumed in the 1998 Determination, which significantly affected some local arterial operations and increased corridor-specific transit patronage somewhat, have been removed in the present Determination. Some residual park and ride spaces will continue to be provided in 2005 and the TIP allocates funds for initial deployment of "rapid bus" concepts in the McLoughlin corridor starting in FY 2000.

Additional transit options in the corridor are under investigation but no concept has been adequately developed for modeling purposes at this time.

It bears restatement that no amendment of the 1995 RTP has been approved by Metro to eliminate or significantly alter the 2015 horizon year assumptions reflected in the Financially Constrained Network. The RTP has not changed its anticipation that by 2015, light rail will operate south to the Town Center and north to Vancouver Washington, except for the alteration to the north alignment noted above.

- A number of other arterial projects are affected by TIP allocations. Changes to their scope or timing may or may not be significant but Metro has taken this opportunity to revise previous modeling of the projects to reflect the most current timing and design information. These projects are also identified in the Table.
- Other miscellaneous changes have occurred over the last year to locally funded projects included in the previously modeled network which concern either their

timing or scope. These reflect changes to the existing local street system, typically in association with developer funded street improvements. The professional judgment of Metro modeling staff, guided by evaluation of whether any such changes effect components of the regionally significant system defined in the 1995 RTP, determines whether such system revisions are treated as either routine and unrecorded or as revisions meriting inclusion in the Regional Street Atlas. A system for recording the higher order revisions does exist, which is not to say that all such changes are necessarily regionally significant. Additionally, Appendix 3 declares Metro's characterization, in the regional model, of the current and future condition of regional system links that are proposed for capacity expansion.

Quantitative Results.

Results of the Determination quantitative analysis are summarized in Tables 1–3 on pages 23 and 24. The tables show total regional emissions resulting from implementation of the FY 2000-2003 MTIP, including those derived from projects whose scope and concept have been modified from those previously conformed, fall within maintenance plan budgets established in 2005, 2015 and 2020, which are also the analysis years of the Determination.

Changes to the Determination Quantitative Methodology.

- Three tailored technical modifications of the regional model run in the last Determination have now been wholly integrated into the regional transportation model. The 1998 Determination was driven largely by the need to conform extension of light rail to Portland International Airport (PDX). In the last effort, trip distributions were individually modified for all analysis zones contributing trips to and from PDX to reflect introduction of light rail as a travel option. Land use changes associated with the proposed Portland International Center development adjacent to the airport were specially integrated. Finally, the regional model also required ad hoc revision to reflect enhanced modeling procedures for passenger travel to and from PDX. All these assumptions are now integrated into this conformity determination quantitative analysis.
- The 1998 Determination had a horizon year of 2015, the same as the 1995 RTP. The current Determination adopts a 2020 horizon which responds to FHWA concern for an active "20-year" analysis period. Travel demand consistent with Metro's adopted 2020 population and employment projection are distributed on the 2015 Financially Constrained RTP travel network. In essence, an additional five years of population, employment and associated travel demand is distributed on the 2015 travel network. This is a highly conservative assumption.

- Mobil 5a-h emission factors had previously been “customized” for Portland area conditions only to 2010. Because the last Determination used the RTP horizon year of 2015, DEQ approved extrapolation of emissions for 2015 from the 2010 data. The current determination has customized the Mobil 5a emission rates to 2020, the last year for which the program can generate results.
- The prior Determination applied a graduated post-model emission credit eventually amounting to one percent in 2015, to reflect VMT reduction attributable to the regional Employee Commute Options program. Recent data collected by Tri-Met and DEQ staff indicate revision of this credit is appropriate. Since only 70 percent of targeted businesses have been reached by the program, this element of the ECO credit formula was reduced to show the 70 percent employer base penetration rate.

Quantitative Analysis Methodology. Analysis years of 2005, 2015 and 2020 were selected in consultation with DEQ and FHWA staff. The first analysis year of 2005 corresponds with the Interstate MAX opening day and was chosen largely for this reason; the project EIS requires an opening day ridership figure which is produced as part of the Conformity Quantitative Analysis. Also 2005 is within ten years of the following analysis year of 2015. It is not, however, a budget year for carbon monoxide (CO), hydrocarbons (HC), or nitrogen oxide (NOx). As directed in the Maintenance Plan, Metro has interpolated between HC and NOx emission budgets established for 2003 and 2006 and between 2003 and 2007 budget years for CO, in order to establish 2005 emissions budgets for these pollutants.

The 2015 analysis year is a “triple” budget year for CO, HC and NOx and is within 10 years of 2005. The 2015 analysis year was also selected per the State Rule guidance that the Determination’s horizon year must encompass the last year of the RTP; the RTP forecasts transportation conditions for the 20-year period of 1995 through 2015.

As previously stated, a Determination horizon year of 2020 was selected to comply with FHWA concern for an “active” 20-year” Determination period.

Key Qualitative Issues. The maintenance plan adopted a number of Transportation Control Measures (TCMs). Some TCMs are regulatory, three are funding based. The 1995 RTP, as amended, and FY 2000 MTIP do not interfere with their timely implementation. The 1995 RTP, as amended, and the FY 2000 MTIP do assure priority implementation of the funding based TCMs. An overview of the TCMs is provided in Section II.B.2.d, below.

II. QUALITATIVE ANALYSIS

A. Background

Basis of Conformity Requirement. The Clean Air Act Amendments of 1990 (the Act) required EPA to promulgate a rule containing criteria and procedures for determining conformity of regional transportation plans (RTP) and transportation improvement programs (TIP) with State Implementation Plans (SIP) for attainment and maintenance of federal air quality standards. This rule was adopted by EPA on November 24, 1993. The rule required Oregon's Department of Environmental Quality (DEQ) to submit a revision of Oregon's SIP detailing new criteria and procedures for assuring conformity of transportation projects and plans with the SIP. DEQ adopted these revisions as OAR 340-20-710 through 340-20-1080. Both the DEQ and EPA rules require that qualitative and quantitative analyses support Metro's Conformity Determinations.

RTP/TIP Relationship. The region's current RTP was adopted in July 1995. It is the "umbrella document" which integrates the various aspects of regional transportation planning into a consistent coordinated process. It identifies the long-range (20-year) regional transportation improvement strategy and 10-year project priorities established by Metro. It defines regional policies, goals, objectives and projects needed to maintain mobility and economic and environmental health of the region through 2015. The Plan is "constrained" to federal, state, local and private revenue sources that are considered "reasonably available" within the 20-year time frame of the Plan. The Plan demonstrates dedication of adequate resources to preserve and maintain the system as well as resources for limited system expansion.

All projects are retained in the RTP until implemented or until a "no-build" decision is reached, thereby providing a permanent record of proposed improvements. Projects may also be eliminated from the RTP in the course of overall amendment or update of the document. The 1995 RTP was last conformed with the SIP in October, 1998.

It is from proposed improvements found to be consistent with the RTP that projects appearing in the TIP and its three-year Approved Program are drawn. The TIP relates to the RTP as an implementing document, identifying improvement projects consistent with the RTP that are authorized to spend federal and state funds within a three-year time frame. Metro approves a fourth year of project funding that is recognized by federal agencies for informational purposes only.

Projects are allocated funding in the TIP at Metro's initiative and at the request of local jurisdictions and state and regional partners such as the Port of Portland, Tri-Met and ODOT. Metro must approve all project additions to the TIP. Among other

things, Metro must find that proposed capital improvements are consistent with RTP policies, system element plans and identified criteria in order to be eligible for inclusion in the TIP for funding.

The State Rule also specifies that regionally significant local projects must be assessed for conformity with the SIP. This is consistent with the Clean Air Act requirement that no transportation project -- not simply federally funded ones -- may interfere with achieving national air quality goals. Locally funded projects identified in the RTP financially constrained network are included in the TIP for information purposes only at a level sufficient to describe scope and concept for conformity purposes but not including financial detail. Therefore, the network used to analyze transportation system effects on air quality in the Portland region includes projects programmed in the TIP to receive federal and state funds and all other projects -- regardless of funding source -- reasonably anticipated within the next 20 years.

The State Conformity Regulations specify that a *qualitative* analysis be prepared showing that both the Region's Plan and TIP address four broad planning and technical requirements. These include:

1. a financially constrained transportation network in each analysis year is used in the analysis,
2. the Determination relies on the latest planning assumptions,
3. the latest emissions models and estimates are used; and
4. that both the RTP and TIP generally enhance or expedite implementation of transportation control measures (TCMs) identified in the SIP.

It must also be documented that preparation of the Determination conformed with interagency consultation procedures described in the Rule. The Qualitative Analysis portion of the Determination is provided, below.

B. Analysis

1. Financially Constrained Network.

a. Requirement: *The State Rule requires that analysis of emissions must result from transportation improvements that are supportable with reasonably anticipated revenues.*

Finding: The 1995 RTP estimated reasonably available revenue for the 20-year plan period and approved a network in 2015 that could be achieved with the assumed revenue stream. This network is the basis of the current Determination. The 2005 network is a subset of this larger network and

reflects projects for which funding commitments have been made and the expected date of operation determined. The 2020 roadway network is the 2015 network except that some additional local system enhancement in Urban Reserve areas is anticipated as a result of developer provided facilities.

An additional five years of transit system expansion have also been accounted for, in consultation with Tri-Met, by deployment of the projected 1.5 percent annual service increase. The increased service hours attributable to the extra five years of revenue is evenly distributed through the 2015 transit network. In 2020, the model allocates transit demand that can be supported by projected service capacity. However, in some locations where road capacity is highly constrained, for instance in corridors serving Urban Reserve lands that are expected to start more intensive development after 2015, the model may allocate transit ridership in excess of service specifically allocated to the corridor. These kinds of supply/demand calibrations are expected to be resolved in the context of Tri-Met's annual service planning.

2. Consistency with the Latest Planning Assumptions (OAR 340-20-810).

- a. Requirement: *The State Rule requires that Conformity Determinations be based "on the most recent planning assumptions" derived from Metro's approved "estimates of current and future population, employment, travel and congestion."*

Finding: The *quantitative* analysis (see Section E, below) employs a 1994 base year that reflects Metro's official estimates of population and employment calibrated to 1990 Census data. Metro has officially adopted a pop/em projection for 2020, which is the basis for analysis of emissions in that year. Population and employment for the 2005 and 2015 analysis years are interpolated between the 1994 base- and 2020 horizon-year pop/em projections.

Travel and congestion forecasts for each analysis years are derived from the pop/em data using Metro's regional travel demand model and the EMME/2 transportation planning software

Within subroutines of the model, Metro calculates the bike/walk mode split for calculated travel demand based on variables of trip distance, car per worker relationship, total employment within one mile, intersection density and a zone-based mixed use index of the ratio of total employment to total population. Both the population and employment estimates and the methodology employed by the EMME/2 model have been the subject of extensive interagency consultation and agreement (discussed further in Section C.4. below).

The resulting estimates of future year travel and congestion are then used with the outputs of the EPA approved MOBILE 5a-h emissions model to determine regional emissions. In all respects, the model outputs reflect input of the latest approved planning assumptions and estimates of population, employment, travel and congestion.

- b. Requirement: *The State Rule requires that changes in transit policies and ridership estimates assumed in the previous conformity determination must be discussed.*

Finding: The *transit policies* which guide modeled implementation of the North Corridor LRT service are consistent with previous Conformity modeling of the South/North service start: bus resources providing downtown radial service are shifted east off Interstate and Denver. New Express service is also instituted between Vancouver and the Exposition Center to generate transit patronage as a prelude to planned northern extension of LRT service to Vancouver. Previous short-haul service between former radial trunk routes is reconfigured to support new LRT stations and surrounding neighborhoods. This represents continuation of *existing transit policy* and its extension to the expanded LRT system.

