



**METRO**

**Agenda**

MEETING: METRO COUNCIL  
DATE: June 14, 2007  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

**1. INTRODUCTIONS**

**2. CITIZEN COMMUNICATIONS**

**3. CONSENT AGENDA**

- 3.1 Consideration of Minutes for the June 7, 2007 Metro Council Regular Meeting.
- 3.2 **Resolution No. 07-3818**, For the Purpose of Amending the FY 2007-08 Unified Planning Work Program.
- 3.3 **Resolution No. 07-3821**, For the purpose of Approving a Sole Source Contract for a Performance Measurement Consultant.

**4. ORDINANCES – FIRST READING**

- 4.1 **Ordinance No. 07-1156**, For the Purpose of Amending the FY 2006-07 Budget and Appropriations Schedule by Transferring \$250,000 from Contingency to Personal Services and Materials and Services for the Oregon Zoo, and Declaring an Emergency.

**5. ORDINANCES - SECOND READING**

- 5.1 **Ordinance No. 07-1144A**, Adopting the Annual Budget for Fiscal Year 2007-08, Making Appropriations, Levying Ad Valorem Taxes, and Declaring an Emergency (*Public Hearing and Budget Amendments*). Bragdon

**6. RESOLUTIONS**

- 6.1 **Resolution No. 07-3822**, For the Purpose of Confirming the Council President's Appointment of Yvonne J. McLain to the Metropolitan Exposition-Recreation Commission. Burkholder

6.2 **Resolution No. 07-3807**, For the Purpose of Entering an Order Relating to the Bradley K. and Cynthia J. Toman Claim for Compensation Under ORS 197.352 (Measure 37)

7. **CHIEF OPERATING OFFICER COMMUNICATION**

8. **COUNCILOR COMMUNICATION**

**ADJOURN**

**Television schedule for June 14, 2007 Metro Council meeting**

<b>Clackamas, Multnomah and Washington counties, and Vancouver, Wash.</b> Channel 11 -- Community Access Network <a href="http://www.tvctv.org">www.tvctv.org</a> -- (503) 629-8534 2 p.m. Thursday, June 14 (live)	<b>Portland</b> Channel 30 (CityNet 30) -- Portland Community Media <a href="http://www.pcmv.org">www.pcmv.org</a> -- (503) 288-1515 8:30 p.m. Sunday, June 17 2 p.m. Monday, June 18
<b>Gresham</b> Channel 30 -- MCTV <a href="http://www.mctv.org">www.mctv.org</a> -- (503) 491-7636 2 p.m. Monday, June 18	<b>Washington County</b> Channel 30 -- TVC-TV <a href="http://www.tvctv.org">www.tvctv.org</a> -- (503) 629-8534 11 p.m. Saturday, June 16 11 p.m. Sunday, June 17 6 a.m. Tuesday, June 19 4 p.m. Wednesday, June 20
<b>Oregon City, Gladstone</b> Channel 28 -- Willamette Falls Television <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> -- (503) 650-0275 Call or visit website for program times.	<b>West Linn</b> Channel 30 -- Willamette Falls Television <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> -- (503) 650-0275 Call or visit website for program times.

**PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.**

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, (503) 797-1542. Public hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website [www.metro-region.org](http://www.metro-region.org) and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE )  
FY2007-08 UNIFIED PLANNING WORK )  
PROGRAM )

RESOLUTION NO. 07-3818

Introduced by Michael Jordan, COO in  
concurrence with Council President Bragdon

WHEREAS, the FY2007-08 Unified Planning Work Program (UPWP), describes all federally-funded transportation planning activities for the Portland-Vancouver metropolitan area to be conducted in FY2008; and

WHEREAS, since adoption of the FY2007-08 UPWP, Council and JPACT have expanded the Regional Transportation Plan (RTP) work program that was included in the FY2007-08 UPWP, and the schedule for completing activities under the expanded RTP work program requires extension;

WHEREAS, Planning staff and resources have been reallocated to offset the increased expenses from the expanded RTP work program; and

WHEREAS, revised FY2007-08 UPWP narratives and a revised UPWP Funding Summary are attached hereto as Exhibit A; now therefore

BE IT RESOLVED, that the Metro Council hereby approves and authorizes the following FY2007-08 UPWP Amendment:

1. Expanding the FY2007-08 RTP work program to include additional activities and products;
2. Extending the schedule for completing activities under the expanded RTP work program; and
3. Amending the UPWP Funding Summary and related program narratives to reflect the reallocation of staff and resources.

ADOPTED by the Metro Council this \_\_\_\_\_ day of June 2007.

\_\_\_\_\_  
David Bragdon, Council President

Approved as to form:

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

**REGIONAL TRANSPORTATION PLAN**

The Regional Transportation Plan (RTP) is the long-term vision for the transportation system in the Portland metropolitan region. The RTP establishes the policy framework to guide the design, management and governance of all major transportation investments, and is a statement of positive future outcomes that reflect public opinion and support the things the residents of the region most value. The RTP is updated regularly to ensure compliance with state and federal regulations, and to reflect changing demographic, financial, travel and economic trends and any subsequent changes in the region's transportation needs. The 2004 RTP established necessary updates to the projects and policies to ensure continued compliance with federal regulations. The current update to the RTP reflects the continued evolution of regional transportation planning from a primarily project-driven endeavor to one that is framed by the larger set of outcomes that affect people's everyday lives and the quality of life in this region. Local transportation plans in the region must conform to the RTP under provisions of the Oregon Transportation Planning Rule (TPR). Metro provides ongoing technical and policy support for local transportation planning activities. The RTP program provides support to land use planning activities in the region, including urban growth boundary expansion area planning and the New Look planning process, to ensure adequate coordination of land use and transportation planning and implementation efforts. The RTP Program also coordinates with special needs transportation planning efforts and corridor studies conducted in cooperation with the state, transit providers and local jurisdictions for highways, roads and transit. Recommendations from these studies are amended into the RTP as appropriate.

**MANDATES, AUTHORIZATIONS, CONSTRAINTS**

The RTP responds to both state and federal mandates, but also carries out a broad range of regional planning objectives for implementing the 2040 Growth Concept. The following are mandates for the upcoming fiscal year:

RTP Update: An update began in Fall 2005, with completion of federal requirements anticipated in late 2007, prior to the March 5, 2008 lapse date for the current RTP, and completion of a "state" element that responds to Oregon's Transportation Planning Rule by June 2008. Amendments identified in local and regional corridor planning efforts will be incorporated as well as a new horizon year of 2035 for project planning and systems analysis. It also will reestablish conformity with air quality regulations, and all other planning factors called out in federal regulations and in corrective actions identified in the 2004 federal triennial review that have not already been addressed through separate actions.

The update will address planning provisions in the Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) and 2006 amendments to the Oregon TPR and Oregon Transportation Plan. This update will include development of a new financially constrained transportation system that will become the basis for future funding allocations through the Transportation Priorities process and amendments to the Metropolitan Transportation Improvement Program and State Transportation Improvement Program. A Regional Freight and Goods Movement Plan is also being developed as part of the RTP update. Recommendations from this planning effort will be integrated in the 2035 RTP. To the extent possible, this update will also implement policies recommended by the "New Look" planning process to better implement and achieve the 2040 Growth Concept vision for the Portland metropolitan region. New Look recommendations developed after adoption of the 2035 RTP will be addressed through future updates to the RTP.

Local Transportation System Plan (TSP) Support: Metro will continue to work closely with local jurisdictions during the next fiscal year to ensure regional policies and projects are enacted through local plans. This work element will include the following activities:

- Professional support for technical analysis and modeling required as part of local plan updates;
- Professional support at the local level to assist in development of local policies, programs and regulations that implement the RTP;
- Written and spoken testimony in support of proposed amendments to local plans; and
- Provide public information and formal presentations to local government committees, commissions and elected bodies as well as interested citizen, civic and business groups on the RTP.