Differences between the current and past Determinations concerning transit ridership, in general, and LRT ridership, in particular, are independently generated - as always - by the demographic, travel demand and mode split factors embedded in the regional travel model. Demographic assumptions have been updated to reflect Metro's newly adopted 2020 pop/em projections. Other significant changes concern selectively increased parking costs, expanded assumption of reduced cost or free transit pass programs, increased street connectivity and increased service hours. These factors are discussed in item C.2.c, below.

The only transit related variables not "internal" to the model that have been changed between the two analyses is:

- modification of the South/North LRT project into the Interstate MAX North Corridor LRT project,
- delay of the South Corridor LRT extension (delayed from 2003 to 2015 analysis year), and
- initiation of interim bus service in the McLoughlin corridor.

Within the South Corridor, transit assignment of trip demand is reduced by

delay of LRT service until the 2015 analysis year. Coincident with this delay, approximately 3,900 Park & Ride spaces previously assumed in the Corridor are absent in the 2005 analysis year of the current Determination. These two assumptions reduce allocation of travel demand to transit modes in the corridor. However, the reduction is partially offset by targeted funding, approved in the FY 2000 MTIP, for startup of McLoughlin Corridor Rapid Bus service.

Also, while the reduction of Park and Ride spaces in the South Corridor reduces transit mode share somewhat, it also eliminates some road capacity reductions that would otherwise have been generated in the model due to distribution of increased auto activity to the street network surrounding the lots.

The prior Determination assumed extension of light rail to the Airport. The current Determination has more fully integrated this assumption into the travel model. The prior Determination assumed interline service whereas the current Determination assumes through service. The Airport Extension is currently under construction.

- c. Requirement: *The State Conformity Regulations require that reasonable assumptions be used regarding transit service and increases in fares and road and bridge tolls over time.*

Finding: There are no road or bridge tolls in place in the metropolitan area and none are assumed in either the TIP, the RTP, or consequently, in the conformity determination, over time. The region is exploring feasibility of a Congestion Pricing Demonstration project. No decision to deploy such a project has been made and the Determination does not model evaluation of such a program.

Four other factors significantly effect model assumptions of transit mode choice including auto parking cost, transit fares, service hours and intersection density.

Auto parking costs. These are factored into the mode choice subroutines of the regional travel model. These costs are held constant to 1985 dollars.

Parking costs have been increased in the current Determination according to the percentages shown in Appendix 2. The previous Determination assumed parking costs would increase one percent above inflation in the Central Business and Lloyd Districts as a reflection of parking control strategies. Costs were held to inflation in all other districts. In the current Determination, the rate of increase in some additional districts, notably

Tier 1 and 2 Regional Centers and Station Areas, are increased somewhat beginning in the 2005 analysis year and escalating through the 2020 analysis year (see Appendix 2). The assumed increases are justified in light of commitment of regional funding to prepare feasibility analyses of broad-scale Transportation Management Association (TMA) startups of the type that exist in Downtown and the Lloyd Center District and to provide three years of initial public funding for nascent TMAs.

Transit fares. The three zone transit fare structure adopted in 1992 is held constant through 2020. User costs (for both automobile and transit) are assumed to keep pace with inflation and are calculated in 1985 dollars. Again though, it is assumed that transit fares in select analysis zones will decrease as a result of TMA formation and consequent employer subsidy of transit costs for employees, as with the Lloyd Center and Downtown TMA experiences. These transit fare reduction schedules are also shown in Appendix 2.

Transit Service Hours. Assumptions about service hours and transit vehicle headways also affect trip assignment to transit modes. Tri-Met's most recent payroll tax revenue assumptions indicate an ability to continue providing a 1.5 percent service hour increase through 2020. This service is reflected in the current Determination. The prior Determination assumed an annual 1.5 percent "usual and customary" service hour increase for regional bus service only until startup of the formerly proposed "IOS 1" of South/North LRT service. At 2004, this increment of new bus service was slightly reallocated throughout the region and feeder service within the LRT Corridor was reinforced. Thereafter, non-LRT service hours remained flat through 2015, and the Convention Center to Clark County LRT service was added.

Intersection Density. Technical studies conducted by Metro support the assumption that more local street connections to the regional collector and arterial system are associated with congestion reduction and increased transit mode choice. Metro policies and land use regulations are anticipated to stimulate local and privately funded increases of such intersection density in locations throughout the region. Appendix 2 reflects these assumption over time and with respect to targeted land uses.

- d. Requirement: *The State Conformity Regulations require that the latest existing information be used regarding the effectiveness of TCMs that have already been implemented.*

Finding: As discussed in the prior Determination, all non-transit, funding-based TCMs were satisfied through approximately 2006 by allocations made in the FY 98 MTIP. The FY 2000 MTIP extends this compliance by

funding significant Boulevard-project enhancement of both bike and pedestrian facilities on major regional facilities and by funding stand-alone bike and pedestrian improvements throughout the region. The 1.5 percent annual transit system expansion is included within the model assumptions and is reflected in the resulting transit mode split factor used in the quantitative analysis. Tri-Met revenue projections indicate capacity to sustain this increase through 2020. The bike and pedestrian system enhancements are also reflected in mode split assumptions of the model. Adequate resources are identified in the 1995 RTP Fiscal Constraint analysis to assure ongoing implementation of these TCMs.

Effectiveness of implemented and planned TCMs is reflected in emission credits approved by DEQ for use in this Determination's calculation of daily regional emissions. Credits were assumed for compact land form called for in the Region 2040 Growth Concept; the region's Voluntary Parking Ratio program and implementation of the Employee Commute Option (ECO) program. The ECO program credit has been reduced to reflect less than expected penetration of program activity to the region's employer base. The Voluntary Parking program has been eliminated due to very low employer participation.

Appendix 5 provides a more detailed analysis of the region's progress in implementing the growth management TCM. In summary, Washington County is on schedule for meeting both housing and employment targets. At present, Clackamas County appears approximately 25 percent short of its employment targets but Regional Center, Town Center and Main Street planning efforts currently in process are expected to increase overall capacities. Preliminary analysis shows that Multnomah County will achieve about 60 percent of its housing allocation and may request an exception for the Metro's Title 1 housing target. The County should meet all of its employment target. Also, work with Gresham to refine targets is on hold and work with Troutdale and Fairview is only just beginning. The City of Portland has completed its analysis and shows that it will meet both its housing and employment targets.

Overall, of the region's 27 jurisdictions reporting, 16 anticipate full compliance with regional housing and employment targets, including the City of Portland, Hillsboro, and Washington County, as of the August 1999 deadline. Preliminary calculations for Gresham and Beaverton are showing substantial compliance with the targets, but they have not completed their work.

Additionally, the most recent Urban Growth Report update (Metro, September 1999) indicates that the target for residential infill/redevelopment growth absorption is largely on track. Metro has set a

growth absorption target of 28.5 percent for infill and redevelopment. The rate in 1997 was 25 percent. Over the next two to five years, the rate is expected to fluctuate between 20 and 30 percent, indicating that this aspect of the growth management concept is on-target.

Finally, the Growth report continues to project that the supply of Gross Vacant Buildable Land, accounting for a 38.6 percent reduction for streets, schools, parks, places of worship, fraternal organizations, other utilities and endangered species-related regulatory restrictions, will remain adequate to accommodate anticipated growth through 2017. This projection is supported by many factors, including the fact that average lot size of newly permitted residential development has trended lower in each of the past several years and now stands at 6,200 sq. ft., well within the range anticipated in the 2040 growth plan.

3. Latest Emissions Model (OAR 340-20-820)

- a. Requirement: *The State Conformity Regulations require that the conformity determination must be based on the most current emission estimation model available.*

Finding: As discussed in greater detail in item 6(d) of this Section and in Section III of this Determination, Metro employed EPA's recommended Mobile 5a-h emission estimation model in preparation of this conformity determination. The emissions factors were updated to 202. Additionally, Metro uses EPA's recommended EMME/2 transportation planning software to estimate vehicle flows of individual roadway segments. These model elements are fully consistent with the methodologies specified in OAR 340-20-1010.

4. Consultation (OAR 340-20-830)

- a. Requirement: *The State Conformity Regulations require the MPO to consult with the state air quality agency, local transportation agencies, DOT and EPA regarding enumerated items. TPAC is specifically identified as the standing consultative body. (OAR 340-20-760(2)(b)).*

Finding: Fifteen specific topics are identified in the Regulations which require consultation. TPAC is identified as the Standing Committee for Interagency Consultation. TPAC, as allowed by the Rule, has deferred administration of the consultation requirements to a subcommittee, specifically, the TIP Subcommittee, augmented with Metro modeling staff. This committee has met on several occasions since adoption of the Rule

and has consulted as required on the enumerated topics. The subcommittee recommendations are reflected within this Determination qualitative analysis -- ***which has been submitted for full TPAC review and approval*** -- and address the following issues.

- i. Determination of which Minor Arterial and other transportation projects should be deemed "regionally significant."*

Metro models virtually all proposed enhancements of the regional transportation network proposed in the TIP, the RTP and by local and state transportation agencies. This level of detail far exceeds the minimum criteria specified in both the State Rule and the Metropolitan Planning Regulations for determination of a regionally significant facility. This detail is provided to ensure the greatest possible accuracy of the region's transportation system predictive capability. The model captures improvements to all principal, major and minor arterial and most major collectors. Left turn pocket and continuous protection projects are also represented. Professional judgement is used to identify and exclude from the model those proposed intersection and signal modifications, and other miscellaneous proposed system modifications, (including bicycle system improvements) whose effects cannot be meaningfully represented in the model. The results of this consultation were used to construct the analysis year networks identified in Appendix 3 of this Determination

- ii. Determine which projects have undergone significant changes in design concept and scope since the regional emissions analysis was performed.*

The only truly significant scope change concerns modification of the South/North LRT proposal into the North Interstate MAX project (with its corresponding reduction of Interstate Avenue peak direction capacity), and delay of the South Corridor LRT extension (including associated reduction of Park & Ride spaces in the McLoughlin Corridor). These issues were addressed in the Summary section. Timing and scope of other project phases, including the I-5/217/Kruse Way Interchange and the Hwy 213/Beavercreek Road intersection have been integrated into the current Determination, though no specific assessment has been made of whether these changes are regionally significant. Metro is not aware of more current design assumptions for any regionally significant project than those currently included in the regional transportation model.

- iii. Analysis of projects otherwise exempt from regional analysis.*

All projects capable of being modeled have been included in the Conformity Analysis quantitative networks. ODOT has received

permission to continue operation of an HOV demonstration project in the I-5 North Corridor until conclusion of the Interstate Bridge painting project. This demonstration project, and its continued operation as mitigation of the painting project, were determined to be insignificant after consultation between Metro, ODOT, DEQ, and FHWA.

iv. Advancement of TCMs.

All past and present TCMs have been implemented on schedule. There exist no obstacles to implementation to overcome.

v. PM10 Issues.

The region is in attainment status for PM10 pollutants.

vi. forecasting vehicle miles traveled and any amendments thereto.

Section I. Summary and Section II.B.2. address changed model variables that significantly affect mode split assumptions of the travel model and thus, VMT. No explicit change or post model correction of VMT has occurred in the analysis.

vii. determining whether projects not strictly "included" in the TIP have been included in the regional emission analysis and that their design concept and scope remain unchanged.

The 1995 RTP Financially Constrained network includes all federal, state and locally funded projects reasonably anticipated within the 2015 horizon year. The travel network also assumes developer provided improvement of local street connections in Urban Reserve lands that are projected to begin populating between the 2015 and 2020 analysis years.

viii. project sponsor satisfaction of CO and PM10 "hot-spot" analyses.

This issue is not germane to determination of regional conformity.

ix. evaluation of events that will trigger new conformity determinations other than those specifically enumerated in the rule.

At this time, the only likely trigger for a new Determination would be a request from ODOT to convert the p.m. peak period north I-5 HOV lane to permanent operation, or to retain the lane as a general purpose travel lane between the Lombard and Delta Park interchanges.

x. evaluation of emissions analysis for transportation activities which

cross borders of MPOs or nonattainment or maintenance areas or basins.

The Portland-Vancouver Interstate Maintenance Area (ozone) boundaries are geographically isolated from all other MPO and nonattainment and maintenance areas and basins. Emissions assumed to originate within the Portland-area (versus the Washington State) component of the Maintenance Area are independently calculated by Metro. The Clark County Regional Transportation Commission (RTC) is the designated MPO for the Washington State portion of the Maintenance area. Metro and RTC coordinate in development of the population, employment and VMT assumptions prepared by Metro for the entire Maintenance Area. RTC then performs an independent Conformity Determination for projects originating in the Washington State portion of the Maintenance Area.

Conformity of projects occurring outside the Metro boundary but within the Portland-area portion of the Interstate Maintenance Area were assessed by Metro under terms of a Memorandum of Understanding between Metro and all potentially affected state and local agencies. The Region 1 STIP has not included any funding for new modernization projects outside the MPO boundary since adoption of the 1998 Determination and no projects affecting state facilities nor any local projects in the area's subject to the MOU were declared to the MPO for this determination. This issue was raised in the Interagency Consultation subcommittee of TPAC prior to the start of quantitative modeling. Additionally, as part of the RTP Update process, the regional model has been extensively reviewed by local jurisdictions for accurate representation of local and regional facilities throughout the past year.

xi. disclosure to the MPO of regionally significant projects, or changes to design scope and concept of such projects that are not FHWA/FTA projects.

No amendment of the Financially Constrained network, except for the revisions to the South/North LRT project scope and timing have been declared to the MPO. ODOT Headquarters environmental staff consult with the MPO regarding potentially significant modification of scope and concept of approved projects moving through the design pipeline.

xii. the design schedule, and funding of research and data collection efforts and regional transportation model development by the MPO.

This consultation occurs in the course of MPO development and adoption of the Unified Planning Work Program.

xiii. development of the TIP.

TIP development is routinely undertaken and approved by TPAC which includes membership by all consultative bodies identified in the Rule.

xiv. development of RTPs.

RTP development is routinely undertaken and approved by TPAC. An updated RTP is anticipated in the Winter of 1999. A new Determination will be prepared upon its adoption.

xv. establishing appropriate public participation opportunities for project level conformity determinations.

The subcommittee has not yet discussed this issue either with respect to current practices, or desirable alternatives, if any. However, Metro and DEQ staff have discussed the issue. In line with other project-level aspects of conformity determinations, it would appear most appropriate that project management staff of the state and local operating agencies be responsible for any public involvement activities that may be deemed necessary in making project-level conformity determinations.

4. Timely Implementation of TCMs (OAR 340-20-840).

- a. Requirement: *The State Conformity Regulations require MPO assurance that "the transportation plan, [and] TIP... must provide for the timely implementation of TCMs from the applicable implementation plan."*

Finding: As described in the prior Determination, all funding based TCMs have been satisfied through approximately 2006. The current TIP allocations merely extend the degree to which bike and pedestrian facilities are being implemented over and above the level required in the SIP. Additionally, the 1.5 percent annual transit service increase is now anticipated through 2020, based on the most recent forecast of Tri-Met's employer tax receipts.

5. Other Qualitative Conformity Determinations and Major Assumptions

- a. Findings: The Regional Transportation Plan (RTP) is prepared by Metro. SIP provisions are integrated into the RTP as described below, and by extension into subsequent TIPs which implement the RTP.

The scope of the RTP requires that it possess a guiding vision which recognizes the inter-relationship among (a) encouraging and facilitating economic growth through improved accessibility to services and markets; (b) ensuring that the allocation of increasingly limited fiscal resources is driven by both land use and transportation benefits; and (c) protecting the region's natural environment in all aspects of transportation planning process. As such, the RTP sets forth three major goals:

- No. 1 - Provide adequate levels of accessibility within the region;
- No. 2 - Provide accessibility at a reasonable cost; and
- No. 3 - Provide adequate accessibility with minimal environmental impact and energy consumption.

Three objectives of Goal No. 3 directly support achievement of National Ambient Air Quality Standards (NAAQS):

1. To ensure consideration of applicable environmental impact analyses and practicable mitigation measures in the federal RTP decision-making process.
2. To minimize, as much as practical, the region's transportation-related energy consumption through improved auto efficiencies resulting from aggressive implementation of Transportation System Management (TSM) measures (including freeway ramp metering, incident response and arterial signal optimization programs) and increased use of transit, carpools, vanpools, bicycles, walking and TDM [Transportation Demand Management] programs such as telecommuting and flexible working hours.
3. To maintain the region's air quality.

Performance Criteria: Emissions of hydrocarbon and oxides of nitrogen by transportation-related sources, in combination with stationary and area source emissions, may not result in the federal eight hour ozone standard of .08 ppm being exceeded. Emissions of Carbon Monoxide from transportation-related sources may not, in combination with other sources, contribute to violation of the federal standard of 9 ppm. The three-year Approved Program Element of the region's Transportation Improvement Program (TIP) should be consistent with the SIP for air quality.

These objectives are achieved through a variety of measures affecting transportation system design and operation. The plan sets forth objectives and performance criteria for the highway and transit systems

and for transportation demand management (TDM).

The highway system is functionally classified to ensure a consistent, integrated, regional highway system of principal routes, arterial and collectors. Acceptable level-of-service standards are set for maintaining an efficient flow of traffic. The RTP also identifies regional bicycle and pedestrian systems for accommodation and encouragement of non-vehicular travel. System performance is emphasized in the RTP and priority is established for implementation of transportation system management (TSM) measures.

The transit system is similarly designed in a hierarchical form of regional transitways, radial trunk routes and feeder bus lines. Standards for service accessibility and system performance are set. Park-and-ride lots are emphasized to increase transit use in suburban areas. The RTP also sets forth an aggressive demand management program to reduce the number of automobile and person trips being made during peak travel periods and to help achieve the region's goals of reducing air pollution and conserving energy.

In conclusion, review by Metro and the Oregon Department of Transportation of the 1995 Interim Federal RTP and the ozone and carbon monoxide portions of the SIP, has determined that the RTP is in conformance with the SIP in its support for achieving the NAAQS. Moreover, the RTP provides adequate statements of guiding policies and goals with which to determine whether projects not specifically included in the RTP at this time may be found consistent with the RTP in the future. Conformity of such projects with the SIP would require interagency consultation.

- b. Findings: As previously discussed, this Determination assumes broader implementation of Transportation Management Associations of the type operated in the Central City and Lloyd Center Districts. This stems largely from commitments in the last three TIP's of funding for TMA demonstration projects, and in the FY 2000 TIP, of "start-up" and capital assistance for such groups. Consequently, the regional travel model expands the number of zones that assume increased parking costs, employer transit subsidy programs.
- c. Findings: The Determination assumes 2020 population and employment will be accommodated on the 2015 roadway network. This assumes no new revenue for system expansion in the final five years of the analysis.
- d. Findings: The Determination assumes transit service hours will continue to expand at the rate of 1.5 percent a year between 2015 and 2020, consistent with assumptions of the Financially Constrained Network. Metro and Tri-Met concur that this added revenue would reinforce transit

service to Urban Reserve areas that are expected to gain significant population during this period. However, the RTP does not speak directly to this issue because the Urban Reserves had not been identified at the time the document was adopted and Urban Reserve areas are not expected to absorb significant population until after the 2015 horizon year of the current RTP.

III. QUANTITATIVE ANALYSIS

A. Background

Under OAR 340-20-890, a finding of TIP and RTP conformity requires that a quantitative analysis be conducted. This must demonstrate that emissions resulting from the entire transportation system, including all regionally significant projects expected within the time frame of the plan and TIP, must fall within budgets established in the maintenance plan for criteria pollutants. In the Portland-Vancouver AQMA these include ozone precursors (VOC and NOx) and carbon monoxide (CO). A specified methodology must be used to calculate travel demand, distribution and consequent emissions (OAR 340-20-1010). The Portland metropolitan area has the capability to perform such a quantitative analysis.

B. Analysis

1. Determine Analysis Years.

- a. Requirement: *The State Conformity Regulations) states the first analysis year should be no later than 10 years from the base year used to validate the transportation demand planning mode I (340-20-770), that subsequent analysis years be no greater than 10 years apart and that the last year of the RTP must be an analysis year (340-20-890).*

Finding: Pursuant to OAR 340-20-770 and -890 and after consultation with DEQ and the federal EPA, Metro has adopted 2005, 2015 and 2020, as analysis years, as described in the Summary. The year 2005 is actually 11 years after the 1994 base year of the model. The Determination is supplying the Interstate MAX opening day ridership estimate. It was agreed that benefits of a 2004 and 2005 analysis year were insufficient to warrant running both years simply to keep the first analysis year within 10 years of the base-year. The 2015 analysis year is within 10 years of the first analysis year, is also a double budget year and is the RTP horizon year. The 2020 analysis year responds to FHWA concern for an "active" 20-year analysis period.

2. Demonstrate TIP Adherence to Motor Vehicle Emissions Budget.

- a. Requirement: *OAR 340-20-900 require that the TIP must meet four tests to demonstrate that it is consistent with maintenance plan emissions budgets.*
 - i. *each program year of the TIP is consistent with reasonably anticipated revenue.*

Finding: The FY 200 MTIP is consistent with expected federal revenue through FY 2003. No change to the RTP revenue assumptions has been made and they remain the region's official estimate of reasonably anticipated revenue.

ii) *the TIP is consistent with the RTP(so that plan analysis shall also cover TIP emissions).*

Finding:

ii-a) The travel network used in the emissions analysis(see Appendix 3) comprises both the TIP and RTP networks, as well as both significant and insignificant local and/or privately financed projects expected in the time-frame of the plan. The network table is comprehensive; regionally significant TIP projects, including those whose scope and concept have recently been revised, are captured in the travel network used to analyze RTP emissions.

ii-b) Appendix 3 identifies the year in which operation of the TIP funded projects is expected. This demonstrates that the TIP contains the projects that must be started to achieve the system envisioned in the RTP in relation to analysis years of the Determination.

ii-c) The scope and concept of the TIP projects is consistent with that assumed in the RTP.

Note: Numerous projects in all analysis years are incapable of representation within the EMME/2 model. The vast majority of these projects are bicycle and pedestrian projects/programs and other TSM activities. (This class of projects is identified in Appendix 3 with "no" entered in the "Can Be Modeled" column.) Virtually all of these projects would be expected to decrease emissions as they support non-auto and/or non-SOV travel modes, or otherwise *marginally* enhance the efficiency of the highway network, reducing emissions of CO and Ozone precursor compounds).

Historically, the region has not taken credit for benefits theoretically attributable to this class of projects. This has been mostly because the region's past quantitative analyses have not needed emission reductions in excess of those provided by projects capable of representation within the model. Given the lack of need, and because the ad hoc methodologies for calculating such off-model benefits are very labor intensive, are in most cases not well established and/or accepted and thus are subject to controversy when employed to demonstrate reductions of automotive emissions, Metro has chosen not to seek emission reduction credit for these types of projects. However, in future years, as nation-wide monitoring of CMAQ projects provides more reliable data about benefits of such projects, or should this year's analysis require

supplemental emission reductions, the region may take credit for these activities.

3. Perform the Emissions Impact Analysis.

Finding: Calculations were prepared, pursuant to the methods specified at OAR 340-20-1010, of CO and Ozone precursor pollutant emissions assuming travel in each analysis year on networks identified in Appendix 3. A technical summary of the regional travel demand model, the EMME/2 planning software and the Mobile 5a methodologies is available from Metro upon request. The methodologies were reviewed by the consultation subcommittee and by TPAC.