Management Systems: The federally mandated Congestion Management Process (CMP) was first incorporated into the RTP as part of the 2000 update, and the CMP will be expanded as part of the current update to incorporate new recommendations from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). The updated RTP will implement a CMP Roadmap that responds to federal corrective actions identified during the 2004 triennial review. Key activities for FY2007-08 will implement processes that incorporate CMP information into planning activities, continue system monitoring based upon management-system performance measures, complete local project review for consistency with the CMP and ongoing data collection, and input to keep the CMP current. As part of the CMP work program, Metro will also facilitate a steering group of key CMP partners, including Portland State University, Oregon Department of Transportation (ODOT), TriMet and other major transportation providers. On-going implementation of the CMP also occurs through the Metropolitan Transportation Improvement Program (MTIP)

Regional Transportation and Information: An “annual report” on transportation will be prepared detailing RTP goals and performance of the regional transportation system in achieving those goals and associated key objectives. The report will list information and data commonly requested by the public and media, including supporting text and graphics. Data collected as part of the CMP will also be incorporated into this report. The report will include a user-friendly, public-release version that will be electronically accessible on the web as well as a Technical Appendix. This objective will be completed in coordination with the 2040 Performance Indicators project.

Public Involvement: Metro will continue to provide an ongoing presence with local citizen, civic and business groups and other stakeholders interested in the RTP as well as public agencies involved in local plan updates. The adopted public participation plan for the RTP update includes a number of best practices for effective involvement of stakeholders throughout the process. To ensure ongoing and effective engagement during the current RTP update in FY2007-08, a number of targeted outreach activities will be utilized:

- Ongoing public involvement efforts will include an integrated electronic web site, including survey instruments and other online forums to ensure easy access to information about key milestones and decision points, reports and documents and other relevant process and planning issues.
- Ongoing presentations and speaking engagements with neighborhood, business and community groups to inform stakeholders about the RTP update process and opportunities for input.
- A 30-day comment period is planned in October-November 2007 to provide an opportunity for public input on a discussion draft 2035 RTP that addresses federal requirements. A 30-day comment period is planned for the Air Quality Conformity Determination report in January 2008. A 45-day comment period is planned in May-June 2008 to provide an opportunity for public input on a second discussion draft 2035 RTP that addresses both state and federal requirements. Opportunities for comment will be provided through Metro’s website, at public hearings and by mail, email and fax.
- Opportunities for comment will be provided through Metro’s website, at public hearings and by mail, email and fax.
- Consultation on environmental mitigation activities identified in the RTP update will occur with the Collaborative Environmental and Transportation Agreement for Streamlining (CETAS), a committee comprised of ODOT and ten state and federal transportation, natural resource, cultural resource, and land-use planning agencies. The agencies include Oregon’s Department of Land Conservation and Development (DLCD), EPA, FHWA, National Marine Fisheries Service (NMFS), Oregon Department of Environmental Quality (ODEQ), Oregon Department of Fish and Wildlife (ODFW), Oregon State Historic Preservation Office, Oregon Division of State Lands (ODSL), Army Corps of Engineers, and U.S. Fish and Wildlife Service (USFWS).

Special Needs Transportation and Transit Planning: Metro will assist public, non-profit organizations and local jurisdictions that provide public transit service in development of their short-medium- and long-range transit plans, including:

- Assist transit operators in meeting service requirements mandated by the Americans with Disabilities Act (ADA), Title VI the Civil Rights Act and other federal requirements.

**I. TRANSPORTATION PLANNING****REGIONAL TRANSPORTATION PLAN**

- Provide guidance to transit operators and local jurisdictions regarding potential federal, state and local funding sources.
- Assist transit providers in implementation of the Tri-County Elderly and Disabled (E&D) Transportation Plan and related elements of the RTP.
- Coordinate right-of-way management issues with the other agency and local jurisdiction members of the Willamette Shoreline Consortium.

**STAKEHOLDERS**

- Metro Council
- Regional partner agencies and members of the public
- Metro Committee for Citizen Involvement (MCCI)
- Transportation Policy Alternatives Committee (TPAC)
- Metro Technical Advisory Committee (MTAC)
- Joint Policy Advisory Committee on Transportation (JPACT)
- Metro Policy Advisory Committee (MPAC)
- Regional Transportation Council (RTC) of metropolitan Clark County, Washington
- Adjacent planning organizations, including Mid-Willamette Area Commission on Transportation (MWACT) and Northwest Area Commission on Transportation (NWACT)
- Area transit providers, including TriMet, South Metro Area Rapid Transit (SMART) and C-TRAN
- Port districts, including Port of Portland and Port of Vancouver
- FHWA
- FTA
- ODOT
- OTC
- DLCD
- Collaborative Environmental and Transportation Agreement for Streamlining (CETAS) Committee
- Willamette Shoreline Consortium
- Metro Regional Freight Technical Advisory Committee
- Metro Regional Freight Task Force
- Organizations serving minority, elderly, disabled and non-English speaking residents needs

**OBJECTIVES**

- Develop regular RTP updates or amendments to reflect changing conditions, including demographic and economic trends, new regulations and study results and to maintain consistency between state, regional and local plans. (ONGOING)
- Expand the web presence of the RTP to include a public forum and implementation tools. This will be conducted jointly by Metro staff and Consultant. (ONGOING)
- Coordinate and provide technical assistance in local transportation system plan development and adoption to implement RTP policies and requirements. (ONGOING)
- Continue to coordinate regional corridor refinement plans identified within the RTP with ODOT's Corridor Studies and amend corridor study recommendations into RTP. (ONGOING)
- Maintain project and financial plan database consistent with changes in population and employment forecasts, travel-demand projections for people and goods, cost (including operations and maintenance) and revenue estimates and amendments to local comprehensive plans. (ONGOING)
- Participation in meetings of the Special Transportation Fund Advisory Committee and development of the Regional Transportation Coordinating Council of the Elderly and Disabled Transportation Plan as a SAFETEA-LU compliant, coordinated human services and public transportation plan integrated into the 2035 RTP update. (ONGOING)

**I. TRANSPORTATION PLANNING****REGIONAL TRANSPORTATION PLAN**

- Continue to work with the Special Transportation Fund Advisory Committee to advise TriMet as the governing body on the use of State of Oregon Special Transportation Formula and Discretionary Funds. (ONGOING)
- Assist TriMet, Ride Connection and other paratransit providers in developing and implementing productivity improvements. (ONGOING)
- Coordinate a CMP steering group to oversee CMP program development and incorporation of CMP data into the RTP process. (ONGOING)
- Management of consultant team in accordance with the defined work program, budget and schedule for the 2035 RTP. (FIRST THROUGH FOURTH QUARTERS OF 2007-08)
- Analyze transportation funding trends and options to update *financially constrained* revenue forecast and develop recommended finance strategy. This work will be conducted by Consultant. (FIRST THROUGH FOURTH QUARTERS)
- Discuss environmental mitigation activities in the RTP update and consult with CETAS representatives, including land use management, natural resources, environmental protection, conservation, and historic preservation as required by SAFETEA-LU. (SECOND QUARTER)
- Plan for and facilitate 30-day comment period for affected stakeholders and the general public to provide input on a discussion draft 2035 RTP that addresses federal requirements. This will be conducted jointly by Metro staff and Consultant. (FIRST AND SECOND QUARTERS)
- Plan for and facilitate 45-day comment period for affected stakeholders and the general public to provide input on a discussion draft 2035 RTP that addresses state and federal requirements. This will be conducted jointly by Metro staff and Consultant. (FOURTH QUARTER)
- Plan for and facilitate a 30-day comment period for the 2035 RTP Air Quality Conformity Determination report. (THIRD AND FOURTH QUARTERS)
- Consult with Oregon Transportation Commission, Department of Land Conservation and Development Commission, Federal Highway Administration and Federal Transit Administration to certify 2035 RTP meets applicable federal and state planning provisions and mandates. (THIRD AND FOURTH QUARTER)
- Work with local governments to implement 2035 RTP policies and requirements. (FOURTH QUARTER)