4. Determine Conformity.

- a. Requirement: *Emissions in each analysis year must be consistent with (i.e., must not exceed) the budgets established in the maintenance plan for the appropriate criteria pollutants (OAR 340-20-890).*

Finding: Emissions in each analysis year resulting from projects identified in the FY 2000 TIP and the 1995 RTP, including those attributable to revised North and South Corridor LRT assumptions, fall within the motor vehicle emissions budgets established for those years in the maintenance plan. Tables 1, 2 and 3, below, summarize these emissions and show that the newly approved TIP and RTP projects whose scope and concept have changed since the last Determination, conform with the SIP.

TABLE 1**Emissions Summary**

1995 RTP EMISSIONS COMPARED TO CO AND OZONE BUDGETS

		Winter CO (1,000s lbs)	Summer HC (tons per day)	Summer NOx (tons per day)
Budget	2005	979,000	42	51
MTIP/RTP		691,000	36	51
Difference		288,000	6	0
Budget	2015	788,000	40	55
MTIP/RTP		716,000	36	55
Difference		72,000	4	0
Budget	2020	842,000	40	59
MTIP/RTP		740,000	38	59
Difference		102,000	2	0

TABLE 2

**1995 RTP EMISSIONS
COMPARED TO CCTMP
SUB-AREA CO BUDGET**

1,000 Lbs/day

Winter CO

Budget	2005	91
RTP		63
Difference		28
<hr/>		
Budget	2015	70
RTP		58
Difference		12
<hr/>		
Budget	2020	75
RTP		58
Difference		17

TABLE 3

**1995 RTP EMISSIONS
COMPARED TO 82ND AVENUE
SUB-AREA CO BUDGET**

1,000 Lbs/day

Winter CO

Budget	2005	5
RTP		4
Difference		1
<hr/>		
Budget	2015	4
RTP		4
Difference		0
<hr/>		
Budget	2020	4
RTP		4
Difference		0

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September 23, 1999
TW:tw

Appendix 1

TIP #	RTP#	Project#	Modeled?	Project Description	Comments
CBi10	6102	908	No	Wilsonville: Boeckman/Town Center Loop	
CBi3	5095	532b	No	Phillip Creek Greenway Trail	
CBi7	5094	532a	No	Clack Reg Ctr. Trail	
CBi9	6105	907	No	Town Cntr. Park: Bike/Ped Connection	
CM2			No	Harmony/Linwood/Railroad Ave. PE	grade separation at RR
CM5			No	Sunnyside Rd./Mt. Scott Creek	already in committed
CM7			No	Clack Co ITS/ATMS	
CP1	5211	637b	No	Scott Creek Lane Ped Path	
CR2	5038	463	No	Johnson Crk. Blvd.:36th/45th	
CTr2	5169	593	No	Will Shoreline Trestle/Track Repair	
MBi1	2053	409b	No	Gresham/Fairview Trail	
MM1			No	207th Connector: HalsEy/Glisan	add'l funding for cost overruns
MM7			No	Gresham Mult Co. ITS	
PBi6a	1081	129	No	E. Bank Trail -OMSI/Springwater	
PBi6b			No	E. Bank Trail -Phase2 (ROW Only)	
PBi9	1146	183	No	Greeley/Interstate	
PBL1	1080	123	No	Hawthorne: 20th/55th	
PBL3			No	W. Burnside: Brdg/NW 23rd	
PBr2a			No	Morrison Electrical	
PBr2b			No	Burnside Electrical	
PM1			No	Portland Arterial/Frwy ITS	
PM6			No	MLK/Interstate ITS	
PM10			No	SE Foster Rd./Kelly Creek	
PP2	1168	195	No	Capitol Hwy: Bertha/Bvtn Hlsd.	
PP5			No	Red Electric Line: Will Prk/Oleson	
RPIg1			No	Core Reg. Planning Program	
RPIg3			No	Regional Freight Program Analysis	
RPIg5			No	OPB Pilot	
RPIg6			No	I-5 Trade Corridor Study	
RTOD1			No	Metro TOD Program	
RTr1			No	Reg. Contribution for Bus Purchase	
Rtr2			No	Service Increase for Reg/T.C. TCL	
TDM1			No	Regional TDM Program	
TDM2			No	Portland Area Telecommuting	
TDM3			No	ECO Information Clearinghouse	
TDM4			No	Region 2040 Initiatives	
TDM5			No	TMA Assistance Program	
TDM6			No	SMART TDM Program	
TE1			No	Pioneer Courthouse	
TE2			No	Portland Bike Signage	
TE3	4040	335	No	NE 47th Environmental Restoration	
WBi1	3071	78b	No	Fanno Creek: Allen/Denney	
WBi10	6007	78a	No	Fanno Creek Trail Phase 2 (PE/RW?)	
WBi5	3094	706	No	Cornell Rd. Elam Young/Ray	
WM4			No	Wash. Co. ATMS	
WP4	3194	803b	No	Sentinel Plaza: Cornell/Cedar Hills/113th	
WP5	3095	695	No	SW 170th: Merlo/Elmonica LRT Station	
WP7	3075	687	No	Cedar Hills: Walker/Butner	
WTR1			No	Wash. Co. Commuter Rail	
WTr2			No	Wash. Co. Bus Stop Enhancement Program	
PF1	1034	97	Yes	Lower Albina Overcrossing	centrold connector only - 2005
PF2	4062	295a	Yes	N. Marine Dr. Reconstruction	cap increase from 1200 to 2400 - 2005
PR10	1053	111	Yes	Naito Pkwy: Davis/Market	BLVD design - reduce cap by 200 - 2005
WM5	3138	741	Yes	Murray O'xing: Millikan/Terman	increase cap from 900 to 1650 - 2005
WM13	3113	726b	Yes	SE 10th: E Main/ SE Baseline - PE only	add prj. in 2005 network - SB rt tum lane
WM17	6066	878	Yes	I-5/Nyberg Interchange (PE/ROW)	widen oxing & SB off-ramp - 2015 network
WM19	6014	835	Yes	SW Greenburg Rd.: Wash. Sq./Tiedeman	add prj. in 2005 network - widen to 5 lanes
CM14	5018/5019	38a/38b	Yes	Hwy. 213/ Beaver creek Rd.	add ph1 in 2005 - grade sep by 2015
MM3	2081	359	Yes	223rd O'xing (PE RPW)	increase cap by 200 - 2015
CBL1	5069	499	Yes	Harmony Rd.: 82nd/Fuller	BLVD design - reduce cap by 200 - 2005
CBL2			Yes/No	Willamette Dr. - A St./McKillican	cap increase, then decrease to original cap
CBL3	5049	462	Yes	McLoughlin: Harrison/SPRR Xing	BLVD design - reduce cap by 200 - 2005
MBL1	2047	394	Yes	Division St.: Walulla/Kelly	BLVD design - reduce cap by 200 - 2005
WBi2	3074	686	Yes	Hall Blvd: 12th/Allen	increase cap on Hall approaches to Allen-05
WBL1	3193	792c	Yes	Cornell Rd.: Trail Ave/Saltzman (ROW funds)	BLVD design - reduce cap by 200 - 2005
WBL2	3169	764	Yes	Main St.: 10th/20th Cornelius	BLVD design-2005, widen to 3 w/blvd-2021
WBL6	3034	674 (RND3)	Yes	Hall Blvd: Cedar Hills/Hocken (PE)	extend Hall as 3 lanes - 2005
WM1	3030	666b	Yes	Farrington Rd.: Hocken/Murray	REMOVE from 2005 network - add in 2015
CBi2	5080	512a	Yes	Fuller Rd.: Harmony/King	widen Fuller, ped only: Monroe to King-2005
PBi1	1062	126	Yes	Morrison Bridge PED/BIKE Access	replace 1 EB auto lane with bike way - 2005

2040 Grouping	Intersection Density				Parking Factors				Transit Pass Factor				Fareless Square			
	2020	2015	2005	1998	2020	2015	2005	1998	2020	2015	2005	1998	2020	2015	2005	1998
Central City1	20	20	20	20	6.08	5.87	5.66	5.45	60%	60%	60%	60%	yes	yes	yes	yes
Central City 2	20	20	20	20	3.94	3.65	3.35	3.06	60%	60%	60%	60%	yes	yes	yes	
Central City3	20	20	20	20	2.96	2.74	2.52	2.30	65%	65%	65%	65%				
Central City4	20	20	20	20	3.94	3.65	3.35	3.06	65%	65%	65%	65%				
Central City 5	18	17	17	16	3.04	2.79	2.55	2.30	65%	65%	65%	65%				
Tier 1 Reg. Centers	14	14	14	14	0.80	0.53	0.27	0	80%	86%	93%	100%	yes	yes		
Tier 2 Reg. Centers	10	10	10	10	0.60	0.40	0.20	0	95%	97%	98%	100%				
Tier 1 Sta. Comm.	12	12	12	12	0.80	0.53	0.27	0	80%	86%	93%	100%				
Tier 2 Sta. Comm.	10	10	10	10	0.60	0.40	0.20	0	95%	97%	98%	100%				
Tier 1 Town Centers	16	16	16	16	0.45	0.30	0.15	0	85%	90%	95%	100%				
Tier 2 Town Centers	10	10	10	10	0.36	0.24	0.12	0	100%	100%	100%	100%				
Tier 3 Town Centers	8	8	8	8	0.28	0.19	0.09	0	100%	100%	100%	100%				
Tier 4 Town Centers	8	7	7	6	0.18	0.12	0.06	0	100%	100%	100%	100%				
Tier 1 Mainstreets	14	14	14	14	0.45	0.30	0.15	0	100%	100%	100%	100%				
Tier 2 Mainstreets	8	8	8	8	0.36	0.24	0.12	0	100%	100%	100%	100%				
Corridors	10	9	9	8	none	none	none	none	100%	100%	100%	100%				
Inner N'hoods	10	10	10	10	none	none	none	none	100%	100%	100%	100%				
Outer Hoods Tier 1	8	7	7	6	none	none	none	none	100%	100%	100%	100%				
Outer Hoods Tier 2	6	6	6	6	none	none	none	none	100%	100%	100%	100%				
Employment Areas	8	7	7	6	none	none	none	none	100%	100%	100%	100%				
Ind. Areas Tier 1	10	10	10	10	none	none	none	none	100%	100%	100%	100%				
Ind. Areas Tier 2	8	8	8	8	none	none	none	none	100%	100%	100%	100%				
Greenspaces	6	6	6	6	none	none	none	none	100%	100%	100%	100%				
Rural Reserves	6	6	6	6	none	none	none	none	100%	100%	100%	100%				
PDX Special Area 1	*	*	*	*	6.14	5.93	5.71	5.5	60%	74%	87%	100%				
OHSU Spec. Area 2	*	*	*	*	1.86	1.72	1.59	1.45	60%	60%	60%	60%				
Zoo Special Area 3	*	*	*	*	1.86	1.24	0.62	0	100%	100%	100%	100%				
SMART Spec Area4	*	*	*	*	*	*	*	*	*	*	*	*	yes	yes	yes	yes

* Use parent zone values

2020 = Existing Resources/Committed System

APPENDIX 3: FY 2000 MTIP Conformity Determination Network

Jurisdiction	RTP		Project Location	Network Yr	Able	Existing		Proposed		Atlas #
	No.	Project Name		Modeled	to Model	No.	Capacity	No.	Capacity	
Clackamas	65	147th Ave. Realignment	147th Ave. between Aldridge Rd., Sunnyside Rd., and 142nd Ave.	2005	yes	2		3		5022
Clackamas		82nd Dr.: Evelyn St./Jennifer St. to Hwy. 212	Evelyn/Jennifer to Hwy 212	2005	yes	2	900	3	1200	1007
Clackamas		82nd Dr.: Gladstone Interchange to Evelyn St./Jennifer St.	Gladstone Interchange to Evelyn/Jennifer	2005	yes	2	900	3	1200	123
Clackamas	9	92nd. Ave.: Idleman Rd. to the Multnomah County Line	Idleman to Multnomah Co. line	2005	yes	2	700	3	900	125
Clackamas	1	Beavercreek Rd.: Molalla Ave.	Beavercreek/Molalla Intersection	2005	yes	0/3	0/900	3/5	900/1800	855
Clackamas	62	Hwy. 43 (State St.): Terwilliger Blvd. to McVey Ave.	Terwilliger to McVey	2005	yes				+ 50	4061
Clackamas	3	I- 205 Frontage Rd.: Sunnyside Rd. to 92nd Ave.	Sunnyside to 92nd east of I-205	2005	yes	0	0	3/5	900/1800	163
Clackamas		I-205: Sunnyside Rd. Split Diamond Interchange	Split diamond interchange	2005	yes	Phase 1 - 2005		Phase 2 - 2015		86
Clackamas	66	Jennifer St. Ext./135th Ave. Improvement	130th Ave. to 135th Ave. Jennifer St. to Hwy. 212/224	2005	yes	0/2		2		5023
Clackamas	5	Johnson Creek Blvd.: Linwood Ave.	Johnson Creek/Linwood Intersection	2005	yes	2	900	3	1000	130
Clackamas	59	Kruse Way: Westlake Dr. Intersection	Westlake	2005	yes		1600		1800	4080
Clackamas	64	McVey St.: South Shore Blvd.	South Shore	2005	yes		1000/1800		1200/2000	4062
Clackamas	6	Sunnybrook Ext.: 93rd Ave. to Sunnyside Rd. at 108th Ave.	93rd (I-205) to Sunnyside at 108th	2005	yes	0	0	5	1800	769
Clackamas	14	Sunnyside Rd.: 122nd Ave. to 152nd Ave.	122nd to 152nd	2005	yes	3	900	5	1800	136
Clackamas	14	Sunnyside Rd.: 108th Ave. to 122nd Ave.	108th to 122nd	2005	yes	3	900	5	1800	138
Clackamas		Webster Rd.: Theissen Rd.	add turn lane to Webster Street	2005	yes	2	900	3	1100	139
Clackamas	39	122nd Ave./129th Ave.: Sunnyside Rd. to King Rd.	Sunnyside to King Road	2015	yes	2	700	3	900	4021
Clackamas	10	122nd Ave.: Sunnyside Rd. to Hubbard Rd.	Sunnyside to Hubbard	2015	yes	2	700	3	900	122
Clackamas	61	Boones Ferry Rd.: I-5 to Country Club Dr.	I-5 to Country Club	2015	yes				+ 50	4060
Clackamas	12	Johnson Creek Blvd.: 45th Ave. to 82nd Ave.	45th to 82nd Avenue	2015	yes	2	900	3	1000	131
Clackamas	4	Monterey Ave. Overpass: Monterey Ave. to new Frontage Rd.	Over I-205 to frontage road	2015	yes	0	0	5	1800	133
Clackamas	11	Stafford Rd.: Borland Rd.	Stafford/Borland Road Intersection	2015	yes	2	1000	4	1200	134
Gresham		181st: I-84 to Gilsan Traffic Signal Optimization	181st: I-84 to Gilsan	2005	yes			add 50 capacity		4032
Gresham		1st St. (Bull Run Rd.): Burnside Rd. to 258th Ave.	Burnside to 257th	2005	yes	2	700	3	900	3
Gresham		Burnside Rd.: Eastman Pkwy to Powell Traffic Signal Opt.	Burnside: Eastman Pkwy to Powell	2005	yes			add 50 capacity		4033
Gresham		Civic Neighborhood Central Collector: Burnside Rd. to Division St.	Burnside to Division	2005	yes	0	0	2	500	4031
Multnomah	48	181st Ave.: I- 84 to Halsey St.	I-84 EB ramp to Halsey Street	2005	yes			3 (SB)	1800	4150
Multnomah	57	182nd Ave.: Division St. Intersection	Division Street	2005	yes				+100	4155
Multnomah	58	185th Ave.: Realignment	Sandy Boulevard	2005	yes					4171
Multnomah	59	202nd Ave./Birdsdale Ave.: Powell Blvd. Intersection	Powell Boulevard	2005	yes					4156
Multnomah	3	207th Connector: Halsey St. to 223rd Ave.	Halsey St to Gilsan St/223rd Ave	2005	yes	0	0	5	1800	864
Multnomah	60	223rd Ave./Fairview Ave.: Gilsan St. Intersection	Gilsan Street	2005	yes		2100			4157
Multnomah	6	223rd Ave.: Gilsan St. to Halsey St.	Gilsan St to Halsey St	2005	yes	3	900	5	1800	4
Multnomah	64	242nd Ave. (Hogan Dr.): Palmquist Rd. Intersection	Palmquist Road	2005	yes					4167
Multnomah	63	242nd Dr. (Hogan Dr.): Stark St. Intersection	Stark Street	2005	yes					4165
Multnomah		257th Ave. (Kane Rd.)/1st St. (Bull Run Rd.) Intersection	add left turn lanes on all three approaches	2005	yes	2	700	3	900	178
Multnomah	66	257th Ave. (Kane Rd.): Powell Valley Rd. Intersection	Powell Valley Road	2005	yes					4166
Multnomah	13	Cherry Park Rd.: 242nd Dr. to 257th Ave. (1996)	242nd Dr. to 257th Ave	2005	yes	3	1000	5	1800	180
Multnomah	19	Gilsan St.: 223rd Ave. to 242nd Ave.	223rd Ave to 242nd Dr	2005	yes	2	900	5	1800	24
Multnomah		Halsey St./223rd Ave. Intersection	add left turn lanes on all approaches	2005	yes	2	900	3	1000	177
Multnomah	4	Halsey St.: 190th Ave. to 207th Ave.	190th Ave to 207th Ave	2005	yes	2	900	5	1800	204
Multnomah	1	Halsey St.: 207th Ave. to 223rd Ave.	207th Ave to 223rd Ave	2005	yes	2	900	5	1800	25
Multnomah	24	Halsey St.: 223rd Ave. to 238th Dr.	223rd Ave to 238th Dr	2005	yes	2	900	3	1200	72
Multnomah	47	I- 84: 181st Ave. Interchange (2005)	Improvements to ramps and 181st	2005	yes					4149
Multnomah	11	Jenne Rd.: Foster Rd. to Powell Blvd.	2050' NE of Foster to 800' S of Powell	2005	yes	2	700	2	750	29
Multnomah		Orient Dr./257th Ave. Intersection	add SB left turn lane on Kane	2005	yes	2	700	3	800	176
Multnomah		Orient Dr./282nd Ave. Intersection	add turn lanes on all approaches	2005	yes	2	700	3	900	99991
Multnomah	49	Powell Blvd Widening: Gresham City Limits to Eastman Pkwy.	Gresham CL to Eastman	2005	yes	2		5		5060
Multnomah	49	Powell Blvd. Widening: Eastman Pkwy. to Gresham City Limits	Gresham CL to Eastman	2005	yes	2		5		5060
Multnomah	61	Regner Rd.: Roberts Ave. Intersection	Roberts Avenue	2005	yes					4158
Multnomah	2	Stark St.: 257th Ave. (Kane Rd.) to Troutdale Rd.	257th Ave. to Troutdale Rd	2005	yes	2	900	5	1800	99994
Multnomah	55	181st Ave.: Burnside St. Intersection	Burnside Street	2015	yes					4153
Multnomah	54	181st Ave.: Gilsan St. Intersection	Gilsan Street	2015	yes					4152
Multnomah	53	181st Ave.: Halsey St. Intersection	Halsey Street	2015	yes					4151