**PRODUCTS/DELIVERABLES**

- Documentation of RTP Outcomes-Based Evaluation Framework by Consultant. (FIRST QUARTER)
- Documentation of RTP Systems needs analysis results and recommended refinements to RTP policies, projects, programs, and performance measures as needed to respond to environmental impacts, system performance and desired outcomes. (FIRST QUARTER)
- Documentation of stakeholder meetings and other ongoing outreach by Consultant. (FIRST QUARTER)
- Draft and final RTP *financially constrained* revenue forecast and finance Strategy by Consultant. (FIRST AND SECOND QUARTERS; FOURTH QUARTER)
- Discussion draft 2035 RTP that meets state and federal planning mandates, includes an updated financially constrained system of project and program investments, recommended RTP finance strategies and local government requirements and strategies for implementation. (SECOND THROUGH FOURTH QUARTERS)
- Public comment summary of comments received and recommended refinements to discussion draft RTP. (SECOND AND FOURTH QUARTERS)
- Documentation of Air Quality Conformity Determination of 2035 RTP and consultation with FHWA, FTA and other agencies on an air quality conformity determination. (SECOND AND THIRD QUARTERS)
- Federal, state and regional findings for 2035 RTP to demonstrate consistency with applicable federal, state and regional planning provisions and mandates. (SECOND AND THIRD QUARTERS)
- Public comment summary of comments received and recommended refinements to Air Quality Conformity Determination and RTP. (THIRD AND FOURTH QUARTERS)

**I. TRANSPORTATION PLANNING**

**REGIONAL TRANSPORTATION PLAN**

- “Annual report” highlighting key transportation information and trends. (THIRD QUARTER)
- Updated RTP project and program database. (FOURTH QUARTER)
- Final 2035 RTP publication and fact sheets. (FOURTH QUARTER)

**ACCOMPLISHMENTS OF THIS PROGRAM TO DATE**

During the current fiscal year the following accomplishments were made:

- Prepared progress reports.
- Prepared quarterly reports.
- Managed consultant team and work program, budget and schedule for 2035 RTP update process.
- Responded to information requests from citizens and organizations and made presentations to business and community groups.
- Coordination with regional corridor planning efforts, New Look planning process and development of a Regional Freight Plan.
- Identified concentrations of low-income, minority, elderly and non-English speaking residents in the region to target public involvement activities.
- Conducted research and prepared a series of nine reports on current regional transportation system conditions and land use, demographic, environmental, safety, security and financial trends to identify implications for the movement of people and goods in the region.
- Prepared preliminary financial fact base report documenting road and transit capital, operations, maintenance and preservation costs and anticipated revenues to inform development of updated financially constrained forecast. The analysis responds to federal corrective actions identified during the 2004 triennial review.
- Prepared policy framework in consultation with Metro Advisory Committees to guide RTP project and program investments solicitation, evaluation and prioritization.
- Solicited input on transportation needs, issues and public priorities for transportation investments through an on-line questionnaire on the project website and postcards, a workshop with bicycle and pedestrian planning professionals, a series of five stakeholder workshops, a scientific public opinion survey and focus groups. Two workshops focused on low-income, minority, elderly and non-English speaking residents in the region.
- Prepared summary report to document public involvement activities conducted to date and key findings.
- Worked with ODOT to link the 2035 RTP update planning process with the requirements of the National Environmental Policy Act (NEPA). Discussed environmental mitigation activities in the RTP update as required by SAFETEA-LU.

**BUDGET SUMMARY**

<b>Requirements:</b>			<b>Resources:</b>	
Personal Services		\$ 632,040	PL	\$ 553,988
Interfund Transfers		\$ 255,483	STP/ODOT Match	\$ 109,597
Materials & Services		\$ 232,057	ODOT Support	\$ 77,054
Consultant	\$112,500		Section 5303	\$ 197,843
Printing/Supplies	\$42,000		TriMet	\$ 64,114
Postage	\$28,000		Metro	\$ 120,404
Ads & Legal Notices	\$20,000			
Miscellaneous	\$29,557			
Computer		\$ 3,420		
<b>TOTAL</b>		<b>\$ 1,123,000</b>	<b>TOTAL</b>	<b>\$ 1,123,000</b>

**Full-Time Equivalent Staffing**

Regular Full-Time FTE	6.85
<b>TOTAL</b>	<b>6.85</b>



**I. TRANSPORTATION PLANNING****GREEN STREETS PROGRAM****GREEN STREETS PROGRAM**

The Green Streets program began in FY2000-01 to address the growing conflict between good transportation design, planned urbanization in developing areas and the need to protect streams and wildlife corridors from urban impacts. Key elements of the program include:

- A regional database of culverts on the regional transportation system with rankings according to their relative impacts on fish passage;
- Stream crossing guidelines for new streets that reflect tradeoffs between stream protection and an efficient, connected street system; and
- The Green Streets Handbook, which establishes "best practice" design solutions for managing storm runoff from streets.

**MANDATES, AUTHORIZATIONS, CONSTRAINTS**

The Green Streets program was initiated in response to the federal Endangered Species Act listing of salmon and steelhead in the late 1990s. The listing affects the Metro region because of spawning habitat that exists within the urban area, and because the region straddles the Columbia and Willamette River migratory routes that encompass most of the Pacific Northwest. The response from Metro is to:

- Continue to expand and update the regional database of culverts, stream and wildlife resources;
- Continue to update ranking information for culverts on relative fish blockage that can be used to allocate regional funding for retrofit projects;
- Continue Green Streets design principles and projects through Metro's Metropolitan Transportation Improvement Program (MTIP), including demonstration projects for street retrofits and culvert replacements on the regional transportation system;
- Sponsor future Green Streets workshops that spotlight successful projects in the region;
- Promote Green Streets principles among practicing professionals and interested citizens involved in local project development;
- Promote stream crossing guidelines in local transportation plans that address tradeoffs between stream protection and an efficient, multi-modal transportation system;
- Periodically update the *Green Streets* handbook to reflect recent trends and new science on best management practices for managing urban storm water runoff on public streets; and
- Continue public outreach and education to promote Green Streets design principles and projects.

**STAKEHOLDERS**

- Metro Council
- Regional partner agencies and members of the public
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Federal Environmental Protection Agency (EPA)
- Transportation Policy Alternatives Committee (TPAC)
- Metro Technical Advisory Committee (MTAC)
- Joint Policy Advisory Committee on Transportation (JPACT)
- Metro Policy Advisory Committee (MPAC)
- Environmental Community

**OBJECTIVES**

- Evaluate SAFETEA-LU implications for the Green Streets program and incorporate needed program refinements into the 2035 Regional Transportation Plan (RTP) and next printing of the *Green Streets* handbook. (JUNE 2008)

**I. TRANSPORTATION PLANNING****GREEN STREETS PROGRAM**

- Continue to distribute the *Green Streets* handbook to local officials and interested citizens. (ONGOING)
- Implement Green Street design principles through the MTIP process. (ONGOING)
- Identify and fund needed culvert retrofits on the regional system through the MTIP process. (ONGOING)
- Conduct outreach and training activities to promote the Green Streets program. (ONGOING)

**PRODUCTS/DELIVERABLES**

- Develop an expanded online presence for the Green Streets program on Metro's web site. (JUNE 2008)
- Work with TPAC and Water Resources Policy Advisory Committee (WRPAC) to develop a long-term action plan for culvert retrofits and forward final recommendations as a part of the RTP update. (SEPTEMBER 2007)

**ACCOMPLISHMENTS OF THIS PROGRAM TO DATE**

The Green Streets project builds upon the 1996-97 Regional Street Design project and complements the RTP program. Like the *Creating Livable Streets* handbook from the street design project, the Green Streets program helps guide future transportation improvements in the region to support the 2040 Growth Concept, sustainable environmental practices for stormwater management and the Oregon Salmon Recovery Plan.

During FY2006-07 Metro added engineering staff resources to assist in better implementing the Green Streets design principles and project recommendations through the MTIP program and local programs. The expanded program continues to include distribution of the *Green Streets* handbook, education and outreach to promote the program and local design support for project planning that incorporates the design principles.

**BUDGET SUMMARY**

<b>Requirements:</b>		<b>Resources:</b>	
Personal Services	\$ 19,557	STP/ODOT Match	\$ 37,686
Interfund Transfers	\$ 10,237	Metro	\$ 4,314
Materials & Services	\$ 12,206		
Printing/Supplies	\$10,000		
Postage	\$1,000		
Miscellaneous	\$1,206		
<b>TOTAL</b>	<b>\$ 42,000</b>	<b>TOTAL</b>	<b>\$ 42,000</b>

**Full-Time Equivalent Staffing**

Regular Full-Time FTE	0.24
<b>TOTAL</b>	<b>0.24</b>

**2040 PERFORMANCE INDICATORS**

The 2040 Performance Indicators program is the ongoing effort to track and evaluate Metro's regional land use and transportation policies, especially the 2040 Growth Concept. The program tracks a series of outcome measurements and produces periodic "how are we doing" updates for policy makers and the general public. The 2035 Regional Transportation Plan (RTP) update builds on this program through its "outcome based" policy construct.

**MANDATES, AUTHORIZATIONS, CONSTRAINTS**

Metro is required both by state law (ORS 197.301) and Title 9 of Metro's Urban Growth Management Functional Plan to complete performance measures. These measures are intended to gauge progress towards Metro's 2040 Growth Concept while still addressing concerns such as housing affordability, acres of parks per capita and other measures. The requirements also mention corrective actions where the Metro Council finds issues in need of addressing. Possible corrective actions could be explored in those areas where targets and actual performance diverge. This work effort would measure progress in achieving better communities including safe, stable neighborhoods, the ability to get from here to there, access to nature, clean air and water, resources for the future, and a strong regional economy.

In cooperation with the Data Resource Center, the first 2040 performance measures were completed in 2002. These measures included those mandated by the state and were related primarily to factors assessing the region's Urban Growth Boundary (UGB). FY2006-07 work included further refinement of outcome measures and development of an ongoing monitoring and data-collection system, including expanded monitoring of congestion measures as part of Metro's Congestion Management Process (CMP). A semi-annual publication will be developed in support of major projects and key decision points to help the region to better understand how we have done. Metro will be able to update public interests and concerns with how our region should manage growth. Annual publications on transportation measures will be issued as part of the CMP program.

**STAKEHOLDERS**

- Metro Council
- Regional partner agencies and members of the public
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Federal Environmental Protection Agency (EPA)
- Transportation Policy Alternatives Committee (TPAC)
- Metro Technical Advisory Committee (MTAC)
- Joint Policy Advisory Committee on Transportation (JPACT)
- Metro Policy Advisory Committee (MPAC)

**OBJECTIVES**

- Ensure a broad and complete understanding of how the region is doing. (ONGOING)
- Meet federal CMP requirements. (ONGOING)
- Develop a sustainable system for monitoring and updating performance measure data as part of the CMP. (ONGOING)

**PRODUCTS/DELIVERABLES**

- Create an annual update on transportation performance and periodic updates on other measures. (THIRD QUARTER)

**I. TRANSPORTATION PLANNING****2040 PERFORMANCE INDICATORS****ACCOMPLISHMENTS OF THIS PROGRAM TO DATE**

In 2006-07, Metro completed development of a CMP “roadmap” in response to federal requirements, and began to integrate the roadmap elements into the RTP update. Because the RTP update was underway, summary documents were not published during the current fiscal year.

**BUDGET SUMMARY**

<b>Requirements:</b>		<b>Resources:</b>	
Personal Services	\$ 43,307	PL	\$ 14,514
Interfund Transfers	\$ 17,869	STP/ODOT Match	\$ 26,211
Materials & Services	\$ 456	ODOT Support	\$ 15,232
Computer	\$ 1,368	Section 5303	\$ 3,477
		TriMet	\$ 520
		Metro	\$ 3,046
<b>TOTAL</b>	<b>\$ 63,000</b>	<b>TOTAL</b>	<b>\$ 63,000</b>
<b><u>Full-Time Equivalent Staffing</u></b>			
Regular Full-Time FTE	0.395		
<b>TOTAL</b>	<b>0.395</b>		

**URBAN GROWTH BOUNDARY EXPANSION AREA PLANNING**

Metro is responsible for periodic legislative updates to the metropolitan Urban Growth Boundary (UGB). The UGB encompasses 25 cities and the urban portions of Multnomah, Clackamas and Washington counties. In addition to the updates, Metro also considers smaller requests from individual applicants to amend the UGB. In both cases, the Metro Code requires analysis of the proposed potential impacts on the regional transportation system. This work is generally conducted within Metro, or involves Metro review of private contractor work. Because transportation is often a driving force behind or against a particular boundary proposal, the transportation analysis is a critical step in amending the UGB.

**MANDATES, AUTHORIZATIONS, CONSTRAINTS**

Metro Council directed transportation support for UGB planning activities include:

- Developing and refining regional transportation networks for affected areas for the purpose of transportation demand modeling and analysis;
- Conducting transportation demand modeling and analysis of affected areas, and preparing summaries of potential impacts of urbanization in potential expansion areas on regional transportation;
- Identifying improvements to the regional transportation system needed to serve potential UGB expansion areas; and
- Coordinating necessary updates to the Regional Transportation Plan (RTP) and Metropolitan Transportation Improvement Program (MTIP), as needed, to implement UGB decisions.

**STAKEHOLDERS**

- Metro Council
- Regional partner agencies and members of the public
- Transportation Policy Alternatives Committee (TPAC)
- Metro Technical Advisory Committee (MTAC)
- Joint Policy Advisory Committee on Transportation (JPACT)
- Metro Policy Advisory Committee (MPAC)
- Oregon Department of Transportation (ODOT)
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Metro area neighboring cities

**OBJECTIVES**

- Provide general support and coordination with UGB planning activities. (ONGOING)
- Coordination between the 2035 RTP update and UGB planning activities ensuring work efficiencies and project consistency between efforts. (ONGOING)
- Complete development and analysis of transportation scenarios for Metro's "New Look" update to the 2040 Growth Concept. (FIRST AND SECOND QUARTER)

**PRODUCTS/DELIVERABLES**

- Documentation of transportation element of UGB planning activities and analysis. (ONGOING)

**ACCOMPLISHMENTS OF THIS PROGRAM TO DATE**

Metro has conducted numerous periodic reviews of the UGB, most since the 2040 Growth Concept was adopted in 1996. In each case, some degree of transportation analysis was completed as part of fully addressing applicable state administrative rules and Metro Code requirements. The most recent review occurred as part of expanding the UGB to include the Damascus area in Clackamas County. In this example the transportation analysis was conducted as part of a concurrent update

**I. TRANSPORTATION PLANNING**

**URBAN GROWTH BOUNDARY EXPANSION AREA PLANNING**

to the RTP update. Because of the cost and complexity of completing transportation analyses, Metro attempts to coordinate RTP updates with UGB amendments to the degree possible.

**BUDGET SUMMARY**

**Requirements:**

Personal Services	\$	TBD
Interfund Transfers	\$	TBD
Materials & Services	\$	TBD

**Resources:**

Metro	\$	TBD
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<b>TOTAL</b>	<b>\$</b>	<b>TBD</b>	<b>TOTAL</b>	<b>\$</b>	<b>TBD</b>
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**Full-Time Equivalent Staffing**

Regular Full-Time FTE	TBD
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<b>TOTAL</b>	<b>TBD</b>
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**NEW LOOK @ 2040 – TRANSPORTATION SUPPORT**

Metro completed the Region 2040 plan nearly a decade ago in an effort to frame a long-term vision for urban growth in the region. The 2040 plan subsequently shaped every aspect of planning in the metropolitan region, from Metro's regional policies to local zoning codes.

In 2006, the region initiated a "New Look" effort to update the 2040 Growth Concept. During the next year, Metro will complete this update to the plan that revisits critical 2040 provisions, and updates regional growth policy accordingly. Like the 2040 plan, the New Look will establish a long-term blueprint for urban growth in the region that shapes Urban Growth Boundary (UGB) decisions and all other planning activities that follow.

To support this activity, Metro will conduct an extensive transportation analysis that evaluates the relative merits of different transportation scenarios, and helps identify key transportation improvements needed to serve as the backbone of the future transportation system. This work is anticipated to begin in Spring 2007 and will also shape the concurrent update to the Regional Transportation Plan (RTP).

**MANDATES, AUTHORIZATIONS, CONSTRAINTS**

In 2005, the Metro Council formally delayed a planned update to the RTP in order to focus staff resources and public attention on the "New Look" planning activities. The project includes:

- Developing conceptual future transportation networks for varying growth scenarios;
- Conducting transportation demand modeling and analysis of varying growth scenarios, and preparing summaries of potential impacts of each scenario on regional transportation;
- Identifying major improvements to the regional transportation system needed to serve varying growth scenarios and a preferred future growth scenario; and
- Conduct a concurrent update to the RTP that draws from the New Look work to the extent possible, and identifies improvements needed to implement the first 20 years of the new 50-year vision.