APPENDIX 3: FY 2000 MTIP Conformity Determination Network

Jurisdiction	RTP		Project Location	Network Yr	Able	Existing		Proposed		Atlas #
	No.	Project Name		Modeled	to Model	No.	Capacity	No.	Capacity	
Multnomah	58	181st Ave.: Stark St. Intersection	Stark Street	2015	yes					4154
Multnomah		242nd Ave.: Johnson Creek to Palmquist Rd.	Johnson Creek to Palmquist	2015	yes	3	900	5	1800	182
Multnomah	65	257th Ave. (Kane Rd.): Stark St. Intersection	Stark Street	2015	yes					4184
Multnomah	62	Burnside St.: Division St. Intersection	Division Street	2015	yes					4168
Multnomah		Division & Troutdale Rd.	add turn lanes on all approaches	2015	yes		700/900		800/1000	20
Multnomah		Division St.: 182nd Ave. to 257th Ave. (Kane Rd.)	Division: 182nd to 257th	2015	yes				add 50 capacity	4162
Multnomah		Division St.: 60th Ave. to 174th Ave.	Division: 60th to 174th COP	2015	yes				add 50 capacity	4159
Multnomah	68	Halsey St. & 238th Ave.	238th Avenue	2015	yes		900/1400		1200/1800	28
Multnomah		Powell Blvd.: 11th Ave. to 98th Ave.	Powell: 11th to 98th COP	2015	yes				add 50 capacity	4161
Multnomah		Sandy Blvd.: Burnside St. to 82nd Ave.	Sandy: Burnside to 82nd COP	2015	yes				add 50 capacity	4180
ODOT		207th Ave. Connector: Halsey St. to Sandy Blvd.	Halsey to Sandy	2005	yes		0		1800	8644
ODOT		Barnes Rd. Extension: Hwy. 217 to Cedar Hills Blvd.	Hwy 217 to Cedar Hills	2005	yes		0	WB	2800	37
ODOT		Boones Ferry Rd. Connector: Boones Ferry Rd. to Ridder Rd.	Boones Ferry to SW Ridder Road	2005	yes		0		900	47
ODOT		Canyon Rd.: 110th Ave. to 117th Ave.	110th to 117th	2005	yes		1800		2400	78
ODOT		Farmington Rd.: 172nd Ave. to Murray Blvd.	172nd to Murray	2005	yes		900		1800	201
ODOT		Forest Grove North Arterial: Hwy. 47 (Sunset Dr.) to Quince Rd.	Hwy 47 to Quince	2005	yes		0		1200	192
ODOT	116	Hwy. 217: NB off-ramp at Scholls Ferry Rd.	Hwy 217 NB off-ramp at Scholls	2005	yes	2 (1W)	1400	3	1600	4041
ODOT	113	Hwy. 217: U.S. 26 (Sunset Hwy.) to Canyon Rd.	Sunset to TV Hwy. NB (Canyon)	2005	yes	3 (1W)	5500	3 + aux	7200	258
ODOT		Hwy. 217: U.S. 26 (Sunset Hwy.) to Canyon Rd.	Hwy 28 to Canyon	2005	yes		5500	NB	7200	4174
ODOT		Hwy. 99E (McLoughlin Blvd.): Clatsop St. to Hwy. 224	Clatsop to Hwy 224	2005	yes		1800		3600	126
ODOT	140	Hwy. 99W (Pacific Hwy.): I-5 to Durham Rd.	I-5 to Durham Road	2005	yes				+ 50	4042
ODOT		I-5/Stafford Rd. Interchange		2005	yes		-		-	41
ODOT	7	I-5/Wilsonville Interchange	Wilsonville Interchange (Unit 2)	2005	yes		900		1800/2200	199
ODOT	7	I-5/Wilsonville Rd. Interchange	Wilsonville Interchange (Unit 2)	2005	yes		900		1800/2200	202
ODOT	9	I-5: Hwy. 217/Kruse Way Interchange Unit 1	At Hwy 217 (Unit 1)	2005	yes	varies		varies	+ 1000	807
ODOT		I-5: Multnomah Blvd. to Terwilliger Blvd.	Multnomah to Terwilliger	2005	yes		-		-	144
ODOT		I-84: 181st Ave. to 223rd Ave.	181st to 223rd	2005	yes		3700		6000	372
ODOT		Old Scholls Ferry Rd.: New Scholls Ferry Rd. to 175th Ave.	New Scholls to 175th	2005	yes		700		1200	804
ODOT		Ramp Metering I-205 (2005)	East Portland	2005	yes					4144
ODOT		Ramp Metering I-405 (2005)	Central City	2005	yes					4143
ODOT		Ramp Metering I-5: Metro Area (2005)	Metro area	2005	yes					4148
ODOT		Ramp Metering I-84 (2005)	East Portland	2005	yes					4147
ODOT		Tacoma St. : 17th Ave. to 32nd Ave.	17th to 32nd	2005	yes		700		900	42
ODOT		Tualatin Valley Hwy.: Shute Park to 21st Ave.	Shute Park to 21st (Hillsboro)	2005	yes		2100		2200	77
ODOT		U.S. 26 (Sunset Hwy.): Cedar Hills Blvd. Interchange to 76th Ave.	Cedar Hills Interchange to 76th	2005	yes		-		-	28
ODOT		U.S. 26 (Sunset Hwy.) Ramp Metering: Jefferson St. to Cornelius Pass Rd. (PM)	Jefferson to Cornelius Pass Road	2005	yes					4142
ODOT	50	U.S. 26 (Sunset Hwy.): Camelot Ct. to Sylvan Interchange	Camelot to Sylvan (Phase 3)	2005	yes	EB/WB	6600/6000	EB/WB	00+cd/4400+	149
ODOT		U.S. 26 (Sunset Hwy.): Zoo Interchange to Scholls Ferry Rd.	Zoo to Scholls	2005	yes		6000	WB	7000	150
ODOT		U.S. 26 (Sunset Hwy.): Zoo Interchange to Vista Ridge Tunnel	Zoo Interchange to Vista Ridge Tunnel	2005	yes		-		-	148
ODOT		Barnes Rd.: Hwy. 217 to Cedar Hills Blvd.	Hwy 217 to Cedar Hills	2015	yes	2	1200	3	1800	37
ODOT	59	Columbia Blvd. (U.S. 30 Bypass): Killingsworth St. at Columbia Blvd.	Killingsworth at Columbia	2015	yes				+ 200	4050
ODOT	114	Hwy. 217: Canyon Rd. to 72nd Ave.	TV Hwy to 72nd Ave Interchange	2015	yes	2 (1W)	4500	3 + aux	6000/7000	152
ODOT	37	I-205/Hwy. 224 Interchange	Clackamas (Sunrise) Interchange	2015	yes		-		-	164
ODOT	38	I-205: Powell Blvd. to Foster Rd.	Powell to Foster	2015	yes	3	6600	3 + aux	7600	4093
ODOT	8	I-5 / I-205 Interchange	Northbound I-205 exit	2015	yes	1 (1W)	2200	2 (1W)	3700	4035
ODOT	16	I-5: Greeley Ave. Ramps to N. Banfield Int.	Greeley to N. Banfield	2015	yes		varies		varies	143
ODOT	9	I-5: Hwy. 217/Kruse Way Interchange	At Hwy 217 (Unit 2)	2015	yes	varies		varies	+ 1000	55
ODOT	9	I-5: Hwy. 217/Kruse Way Interchange	At Hwy 217 (Unit 2)	2015	yes	varies		varies	+ 1000	65
ODOT	28	I-84: Troutdale Interchange to Jordan Interchange	Troutdale Intchg-Jordan Intchg	2015	yes	2 (1W)		2 + aux	+ 1000	4049
ODOT		I-5: Hwy. 217, Kruse Way Interchange Units 2 & 3		2015	yes		varies		varies	5048
ODOT	1	Mount Hood Parkway: I-84 to Hwy. 28	I-84 to US 28	2015	yes	0	0	4	4000	34
ODOT	69	Tualatin Valley Hwy.: 209th Ave. to Brookwood Ave.	209th to Brookwood	2015	yes		2100		2150	120
ODOT	47	U.S. 26 (Sunset Hwy.): Cornell Rd. to Bethany Blvd.	Cornell to Bethany	2015	yes				+ 50	4087
ODOT	49	U.S. 26 (Sunset Hwy.): Camelot Ct. to Hwy. 217	Highway 217 to Camelot	2015	yes	2 (EB)	4100	3(EB)	6600	154
ODOT	48	U.S. 26 (Sunset Hwy.): Hwy. 217 to Murray Rd.	Murray Road to Hwy 217	2015	yes	2	4500/4400	3 (1W)	6000/7000	155
ODOT/Clack	90	Hwy. 43 (Willamette Dr.): Jolie Pointe Rd.	Jolie Point Traffic Signal	2005	yes		1200		1250	73

APPENDIX 3: FY 2000 MTIP Conformity Determination Network

Jurisdiction	RTP		Project Location	Network Yr	Able to Model	Existing		Proposed		Atlas #
	No.	Project Name				No.	Capacity	No.	Capacity	
ODOT/Clack	81	Hwy. 43 (Riverside Dr.): Riverdale Rd. to Briarwood Rd.	Riverdale to Briarwood	2005	yes	3/5	1200/1800	3/5	1250/1850	4132
ODOT/Clack	83	Hwy. 43 (State St.): Terwilliger Blvd. Intersection	Terwilliger Intersection	2005	yes	2	1200	3	1300	4039
ODOT/Clack	85	Hwy. 43 (State St./Pacific Hwy.): McVey Ave.	McVey/Green Street Intersection	2005	yes	NB/SB	1200/1800	NB/SB	1300/1850	4048
ODOT/Clack	86	Hwy. 43 (Willamette Dr.): A St. Realignment	West 'A' Street Realignment - 50% share	2005	yes	n/a		n/a		4053
ODOT/Clack	82	Hwy. 43 (Willamette Dr.): Cedar Oak Dr. to Hidden Springs Rd.	Cedar Oak to Hidden Spring	2015	yes		1200	1250	+ 50	4038
ODOT/Clack	88	Hwy. 43 (Willamette Dr.): Falling St. Intersection	Falling Street	2015	yes				+ 50	4051
ODOT/Multnom	2	Orient Dr./257th Ave. (Kane Rd.): Palmquist Rd./Orient Dr.	Palmquist/Orient Intersection realignment	2005	yes				no cap change	4034
ODOT/Wash	78	Farmington Rd.: 209th Ave. to 172nd Ave.	209th Ave to 172nd Ave, 185th-172nd	2005	yes	2	900	3	1400/1800	200
ODOT/Wash	77	Beaverton-Hillsdale Hwy.: Scholls Ferry Rd./Oleson Rd.	Scholls Ferry/Oleson	2015	yes		500		550	4052
ODOT/Wash	71	Tualatin Valley Hwy.: 209th Ave. to 216th Ave.	209th/216th	2015	yes	0	0	3	900	4086
Port		Airport Way Eastbound: Portland International Airport to I - 205 (Phase 1)	PDX to I-205 Phase 1	2015	yes	2400	3	3000	1999	4055
Port		Airport Way Westbound: Portland International Airport to I - 205 (Phase 2)	PDX to I-205 Phase 2	2015	yes		2400		3000	4056
Port		Alderwood Ext.: Alderwood Rd. to Clark Rd.	Alderwood Street to Clark Road	2015	yes	0	3	900	1999	4058
Port		Going St. Rail Crossing	Going Street Rail Crossing	2015	yes		1800		2100	4059
Portland		10th Ave.: Lovejoy St. to Hoyt St.	NW 10th Ave. viaduct form Hoyt St. to Lovejoy	2005	yes					4127
Portland		148th Ave.: Marine Dr. to Sandy Blvd.	Marine Dr to Sandy 15th Ave./16th Ave. Decouple: Lloyd Blvd. (13th Ave.) to Tillmook St.	2005	yes	2	700	3	900	4043
Portland		15th Ave./16th Ave. Decouple: Lloyd Blvd. (13th Ave.) to Weidler St.		2005	yes					188
Portland		Columbia Blvd./Burgard St.: Intersection Improvement		2005	yes					4169
Portland	60	Columbia/Lombard: 42nd Ave. to 47th Ave. Connection	42nd Ave and 60th Ave connections"	2005	yes	2	700	3	900	4046
Portland		Convention Center Area Improvements		2005	yes		varies		varies	99
Portland		Hawthorne Bridge: Front Ave. SB on-ramp	Hawthorne Bridge on-ramp from southbound Front Ave.	2005	yes					4131
Portland		Hawthorne Bridge: Willamette River to Grand Ave.	Eastside Hawthorne Bridge between existing p	2005	yes					4130
Portland		Lovejoy St. Viaduct: Broadway Bridge to 14th Ave.	Lovejoy from Broadway Bridge to Nw 14th Ave.	2005	yes					4128
Portland		Moody St./Harrison St. Connector	New facility between Moody St. and Harrison St.	2005	yes	0	varies	4	900	173
Portland	28	River District/Lovejoy St. Ramp: 10th Ave. to 14th Ave.	Broadway Br to NW 14th	2005	yes	4	1400	5	1600	4054
Portland	42	17th Ave.- Milwaukie Ave. Connector	S. McLoughlin/17th-Milwaukie	2015	yes	0	0	2	700	4064
Portland	24	Broadway St./Weidler St. Corridor Realignment	I-5 to NE 28th	2015	yes	varies		varies		4044
Portland	19	Foster Rd.: 136th Ave. to the Portland city limits	136th to City Limits	2015	yes	2	900	3	1100	23
Portland	36	Garden Home Rd.: Multnomah Blvd.	Garden Home at Multnomah	2015	yes	2	700	3	900	4047
Portland	30	North Macadam Area Access	SW Macadam, River, Camruthers, Bancroft" (site is boun	2015	yes	0	0	2	700	171
Portland		NW 23rd Ave./Burnside Improvement		2015	yes		varies		700/1400	172
Portland		River District Access (Northwest Triangle)	Northwest Triangle	2015	yes		varies		varies	165
Portland	32	Water Ave. Extension: OMSI to Division Pl.	SE Division Place to OMSI	2015	yes	0	0	2	700	166
Portland		Columbia Blvd.: Alderwood Rd.		2015	yes					4170
Tri-Met		Baseline Rd. : 107th Ave. to 177th Ave.		2005	yes					68
Tri-Met		Westside LRT		2005	yes					99998
Tri-Met		Westside LRT (1997)		2005	yes					99995
Washington	3	112th Ave.: Cedar Hills Blvd. Interchange to Cornell Rd.	Cedar Hills Intrchg to Cornell	2005	yes	0	0	3	1200	813
Washington	4	143rd Ave.: West Union Rd. to Kaiser Rd.	West Union to Kaiser	2005	yes	0	0	3	900	812
Washington		170th Ave./173rd Ave.: Baseline Rd. to Walker Rd.	Baseline to Walker Rd	2005	yes		500/700		900	193
Washington	75	170th Ave.: Rigert Rd. to Alexander St.	Rigert to Alexander	2005	yes	2	700	3/5	900/1800	54
Washington	30	219th Ave.: Tualatin Valley Hwy. to Baseline Rd.	TV Highway to Baseline	2005	yes	2	900	3	1200	56
Washington		229th Ave./231st Ave.: Evergreen Rd. to Cornell Rd.	Evergreen to Cornell	2005	yes		700/900,		1200	57
Washington		28th Ave. between E. Main St. and Grant St.	28th Avenue between E. Main and Grant	2005	yes	2		3		5278
Washington		53rd: Elam Young Pkwy to Baseline	Widen to 3 lanes	2005	yes	2	700	3	900	
Washington		65th Ave./Sagert St. Intersection Improvement	65th Ave. and Sagert St. intersection	2005	Yes	2		3		5271
Washington		Allen Blvd.: Western Ave.	Allen/Western intersection	2005	yes	EB	1600	EB	1800	4113
Washington		Amberglenn Pkwy.: Quatama Rd./206th Ave. to Stuckl Blvd.	corner of Quatama/206th to Stuckl	2005	yes		0		900	821
Washington		Barnes Extension: Hwy. 217 to Cedar Hills 1995		2005	yes	1-way	0/2800	2-way	1200	4100
Washington		Barnes Rd. Extension: 117th Ave. to future 119th Ave.	117th to Future 119th	2005	yes		0	4	1200	64
Washington	17	Barnes Rd.: Saltzman Rd. at Cornell Rd. to future 119th Ave.	Saltzman @ Cornell to Future 119th	2005	yes			5	1800	4068
Washington	22	Baseline Rd.: 177th Ave. to 231st Ave.	177th to 231st	2005	yes	2	900	3	1200	105
Washington		Baseline Rd.: Brookwood Ave. to 231st Ave.	Brookwood Ave. to 231st	2005	yes	2	900	3	1200	69
Washington	29	Beef Bend Rd. Extension: Scholls Ferry Rd. to Hwy. 99W	Scholls Ferry to 99W	2005	yes	2	500/700/900	2	900	71

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Jurisdiction	RTP		Project Location	Network Yr	Able	Existing		Proposed		Atlas #
	No.	Project Name		Modeled	to Model	No.	Capacity	No.	Capacity	
Washington		Beef Bend Rd.: King Arthur Rd. to 131st Ave.	King Arthur to 131st	2005	yes		500		900	167
Washington		Bethany Blvd. Extension: West Union Rd. to Kaiser Rd.	West Union to Kaiser	2005	yes	0	0	3	900	809
Washington		Bonita Rd.: 72nd Ave. to Fanno Creek Bridge	72nd to Fanno Creek Bridge	2005	yes	2	700	3	900	4116
Washington		Boones Ferry Rd.: Alsea Dr./Blake St.	at Alsea/Blake	2005	yes	2	900	3	1100	4111
Washington	18	Brookwood Ave.: Hillsboro Airport to Baseline Rd.	Airport to Baseline	2005	yes	0/3	0/1200	3/5	900/1800	76
Washington		Butler Rd.: Shute Rd. to 231st Ave.	Butler Rd. from Shute Rd. to west of 229th Ave.	2005	yes	0		3		5277
Washington		Cedar Hills Blvd: Park Way	add turn lanes on Cedar Hills approaches	2005	yes		1800		1800	4114
Washington		Cornell Rd.: 158th Ave. to Bethany Blvd.	158th to Bethany Blvd	2005	yes		1200		2100	114
Washington		Cornell Rd.: 158th Ave. to Murray Blvd.	158th to Murray	2005	yes	2	900	3	1200	81
Washington		Cornell Rd.: Cornelius Pass Rd. to John Olsen Ave.	Cornelius Pass to John Olsen	2005	yes		700		2100	83
Washington		Cornell Rd.: John Olsen Ave. to 185th Ave.	John Olsen to 185th	2005	yes		900		2100	203
Washington	37	Cornell Rd.: Murray Blvd. to Saltzman Rd.	Murray to Saltzman	2005	yes	2	900	3	1200	4073
Washington		Davis Rd.: Murray Blvd. to 170th Ave.	Murray to 170th	2005	yes		700		900	84
Washington		Durham Rd.: Hall Blvd. to Boones Ferry Rd.	Hall to Boones Ferry	2005	yes	2	700	3	900	88
Washington		Evergreen Pkwy. Extension: Cornelius Pass Rd. to Shute Rd.	Cornelius Pass to Shute Road	2005	yes	0	0	5	1800	822
Washington	79	Evergreen Rd.: 25th Ave. to Glencoe Rd.	25th Ave. to Glencoe Rd.	2005	yes	2	900	3	1200	4078
Washington		Evergreen Rd.: Shute Rd. to Dawson Creek Dr.	Evergreen Rd. from Shute Rd. to Dawson Creek Drive	2005	yes	2		5		5276
Washington	51	Greenburg Rd.: Shady Ln. to Locust St.	Shady Lane to Locust	2005	yes	3	900	5	1800	97
Washington	41	Greenway Dr.: Hall Blvd.	Greenway/Hall intersection	2005	yes	NB	900	NB	1000	98
Washington		Hart Rd.: Murray Blvd. to 165th Ave.	Murray to 165th	2005	yes		700		900	101
Washington	85	Hwy. 47 (Sunset Dr.): University Ave. to Beal Rd.	University to Beal	2005	yes	2	700	3	900	127
Washington		Ibach Ct.: Boones Ferry Rd. to Grahams Ferry Rd.	Boones Ferry Rd - Graham Ferry Rd	2005	yes	2	700	3	900	4105
Washington		Laidlaw Rd. Extension: Kaiser Rd. to 168th Ave.	west from Kaiser Rd to 168th	2005	yes		0		900	811
Washington		Lombard Ave.: Broadway St. to Canyon Rd.	Broadway to Canyon	2005	yes	0	0	3	700	4118
Washington		Lombard Ave.: Broadway St. to Farmington Rd.	Broadway to Farmington Rd	2005	yes		700		900	104
Washington		Lombard Ave.: Canyon Rd. to Center St.	Canyon to Center Street	2005	yes	0	0	3	900	103
Washington		Main St.: 10th Ave. to Brookwood Ave.	10th to Brookwood	2005	yes	2	700	3	1200	89
Washington	78	Martin Rd. / Cornelius- Schefflin Rd. Realignment	realignment	2005	yes	2	700	2	800	4102
Washington	62	Millikan Way Extension: Hocken Ave. to Cedar Hills Blvd.	Cedar Hills to Hocken	2005	yes	0	0	3	900	94
Washington	26	Murray Blvd.: Science Park Dr. to Cornell Rd.	Science Park Drive to Cornell	2005	yes	3	900	5	2100	108
Washington	93	Murray Blvd.: TV Hwy. to Allen Blvd.		2005	Yes	2.50	2400.00	2.50	2450	109
Washington		Nyberg Rd. Ext.: 65th Ave. to 50th Ave.	65th to 50th	2005	yes		0		700	4115
Washington		Oregon St.: Tualatin- Sherwood Rd. to Murdock Rd.	Tualatin Sherwood to Murdock	2005	yes	2	900	3	1000	4120
Washington		Sexton Mountain Dr.: 155th Ave. to Murray Blvd.	155th to Murray	2005	yes		0		900	116
Washington		Springville Rd.: 185th Ave. to Portland Community College	185th to PCC access	2005	yes		500		700	814
Washington		Taylor's Ferry Rd.: Oleson Rd. to Washington Dr.	Oleson to Washington Drive	2005	yes		0		900	117
Washington	98	Tualatin Rd.: Boones Ferry Rd. to 115th Ave.	Tualatin Rd.: and Boones Ferry Rd. to 115th Ave.	2005	yes		700		900	189
Washington		Tualatin Rd.: Railroad tracks to Boones Ferry Rd.	RR to Boones	2005	yes	2	500	3	700	4104
Washington		Walker Rd.: Stuckl Rd./185th Ave. to Cornell Rd.	Stuckl Ave./185th Ave. to Cornell	2005	yes		0		1800	4125
Washington		Walnut St.: 121st Ave. to 135th Ave.	121st to 135th	2005	yes	2	500	3	700	4119
Washington	5	124th Ave.: Hwy. 99W (Pacific Hwy.) to Tualatin- Sherwood Rd.	99W to Tualatin-Sherwood	2015	yes	0	0	3	900	188
Washington	38	158th Ave.: Jenkins Rd. to Baseline Rd.	Jenkins Rd. to Baseline	2015	yes	3	900	5	1800	920
Washington	83	170th Ave.: Alexander Rd. to Baseline Rd.	Alexander to Baseline	2015	yes	2	700	3	900	4075
Washington	73	185th Ave.: Tualatin Valley Hwy. to Farmington Rd.	T.V. Hwy. to Farmington	2015	yes	2	900	3	1200	4077
Washington	105	185th Ave.: West Union Rd. to Springville Rd.	West Union to Springville	2015	yes	2	700	3	900	4103
Washington	18	216th Ave.: Baseline Rd. to Cornell Rd.	Baseline to Cornell	2015	yes	2	900	5	2100	4067
Washington	40	Allen Blvd.: Hwy. 217 to Western Ave.	217 to Western	2015	yes	4	1600	5	1800	59
Washington		Allen Blvd.: Murray Blvd. to Menlo Dr.		2015	yes					4101
Washington	19	Barnes Rd.: Miller Rd. to Leahy Rd.	Miller to Leahy	2015	yes	2	900	5	1800	66
Washington	15	Barnes Rd.: Miller Rd. to the Multnomah County line	Miller to Mult. Co. Line	2015	yes	2	900	5	1800	4074
Washington		Barnes Rd.: Suntek to Miller Rd.	Suntek (near St Vincents) to Miller	2015	yes		1800/2100		+ 50	4107
Washington	24	Baseline Rd.: Lisa Dr. to 216th Ave.	Lisa to 216th	2015	yes	2	900	5	1800	4071
Washington		Beef Bend Rd.: 131st Ave. to 150th Ave.	131st to 150th	2015	yes		500		900	190
Washington	34	Bethany Blvd.: Bronson Rd. to West Union Rd.	Bronson to W. Union	2015	yes	2		5	1800	4072
Washington	9	Cornelius Pass Rd.: U.S. 26 (Sunset Hwy.) to West Union Rd.	Sunset Hwy. to West Union	2015	yes	2	00/1200/150	5	2400	80
Washington	8	Cornell Rd.: 179th Ave. to Bethany Blvd.	179th to Bethany	2015	yes	3	900	5	1800	82