**STAKEHOLDERS**

- Metro Council
- Regional partner agencies and members of the public
- Metro Committee for Citizen Involvement (MCCI)
- Transportation Policy Alternatives Committee (TPAC)
- Metro Technical Advisory Committee (MTAC)
- Joint Policy Advisory Committee on Transportation (JPACT)
- Metro Policy Advisory Committee (MPAC)
- Oregon Department of Transportation (ODOT)
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Northwest Area Commission on Transportation (NWACT)
- Mid-Willamette Area Commission on Transportation (MWACT)
- Salem-Keizer Metropolitan Planning Organization (MPO)
- SW Regional Transportation Council (RTC)
- Metro area neighboring cities
- Organizations involved with minority and non-English speaking residents

**OBJECTIVES**

- Complete the development, analysis and reporting on transportation issues and effects on growth for the other New Look scenarios. (FIRST AND SECOND QUARTERS)
- Coordination between the concurrent RTP update and New Look planning. (FIRST AND SECOND QUARTERS)

**PRODUCTS/DELIVERABLES**

- Documentation of the development and analysis of transportation scenarios and effects on the 2035 RTP and New Look planning process. (FIRST AND SECOND QUARTERS)

**ACCOMPLISHMENTS OF THIS PROGRAM TO DATE**

In FY2006-07, Metro completed background work to update regional models to cover the expanded area that will be considered in the New Look, and to test new transportation models that will be used for the first time on this project and the RTP update. Metro also developed detailed, coordinated work plans for the RTP update and New Look that fully integrate these complex efforts. In Spring 2007, Metro is scheduled to develop and model the New Look transportation scenarios.

**BUDGET SUMMARY**

<b>Requirements:</b>		<b>Resources:</b>	
Personal Services	\$ 84,424	PL	\$ 62,600
Interfund Transfers	\$ 39,951	ODOT Support	\$ 2,274
Materials & Services	\$ 889	Section 5303	\$ 32,456
Computer	\$ 2,736	TriMet	\$ 18,051
		Metro	\$ 12,619
<b>TOTAL</b>	<b>\$ 128,000</b>	<b>TOTAL</b>	<b>\$ 128,000</b>

**Full-Time Equivalent Staffing**

Regular Full-Time FTE	.92
<b>TOTAL</b>	<b>.92</b>



**METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM**

The Metropolitan Transportation Improvement Program (MTIP) is a critical tool for implementing the Regional Transportation Plan (RTP) and 2040 Growth Concept. The MTIP is a multi-year program that allocates federal and state funds available for transportation system improvement purposes in the Metro region. Updated every two years, the MTIP allocates funds to specific projects, based upon technical and policy considerations that weigh the ability of individual projects to implement regional goals. The MTIP is also subject to federal and state air quality requirements, and a determination is made during each allocation to ensure that the updated MTIP conforms to air quality laws. These activities require special coordination with staff from Oregon Department of Transportation (ODOT) and other regional, county and city agencies as well as significant public-involvement efforts.

**MANDATES, AUTHORIZATIONS, CONSTRAINTS**

The MTIP is entering the fifth year of a major reorganization of both the policy and database components. The objective of the MTIP reorganization is to emphasize tangible, built results where citizens will see Metro regional growth management programs in action through transportation improvements. MTIP allocations have been increasingly judged against their ability to help implement the 2040 Growth Concept. This has been accomplished through a system of technical scoring and special project categories that place emphasis on 2040 centers, industry and ports.

The program relies on a complex database of projects and funding sources that must be maintained on an ongoing basis to ensure availability of federal funds to local jurisdictions. The two-year updates set the framework for allocating these funds. The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) monitors this process closely, to ensure that federal funds are being spent responsibly, and in keeping with federal mandates for transportation and air quality. Metro also partners closely with the State of Oregon to coordinate project selection and database management with the State Transportation Improvement Program (STIP).

In 2007, Metro will continue to transition into a new role of guiding project development for planning activities funded through the MTIP, at the request of ODOT. This new activity will involve expanding Metro's professional capabilities to include a licensed professional engineer, and establishing project oversight protocols to guide our review.

**STAKEHOLDERS**

- Metro Council
- Regional partner agencies and members of the public
- FHWA
- FTA
- ODOT
- Metro Committee for Citizen Involvement (MCCI)
- Joint Policy Advisory Committee on Transportation (JPACT)
- Transportation Policy Alternatives Committee (TPAC)
- Oregon Transportation Commission
- Organizations involved with minority and non-English speaking residents

**OBJECTIVES**

The following are MTIP program objectives for FY2007-08:

**MTIP/STIP Update:** Metro will conclude the Priorities 2008-11 update, establishing air quality conformity analysis for the MTIP and support of ODOT in obtaining approval of the 2008-11 STIP. Work will then commence on a policy update of the MTIP to conform with new policy objectives of the 2007 RTP.

**I. TRANSPORTATION PLANNING****METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM**

Database Maintenance: Metro will provide ODOT and local jurisdictions essential funding information to better schedule project implementation activities. Metro will also monitor past and current funding allocations and project schedules managing cost variations from initial project estimates, and produce quarterly reports. Reports will document funding authorizations, obligations and reserves by funding category and jurisdiction. Metro will also produce an annual report required by FHWA that reflects current costs, schedules, priorities, actual appropriations and other actions approved throughout the year. The annual report will address progress and/or delays in implementing major projects as mandated by Intermodal Surface Transportation Efficiency Act (ISTEA).

Other MTIP objectives for FY2007-08:

- Programming of transportation projects in the region consistent with federal rules and regulations. (ONGOING)
- Continue to coordinate inter-agency consultation on air quality conformity. Conduct public outreach, reports and public hearings required as part of the conformity process. (AMENDMENTS: ONGOING)
- Maintain a financial plan to balance project costs with expected revenues. (ONGOING)
- Work with ODOT to develop broad agency and public electronic access to a common MTIP database. Update the MTIP hardware/software platform to improve production of specialized report formats, cross-connection with ODOT data sources and other database refinements. (ONGOING)
- Continue improvements to the on-time and on-budget delivery of the local program of projects selected for funding through the Transportation Priorities process. (ONGOING)
- Continue the MTIP public awareness program to include updated printed materials, web resources and other material to increase understanding of the MTIP process. (ONGOING)

**PRODUCTS/DELIVERABLES**

MTIP deliverables for FY2007-08:

- Publish the adopted 2008-11 MTIP (SEPTEMBER 2007)
- Conduct a project selection process to advance programmed projects eligible to obligate available funds. (OCTOBER 2007)
- Publish an annual obligation report. (DECEMBER 2007)

**ACCOMPLISHMENTS OF THIS PROGRAM TO DATE**

In early 2002, a major update of MTIP policies and review criteria was launched to reorganize the MTIP to create a high profile, positive process for allocating federal funds, and reinforcing the region's commitment to implement the 2040 Growth Concept and RTP. This policy framework has since been implemented through the 2004-07 and 2006-09 MTIP project selection processes.

FY2005-06 saw completion of the Priorities 2006-09 update to the MTIP and allocation of \$52 million in transportation funds to regional projects. The 2006-09 update included a demonstration of ongoing conformity with air quality laws. In January 2005, FHWA and FTA staff review identified a number of corrective actions that were incorporated into this updated MTIP. A final draft of the updated MTIP was published in December 2005. Metro also published an accompanying MTIP brochure illustrating the projects funded through the 2006-09 program for general public education.

FY2006-07 accomplishments included a study and recommendations for improvements in the on-time, on-budget delivery of local projects funded with urban Surface Transportation Program (STP) and Congestion Mitigation/Air Quality (CMAQ) funds, with implementation of many of those recommendations. Implementation of the remainder of recommendations will be sought this fiscal year pending allocation of additional resources. Design of an improved project and financial plan database has been completed, ready for implementation in the upcoming fiscal year. MTIP staff has also been participating in the update to the Regional Transportation Plan in order to ensure strong linkages between the plan and programming of funds through the MTIP.

**I. TRANSPORTATION PLANNING****METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM****BUDGET SUMMARY****Requirements:**

Personal Services	\$	361,784
Interfund Transfers	\$	145,183
Materials & Services	\$	80,910
Consultant	\$40,000	
Printing/Supplies	\$26,000	
Ads & Legal Notices	\$8,000	
Postage	\$2,000	
Miscellaneous	\$4,910	
Computer	\$	8,123

<b>TOTAL</b>	<b>\$</b>	<b>596,000</b>
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**Resources:**

PL	\$	352,581
STP/ODOT Match	\$	105,709
ODOT Support	\$	14,784
Section 5303	\$	13,307
TriMet	\$	85,448
Metro	\$	24,171

<b>TOTAL</b>	<b>\$</b>	<b>596,000</b>
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**Full-Time Equivalent Staffing**

Regular Full-Time FTE	3.61
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<b>TOTAL</b>	<b>3.61</b>
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**II. RESEARCH & MODELING**

**TECHNICAL ASSISTANCE PROGRAM**

**TECHNICAL ASSISTANCE PROGRAM**

The purpose of the Technical Assistance program is to provide transportation data and modeling services for projects that are of interest to local entities. Clients to this program include regional jurisdictions, TriMet, the Oregon Department of Transportation (ODOT), the Port of Portland, private sector businesses and the general public. In addition, the client agencies can use funds from this program to purchase and maintain copies of the transportation modeling software used by Metro. A budget allocation defines the amount of funds that is available to each regional jurisdiction for these services.

**MANDATES, AUTHORIZATIONS, CONSTRAINTS**

US Department of Transportation (USDOT) protocols require the preparation of future year travel forecasts to analyze project alternatives. Similarly, modeling is required by the Environmental Protection Agency (EPA) in project analysis to quantify emissions in air quality analysis. Thus, the provision of modeling services must be available to clients for their project needs.

**STAKEHOLDERS**

- Regional jurisdictions (cities and counties)
- TriMet
- ODOT
- Port of Portland
- Private sector businesses
- General public

**PRODUCTS/DELIVERABLES**

- Provide data and modeling services to regional jurisdictions and agencies. (ONGOING)
- Provide data and modeling services to private consultants and other non-governmental clients. (ONGOING)
- Provide funds to the local governmental agencies to purchase and pay maintenance on transportation modeling software. (ONGOING)

**ACCOMPLISHMENTS OF THIS PROGRAM TO DATE**

- Provided data and modeling services to regional jurisdictions and agencies (e.g., Washington County – Bethany Study, Clackamas County – Sunrise Corridor);
- Provided data and modeling services to private consultants and other non-governmental clients (e.g., future forecast volumes, trip distribution patterns and mode share characteristics);
- Modeling software has been purchased and maintained for seven governmental agencies (ODOT Region 1, City of Portland, City of Gresham, City of Hillsboro, Clackamas County, Multnomah County, and Washington County).

**BUDGET SUMMARY**

<b>Requirements:</b>			<b>Resources:</b>			
Personal Services		\$	52,305	PL	\$	18,000
Interfund Transfers		\$	19,714	STP	\$	32,441
Materials & Services		\$	21,986	ODOT Support	\$	19,482
Pmt to Other Agency	\$15,000			TriMet	\$	6,700
Miscellaneous	\$6,986			Metro	\$	18,810
Computer		\$	5,928	Technical Assistance	\$	4,500
<b>TOTAL</b>		<b>\$</b>	<b>99,933</b>	<b>TOTAL</b>	<b>\$</b>	<b>99,933</b>

**Full-Time Equivalent Staffing**

Regular Full-Time FTE	0.54
<b>TOTAL</b>	<b>0.54</b>

**MANAGEMENT AND COORDINATION/GRANTS MANAGEMENT**

Grants Management and Coordination provides overall ongoing department management and includes Metro's Metropolitan Planning Organization (MPO) role. Overall department administration includes budgeting, Unified Planning Work Program (UPWP), contracts, grants, and personnel. It also includes staff to meet required needs of the various standing MPO advisory committees, including:

- Metro Council
- Joint Policy Advisory Committee on Transportation (JPACT)
- Transportation Policy Alternatives Committee (TPAC)
- Metro Technical Advisory Committee (MTAC)
- Bi-State Coordination Committee
- Regional Freight Committee
- Regional Travel Options (RTO) Subcommittee

As a MPO, Metro is regulated by federal planning requirements and is a direct recipient of federal transportation grants to help meet those requirements. Metro is also regulated by State of Oregon planning requirements that govern the Regional Transportation Plan (RTP) and other transportation planning activities. The purpose of the MPO is to ensure that federal programs unique to urban areas are effectively implemented, including ongoing coordination and consultation with state and federal regulators.

JPACT serves as the MPO board for the region in a unique partnership that requires joint action with the Metro Council on MPO actions. TPAC serves as the technical body that works with Metro staff to develop policy alternatives and recommended actions for JPACT and the Metro Council.

Metro belongs to the Oregon MPO Consortium (OMPOC), a coordinating body made up of representatives of all six Oregon MPO boards. OMPOC was founded in 2005 to build on common MPO experiences and to advance the practice of metropolitan transportation planning in Oregon. OMPOC meets three times yearly and operates under its own bylaws. In 2005, OMPOC was chaired by Metro Councilor Rex Burkholder, who is also the JPACT chair.

**MANDATES, AUTHORIZATIONS, CONSTRAINTS**

As an MPO, Metro participates in periodic coordination meetings with the other MPOs and major transit providers in the state. These meetings are a principal source of new information on state and federal regulations affecting MPOs, and provide opportunity for the different urban areas to compare strategies for addressing common transportation problems.

Metro is subject to annual federal self-certification, and quadrennial Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) reviews, whereupon the agency must demonstrate compliance with federal transportation planning requirements, including the 2005 SAFETEA-LU legislation. The MPO program is also responsible for publishing an annual UPWP for the region, and monthly and quarterly reports to state and federal officials documenting our progress in completing the work program. Among these responsibilities is the requirement to establish air quality findings for Metro's transportation planning efforts that demonstrate continued conformity with the federal Clean Air Act. This air quality conformity work is a major component of Metro's MPO program.

Other program responsibilities include providing ongoing support to JPACT, TPAC, MTAC, Bi-State Committee, Regional Freight Committee, and subcommittees to ensure coordination between state, regional, and local transportation and land-use plans and priorities. These committees and subcommittees meet transportation and land-use coordination provisions outlined in SAFETEA-LU.

The Grants Management and Coordination program also includes overall department management, including budget, personnel, materials, services, and capital expenditures. The program also monitors grants and ensures contract compliance including OMB A-133 Single Audit, and provides information to the public. Metro also maintains active memberships and support in national organizations such as Cascadia, American Public Transportation Association (APTA), and the Association of Metropolitan Planning Organizations (AMPO) as available funds allow.

**III. ADMINISTRATIVE SERVICES**

**MANAGEMENT AND COORDINATION/GRANTS MANAGEMENT**

**STAKEHOLDERS**

- Metro Council
- Federal, state, and local funding agencies
- Local jurisdictions
- TPAC
- JPACT

**OBJECTIVES**

- Prepare and manage the department budget, personnel, programs and products. (ONGOING)
- FY2007-08 UPWP/Self Certification. (FOURTH QUARTER)
- Prepare documentation to FHWA, FTA and other funding agencies such as quarterly narrative and financial reports. (ONGOING)
- Send monthly progress reports to TPAC. (ONGOING)
- Produce meeting minutes, agendas and documentation. (ONGOING)
- Execute, administer and monitor contracts, grants and agreements. (ONGOING)
- Complete a periodic review with FHWA and FTA on UPWP progress. (SECOND QUARTER)
- Complete Federal Certification. (SECOND QUARTER FY2008-09)
- Single audit responsibility for Planning grants. (ONGOING)
- Continue to monitor current air quality conformity regulations and evaluation practices, as applicable to MPO conformity requirements. (ONGOING)
- Continue to participate in MPO coordination meetings. (ONGOING – QUARTERLY)

**PRODUCTS/DELIVERABLES**

- Adopted Budget (JUNE 2008)
- Approved UPWP (FOURTH QUARTER 2008)
- Narrative and Financial Reports (QUARTERLY)
- Progress Reports to TPAC (MONTHLY)
- JPACT and TPAC Agendas and Minutes (MONTHLY)
- Federal Certification (SECOND QUARTER 2008)

**ACCOMPLISHMENTS OF THIS PROGRAM TO DATE**

This is an ongoing program.