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Jurisdiction	RTP No.	Project Name	Project Location	Network Yr	Able	Existing		Proposed		Atlas #
				Modeled	to Model	No.	Capacity	No.	Capacity	
Washington	12	Cornell Rd.: 185th Ave. to Shute Rd.	185th to Shute	2015	yes	5	2100	7	2900	4066
Washington	11	Cornell Rd.: Arrington Rd. to Baseline St./Main St.	Arrington to Baseline/Main	2015	yes	2	1400	5	1800	4065
Washington	20	Cornell Rd.: Saltzman Rd. to the Multnomah County line	Saltzman to Mult. Co. Line	2015	yes	2	900	3	1200	4069
Washington	25	Cornell Rd.: U.S. 26 (Sunset Hwy.) to Saltzman Rd.	Hwy. 26 to Saltzman	2015	yes	2	900	5	1800	4070
Washington	48	E/W Arterial: 117th Ave. to 110th Ave.	117th to 110th	2015	yes	0	0	5	1800	91
Washington	60	E/W Arterial: Cedar Hills Blvd. to Watson Ave. /Hall Blvd.	Cedar Hills to Watson/Hall	2015	yes	0	0	5	1800	92
Washington	50	E/W Arterial: Hall Blvd. to 117th Ave.	Hall to 117th	2015	yes	0	0	5	1800	93
Washington	52	E/W Arterial: Hocken Ave. to Murray Blvd.	Hocken to Murray	2015	yes	2	700	5	1800	95
Washington		E/W Connector between 231st Ave., Cornelius Pass Rd., Cornell Rd. and Baseline	Between 231st Ave and Cornelius Pass Rd.	2015	yes	0		3		5279
Washington	92	Evergreen Rd.: Shute Rd. to 25th Ave.	Shute to 25th	2015	yes	2	900	3	1200	969
Washington	80	Glencoe Rd. (1st Ave.): Lincoln Rd. to Evergreen Rd.	Lincoln to Evergreen	2015	yes	2	900	3	1100	4079
Washington	66	Jenkins Rd.: Cedar Hills Blvd. to Murray Blvd.	Cedar Hills to Murray	2015	yes	2	700	3	900	4076
Washington	21	Jenkins Rd.: Murray Blvd. to 158th Ave.	Murray to 158th	2015	yes	3	700	5	1800	102
Washington		Murray Blvd.: Farmington Rd. to Millikan Blvd.	Farmington to Millikan	2015	yes		2400		+ 50	4112
Washington		Murray Blvd.: U.S. 26 (Sunset Hwy.) to Cornell Rd.	Hwy 26 to Cornell	2015	yes		2100		+ 50	4108
Washington		Nora Rd.: 155th Ave. to Weir Rd.	155th to Weir	2015	yes		500		700	111
Washington	7	Old Scholls Ferry Rd.: Murray Blvd. to Beef Bend Rd.	Murray to Beef Bend	2015	yes	2	900/1800	5	1800	113
Washington		Scholls Ferry Rd.: Nimbus Ave. to Hwy. 217	Nimbus to Highway 217	2015	yes		2700		+ 50	4106
Washington		Traffic Signal Coordination, Phase 2	Boones Ferry Rd./Tualatin-sherwood Rd & Tualatin-She	2015	yes			FR; 6=Kmart	777	5272
Washington		Tualatin Rd. Realignment: Hwy. 99W and 124th Ave.	hwy 99W (Pacific Hwy) and Tualatin Rd.	2015	yes			Hwy 99W=5; 124th Ave.=5; (new)Tualatin		5269
Washington	35	Walker Rd.: Murray Blvd. to 185th Ave.	Murray to 185th	2015	yes	2	800	5	1800	815
Washington	33	Walker Rd.: Stuckl to 185th	Stuckl to 185th	2015	yes	2	800	5	1800	121
Washington	102	Walker Rd.: Westfield Ave. to Murray Blvd.	Westfield to Murray	2015	yes	2	800	3	900	195
	WBL1	Cornell Rd.: Trail Ave. / Saltzman	ROW for boulevard design	2005	yes		1200		1000	
	MBL1	Division St.: Walulla / Kelly	Boulevard Design	2005	yes		1800		1600	
	CBI2	Fuller Rd.: Harmony / King	widen Fuller to 3 lanes to Monroe; ped access only to K	2005	yes		700		900	
	WBI2	Hall Blvd: 12th / Allen	Increase capacity on Hall approaches to Allen	2005	yes		1400/1800		1500/1800	
	WBL6	Hall Blvd: Cedar Hills / Hocken	PE only - extend Hall as 3 lanes	2005	yes				900	
	CBL1	Harmony Rd.: 82nd / Fuller	Boulevard Design	2005	yes		1200		1000	
	CM14	Hwy. 213 Interchange: Beaver Creek Rd. - Phase 1	Add dual left turn from EB Beaver Creek to NB 213	2005	yes		900		1200	4040
	PF1	Lower Albina Railroad Crossing	Interstate Ave. to Russell St.	2005	yes					4500
	WBL2	Main St.: 10th/20th Cornelius	Boulevard Design - Phase 1	2005	yes		1400		1200	
	PF2	Marine Dr.: I-5 to North Rivergate Section	Rivergate to I-5	2005	yes	2	1200	4	2400	4084
	CBL3	McLoughlin: Harrison/SPRR Xing	Boulevard Design	2005	yes		1800		1600	
	PBI1	Morrison Bridge Bikelanes	Morrison Bridge between SW Second Ave. and SE Wal	2005	yes	EB	3600	EB	2400	5212
	WM5	Murray Blvd.: Millikan Way to Terman Rd.	Murray overcrossing	2005	yes		900		1650	106
	PR10	Naito Pkwy: Davis/Market	Boulevard Design	2005	yes		1400/1900		1200/1700	
	WM13	SE 10th: E Main/SE Baseline - Hillsboro	PE only - SB right turn lane	2005	yes	SB	2100	SB	2300	
	WM19	SW Greenburg Rd: Washington Square / Tiedeman	PE only - widen to 5 lanes / boulevard enhancements	2005	yes		varies		varies	
	WM1	Farmington Rd.: Hocken / Murray	PE only - widen to 5 lanes	2015	yes		1400		1800	
	CM14	Hwy. 213 Interchange: Beaver Creek Rd. - Phase 2	Beaver Creek Road (diamond interch)	2015	yes		1800		2400	4040
	WM17	I-5/Nyberg Interchange	PE/ROW - widen onramp & SB off ramp	2015	yes		varies		varies	
	MM3	Railroad Bridge Overcrossing: over 223rd Ave., near I-84	(PE ROW) Over 223rd Ave near I-84	2015	Yes	2	700	3	900	5058
	WBL2	Main St.: 10th/20th Cornelius	Boulevard Design - Phase 2 (widen to 3 lanes)	2021	yes		1200		1900	
	MM1	207th Connector: HalsEy/Gilsan			no					
	PBI2b	Burnside Electrical			no					
	PP2	Capitol Hwy: Bertha/Bvtn Hisd.			no					
	WP7	Cedar Hills: Walker/Butner			no					
	CM7	Clack Co ITS/ATMS			no					
	CBI7	Clack Reg Ctr. Trail			no					
	RP1g1	Core Reg. Planning Program			no					
	WBI5	Cornell Rd. Elam Young/Ray			no					
	PBI6a	E. Bank Trail -OMSI/Springwater			no					
	PBI6b	E. Bank Trail -Phase2 (ROW Only)			no					
	TDM3	ECO Information Clearinghouse			no					
	WBI10	Fanno Creek Trail Phase 2 (PE/RW7)			no					

APPENDIX 3: FY 2000 MTIP Conformity Determination Network

Jurisdiction	RTP		Project Location	Network Yr	Able	Existing		Proposed		Atlas #
	No.	Project Name		Modeled	to Model	No.	Capacity	No.	Capacity	
	WB11	Fanno Creek: Allen/Denney			no					
	PB19	Greeley/Interstate			no					
	MM7	Gresham Mult Co. ITS			no					
	MB11	Gresham/Fairview Trail			no					
	CM2	Harmony/Linwood/Railroad Ave. PE			no					
	PBL1	Hawthorne: 20th/55th			no					
	RPlg6	I-5 Trade Corridor Study			no					
	CR2	Johnson Crk. Blvd.:36th/45th			no					
	RTOD1	Metro TOD Program			no					
	PM6	MLK/Interstate ITS			no					
	PBr2a	Morrison Electrical			no					
	TE3	NE 47th Environmental Restoration			no					
	RPlg5	OPB Pilot			no					
	CB13	Phillip Creek Greenway Trail			no					
	TE1	Pioneer Courthouse			no					
	TDM2	Portland Area Telecommuting			no					
	PM1	Portland Arterial/Frwy ITS			no					
	TE2	Portland Bike Signage			no					
	PP5	Red Electric Line: Will Prk/Oleson			no					
	RTr1	Reg. Contribution for Bus Purchase			no					
	TDM4	Region 2040 Initiatives			no					
	RPlg3	Regional Freight Program Analysis			no					
	TDM1	Regional TDM Program			no					
	CP1	Scott Creek Lane Ped Path			no					
	PM10	SE Foster Rd./Kelly Creek			no					
	WP4	Sentinel Plaza: Cornell/Cedar Hills/113th			no					
	Rtr2	Service Increase for Reg/T.C. TCL			no					
	TDM6	SMART TDM Program			no					
	CM5	Sunnyside Rd./ML Scott Creek			no					
	WP5	SW 170th: Merlo/Elmonica LRT Station			no					
	TDM5	TMA Assistance Program			no					
	CB19	Town Cntr. Park: Bike/Ped Connection			no					
	PBL3	W. Burnside: Brdg/NW 23rd			no					
	WM4	Wash. Co. ATMS			no					
	WTr2	Wash. Co. Bus Stop Enhancement Program			no					
	WTR1	Wash. Co. Commuter Rail			no					
	CTr2	Will Shoreline Trestle/Track Repair			no					
	CBL2	Willamette Dr. - A St. / McKillican	PE only - widen, but add boulevard design		no					
	CBI10	Wilsonville: Boeckman/Town Center Loop			no					

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2868 FOR THE PURPOSE OF ADOPTING THE PORTLAND AREA AIR QUALITY CONFORMITY DETERMINATION FOR THE FY 2000 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM

Date: November 3, 1999

Presented by: Andrew Cotugno

PROPOSED ACTION

Approval of this resolution would adopt a regional air quality conformity Determination for the FY 2000-2003 Metropolitan Transportation Improvement Program (MTIP), including revision of the alignment, terminus and timing of the Interstate MAX and South Corridor light rail system extension projects.

BACKGROUND AND ANALYSIS

By Resolution No. 99-2830, Metro approved the FY 2000 MTIP in September of this year. Funding was provided for several projects and project phases whose scope, concept and timing differ significantly from those analyzed in the previous air quality conformity determination approved by FTA/FHWA/EPA in October 1998. None of the projects, though, result from or require amendment of the 1995 *Regional Transportation Plan*; the RTP has not been amended and does not itself require re-determination of conformity.

In addition to the MTIP approval, Metro has also formally approved alteration of the timing, alignment and scope of the South/North light rail project. A North Corridor component, the Interstate MAX project, will hopefully obtain a Full-Funding Grant Agreement by early next year. Funding for the Interstate MAX project is approved in the MTIP. The South Corridor extension has been delayed. These changes to the region's next light rail project trigger the need for a conformity Determination.

The Determination is composed of both a *Qualitative* and *Quantitative* Analysis. Exhibit 1 of the resolution contains the qualitative discussion mandated in the State Rule. The *Quantitative* Analysis consists of determining, through analytic methods, whether the region's auto emissions exceed budgets established in the region's approved maintenance plan. The results of this analysis are included in Exhibit 1.

TW:rmb

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November 4, 1999

Comments to Metro Council Regarding Washington County Agriculture

Marcus Simantel
2024 SW Howards Way #204
Portland OR 97201
503-219-9211

Having been involved in Washington County agriculture in one way or another since I was old enough to gather the eggs, I would like to make a few comments about Washington County agriculture as I see it today.

I would like to be able to say it is alive and well, but although it certainly continues to contribute substantially to the county's and the state's economic engine, it is currently suffering from low commodity prices, as is ag across the nation. Our great diversity in farm crops is both saving us as well as hurting us as it is the main commodity producers, wheat, corn, and soybean growers that get the most government help during hard times.

But Washington County farmers have two big things going for them.

First, we have the Tualatin Valley Irrigation District (Scoggins Dam - Haag Lake) which has provided water to thousands of acres of farmland at an affordable cost. That water supply has allowed farmers in western Washington County to plant high value crops, hence the large increase in nurseries in the valley, and other crops such as blueberries, sweet corn, and flower and bulb crops. Most of these crops are very labor intensive to produce.

Second, we have been blessed with a dedicated and skilled workforce which makes it possible to grow these crops. I believe our work force stays with us because we are able to pay somewhat better than average wages due to the kind of crops we can grow.

But here is our number one difficulty. Our land base continues to shrink, to the point we are seeing farmer flight. When farmland sells for eight to ten thousand dollars per acre there is no way for the farmer to make a go of it, except for the very highest value crops.

One thing that needs to happen to keep ag alive, and hopefully well, in Washington County, is to see that the urban growth boundary expansions take no more farmland. We need to keep our land base at that critical mass necessary to keep farmers, and suppliers of farm supplies and services, from moving to greener pastures. Such action will also slowly convince the land speculators that farmland will remain farmland, and thereby moderate the cost of farmland.

The most help you as a regional governing body can give us in the ag community is to have the political will to hold the line.

I thank you, and I thank you for your efforts on behalf of metro area farmers.