**BUDGET SUMMARY**

<b>Requirements:</b>			<b>Resources:</b>	
Personal Services	\$	666,717	PL	\$ 523,665
Interfund Transfers	\$	678,171	STP/ODOT Match	\$ 362,116
Materials & Services	\$	378,638	ODOT Support	\$ 16,343
Consultants	\$125,000		Section 5303	\$ 27,980
Postage	\$5,200		Metro	\$ 799,007
Miscellaneous	\$248,638			
Computer	\$	5,586		
<b>TOTAL</b>	<b>\$</b>	<b>1,729,111</b>	<b>TOTAL</b>	<b>\$ 1,729,111</b>

**Full-Time Equivalent Staffing**

Regular Full-Time FTE	7.46
<b>TOTAL</b>	<b>7.46</b>

*Metro*  
**FY2007-08 UNIFIED PLANNING WORK PROGRAM FUNDING SUMMARY**

	O8 PL ODOT(1)	O8 STP* Metro	O6 Metro / STP*	O8 ODOT Support Funds	O8 Sec 5303	O8 TriMet Support	FTA Streetcar OR-39-0002	Streetcar Local Match	FTA Milwaukie SDEIS	Loc Jur/BETC Match	Next Corridor STP	FY05 ODOT RTO STP/Match	CMAQ RTO OR90-X124	TRANSIMS - FHWA	Other Funds (2)	Local Match	Total
ODOT Key #	# 13516	# 13476									# 14564						
<b><i>METRO</i></b>																	
<b><i>Transportation Planning</i></b>																	
1	553,988	91,606	17,991	77,054	197,843	64,114	-	-	-	-	-	-	-	-	-	120,404	1,123,000
2	-	37,686	-	-	-	-	-	-	-	-	-	-	-	-	-	4,314	42,000
3	-	75,629	21,586	22,082	5,000	-	-	-	-	-	-	-	-	-	-	10,703	135,000
4	14,514	26,211	-	15,232	3,477	520	-	-	-	-	-	-	-	-	-	3,046	63,000
5	13,001	3,000	29,625	15,075	3,000	9,816	-	-	-	-	-	-	-	-	-	4,483	78,000
6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7	62,600	-	-	2,274	32,456	18,051	-	-	-	-	-	-	-	-	-	12,619	128,000
8	352,581	85,069	20,640	14,784	13,307	85,448	-	-	-	-	-	-	-	-	-	24,171	596,000
9	36,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	36,000
10	65,300	-	-	-	-	-	-	-	-	-	-	-	-	-	-	75,000	140,300
11	71,470	25,176	797	-	-	-	-	-	-	-	-	-	-	-	75,000	11,557	184,000
12	-	-	-	-	-	-	172,618	-	-	-	500,000	-	-	-	-	100,382	773,000
<b><i>Research &amp; Modeling</i></b>																	
1	-	-	-	-	-	-	-	-	-	-	-	-	-	5,600	-	1,400	7,000
2	357,916	103,031	-	2,994	21,418	2,851	-	-	-	-	-	-	-	-	-	23,790	512,000
3	101,986	14,369	-	-	20,000	-	-	-	-	-	-	-	-	-	-	6,645	143,000
4	18,000	32,441	-	19,482	-	6,700	-	-	-	-	-	-	-	-	4,500	18,810	99,933
6	107,889	-	-	15,000	80,336	37,500	-	-	-	-	-	-	-	-	1,018,456	914,025	2,173,206
<b><i>Administrative Services</i></b>																	
1	523,665	279,768	82,348	16,343	27,980	-	-	-	-	-	-	-	-	-	-	794,507	1,724,611
<b><i>Corridor Planning</i></b>																	
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	39,000	-	39,000
2	-	-	-	-	-	-	-	2,000,000	-	-	-	-	-	-	500,000	1,257,000	3,757,000
8	-	-	-	-	-	-	754,400	188,600	-	-	-	-	-	-	-	-	943,000
4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	-	-	-	-	-	-	145,600	-	-	-	-	-	-	-	-	36,400	182,000
7	10,409	9,504	16,152	-	-	-	-	-	-	-	-	-	-	-	-	2,935	39,000
5	31,000	38,584	-	24,680	5,856	-	-	-	-	-	-	-	-	-	-	15,880	116,000
6	52,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	52,000
9	-	-	-	-	-	-	-	-	17,096	-	-	1,000,000	1,249,088	-	267,050	91,566	2,624,800
<b>Metro Subtotal</b>	<b>2,372,319</b>	<b>822,074</b>	<b>189,139</b>	<b>225,000</b>	<b>410,673</b>	<b>225,000</b>	<b>1,072,618</b>	<b>188,600</b>	<b>2,000,000</b>	<b>17,096</b>	<b>500,000</b>	<b>1,000,000</b>	<b>1,249,088</b>	<b>5,600</b>	<b>1,904,006</b>	<b>3,529,637</b>	<b>15,710,850</b>
<b>GRAND TOTAL</b>	<b>2,372,319</b>	<b>822,074</b>	<b>189,139</b>	<b>225,000</b>	<b>410,673</b>	<b>225,000</b>	<b>1,072,618</b>	<b>188,600</b>	<b>2,000,000</b>	<b>17,096</b>	<b>500,000</b>	<b>1,000,000</b>	<b>1,249,088</b>	<b>5,600</b>	<b>1,904,006</b>	<b>3,529,637</b>	<b>15,710,850</b>

\*Federal funds only, no match included

(1) PL funds include \$674,321 carryover from FY06.

(2) See narrative for anticipated funding sources.

15,710,850

## **STAFF REPORT**

### CONSIDERATION OF RESOLUTION NO. 07-3818 FOR THE PURPOSE OF AMENDING THE FY2007-08 UNIFIED PLANNING WORK PROGRAM

Date: June 14, 2007

Presented by: Andrew C. Cotugno

## **SUMMARY**

The FY2007-08 Unified Planning Work Program (UPWP) describes transportation planning activities to be carried out in the Portland-Vancouver metropolitan region during the fiscal year beginning July 1, 2007. JPACT and the Council have approved the FY2007-08 UPWP and it was adopted on April 26, 2007 by Resolution No. 07-3799.

This Resolution No. 07-3818 would approve an amendment to the FY2007-08 UPWP that will expand the Regional Transportation Plan (RTP) work program and extend the schedule for the RTP work program.

## **BACKGROUND**

Since adoption of the FY2007-08 UPWP, Council and JPACT have expanded the RTP work program and the schedule for completing activities under the expanded RTP work program requires extension. This FY2007-08 UPWP Amendment:

- 1) Recognizes that the state and federal components of the FY2007-08 RTP work program have been separated into a two-stage process that will now extend the RTP work program through June 2008, instead of the original timeline that ended in December 2007.
- 2) Revises the FY2007-08 RTP work program to include additional activities and products such as three new rounds of modeling as part of the expanded timeline, and a second round of public review and comment as the final version of the plan is adopted in May-June 2008.
- 3) Reallocates staff and resources to support the additional activities and products and the extended timeline in the expanded RTP work program.

A revised RTP FY2007-08 UPWP narrative is attached hereto as Exhibit A.

## **ANALYSIS / INFORMATION**

### **1. Known Opposition**

There is no known opposition to this UPWP amendment.

### **2. Legal Antecedents**

Resolution No. 07-3799, for the Purpose of Approving the FY2008 Unified Planning Work Program, adopted April 26, 2007.

### **3. Anticipated Effects**

Resolution No. 07-3818 will allow staff to carry out additional activities identified in the expanded RTP work program. This includes two additional rounds of RTP modeling and analysis as part of developing the "state" component of the RTP, and a second air quality conformity analysis to demonstrate that the RTP meets federal Clean Air Act requirements. The expanded timeline also delays the timeframe for local compliance with the updated RTP.

### **4. Budget Impacts**

A reallocation of Planning staff and resources will offset increased expenses. A revised UPWP Funding Summary, and related program narratives reflecting the reallocation of staff and resources, are included here in Exhibit A.

## **RECOMMENDED ACTION**

Staff recommends the adoption of Resolution No. 07-3818.



BEFORE THE METRO COUNCIL CONTRACT REVIEW BOARD

FOR THE PURPOSE OF APPROVING A SOLE ) RESOLUTION NO. 07- 3821  
SOURCE CONTRACT FOR A PERFORMANCE )  
MEASUREMENT CONSULTANT ) Introduced by Chief Operating Officer  
Michael J. Jordan, with the concurrence of  
Council President David Bragdon.

WHEREAS, pursuant to ORS 279A.060 and Metro Code 2.04.010 the Metro Council is designated as the Public Contract Review Board for the agency; and

WHEREAS, Metro Code 2.04.062 requires Council approval for contracts awarded without competitive bidding when it has been determined that the goods or services are available from only one source; and

WHEREAS, Metro’s Chief Operating Officer has determined that implementing performance measurements that are aligned to the Council’s strategic plan is in the best interests of Metro; and

WHEREAS, under the direction of the Chief Operating Officer, the performance measurement consultant will work with Metro Council, senior management, and other Metro staff to develop a plan for implementing program performance measurements throughout the agency; and

WHEREAS, the Metro Procurement Officer believes that the specialized knowledge, experience and expertise of Jeffrey Tryens warrants the use of a sole source contract, and that such action is in accordance with the Oregon Public Contracting Code dealing with sole source procurements (ORS 279B.075); and

WHEREAS, Mr. Tryens possesses over thirty years of public policy experience, including extensive experience developing state agency performance measurements through the Oregon Benchmarks Program. Working with public agencies throughout the world, Mr. Tryens has developed a high level of expertise that would make it impractical to compete this contract.

BE IT RESOLVED that the Metro Council acting as the Public Contract Review Board authorizes the Chief Operating Officer to negotiate and execute a sole source contract with Jeffrey Tryens for the purpose of developing a performance measurement program for Metro.

ADOPTED by the Metro Council Contract Review Board this \_\_\_\_ day of June, 2007.

\_\_\_\_\_  
David Bragdon, Council President

Approved as to Form:

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

## STAFF REPORT

### IN CONSIDERATION OF RESOLUTION NO. 07-3821, FOR THE PURPOSE OF APPROVING A SOLE SOURCE CONTRACT FOR A PERFORMANCE MEASUREMENT CONSULTANT

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Date: June 14, 2007

Prepared by: Darin Matthews

## BACKGROUND

A performance management consultant is required to implement agency-wide performance measurements that are aligned to the Council's strategic plan. Jeffrey Tryens has the required knowledge and expertise to perform this work, and Metro staff feels that he is uniquely qualified for this contract. Therefore, it is recommended that a sole source contract be awarded without a competitive RFP process.

The scope of services to be performed is included as Attachment 1, and Mr. Tryens unique qualifications are noted in Attachment 2.

## ANALYSIS/INFORMATION

1. **Known Opposition** None known.
2. **Legal Antecedents** Metro Code 2.04.062, 2.04.010, ORS 279A.060, ORS 279B.075.
3. **Anticipated Effects** Procurement process will be expedited, allowing for a contract to be executed promptly and consultant can begin working with Metro staff.
4. **Budget Impacts** The cost of these services is not anticipated to exceed \$16,000, which shall be billable at the rate of \$800 per day.

## RECOMMENDED ACTION

Metro Council, acting as Public Contract Review Board, approves the use of a sole source contract with Jeffrey Tryens.

**Resolution No. 07-3821**  
**Attachment 1**

**Performance Measurement Consultant**  
**Scope of Work**

- 1) All work of the Program Performance Measurement Consultant, hereafter referred to as “Contractor”, will be coordinated through Metro’s Chief Operating Officer or his designee(s).
- 2) Metro shall pay Contractor services performed and materials delivered during the Term of this Agreement at the rate of \$800 per day for a total not to exceed amount of \$16,000.
- 3) Upon the request and direction of Metro’s Chief Operating Officer or his designee, the Contractor shall meet with appropriate Metro staff. The Consultant shall be provided with any additional information available that may assist in performing this assignment, including documentation of previous and ongoing efforts on the project that includes materials related to Budgeting, Program Budgeting, Strategic Planning, and performance measurement.
- 4) Contractor shall work with Metro Council, senior management, financial managers and other Metro staff to encourage meaningful construction of performance measures and to shift Metro culture to acceptance of performance measurement.
- 5) Contractor shall recommend for consideration changes in program definition, strategic goals and objectives and performance measures to facilitate useful program budget/performance measure structure for Metro.
- 6) Contractor shall develop a formal plan preparing Metro to implement program performance measurement agency-wide. The plan shall be subject to approval by Metro’s Chief Operating Officer or his designee. The plan shall include strategies to recommend the following:
  - a) Appropriate outcome and output performance measures;
  - b) Changes in the Council’s strategic plan to align with performance measures;
  - c) A method for quarterly performance measurement reporting;
  - d) Changes in those activities identified as “programs” to more closely align with the Council’s strategic plan and performance measures;
  - e) A timeline for implementing items a through e.
- 7) Contractor shall assist Metro on certain other matters that may come to Metro’s attention and that may benefit from the Contractor’s expertise, as may be mutually agreed to in writing by Metro and Contractor.



**Resolution No. 07-3821**  
**Attachment 2**

**Jeff Tryens**  
**Executive Director, SA State Strategic Plan, Community Connection**

For over thirty years, Jeff Tryens has devoted himself to shaping and implementing public policy on a wide range of social, environmental and economic issues.

For the past ten years, Jeff served as executive director of the Oregon Progress Board where he helped implement the state's twenty-year strategic vision, Oregon Shines. Since its inception, the Board has focused on developing a system of indicators, called Oregon Benchmarks, that measure the state's progress toward achieving the goals of Oregon Shines. Most recently the Board set up a system of state agency performance measures that link to Oregon Benchmarks.

The Progress Board was recognized in 2002 by Harvard University as one of 15 "Outstanding Models for Public Sector Innovation" as part of its 15th anniversary celebration of its Innovation in American Government program. Representing the Progress Board, Jeff has shared the Oregon experience with policy makers and practitioners in forums all over the United States and the world.

In September 2004, Jeff took a two-month leave from his duties as Progress Board executive director to assist the government of South Australia in implementing its new strategic planning approach. The South Australia Strategic Plan draws heavily from the Oregon experience. Jeff recently accepted a one-year appointment with the South Australian government to manage the community outreach portion of the state's strategic planning process.

Before the Oregon Progress Board, Jeff was the deputy director of the Center for Policy Alternatives in Washington, D.C. He has also worked as a journalist and a transportation planner.

Tryens has written or edited over twenty books and reports. Most recently, he wrote Using Indicators to Engage Citizens: The Oregon Progress Board Experience for the Organization for Economic Co-operation and Development's World Forum on Key Indicators. Tryens also co-authored Achieving Better Health Outcomes: The Oregon Benchmark Experience in 2002. Jeff holds degrees in civil engineering from Drexel University and Massachusetts Institute of Technology and a Masters in Public Administration from the John F. Kennedy School of Government at Harvard University. He has belonged to numerous boards and advisory committees at both the state and national level.

Jeff is the 2004 recipient of the Donald Stone Award for significant continuous contribution to the field of state and local public administration from the American Society for Public Administration, Section on Intergovernmental Administration and Management.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE FY	)	ORDINANCE NO. 07-1156
2006-07 BUDGET AND APPROPRIATIONS	)	
SCHEDULE BY TRANSFERING \$250,000 FROM	)	Introduced by Mike Jordan, Chief Operating
CONTINGENCY TO PERSONAL SERVICES	)	Officer, with the concurrence of Council
AND MATERIALS AND SERVICES FOR THE	)	President Bragdon
OREGON ZOO, AND DECLARING AN	)	
EMERGENCY	)	

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2006-07 Budget; and

WHEREAS, the need for the increase of appropriation has been justified; and

WHEREAS, adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2006-07 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of amending the General Fund to provide additional appropriation authority for expenditures at the Oregon Zoo.
2. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
David Bragdon, Council President

Attest:

Approved as to Form:

\_\_\_\_\_  
Christina Billington, Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

**Exhibit A  
Ordinance No. 07-1156**

ACCT	DESCRIPTION	Current Budget		Revision		Current Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Oregon Zoo Department</b>							
<i><u>Personal Services</u></i>							
<i>SALWGE</i>	<i>Salaries &amp; Wages</i>						
5010	Reg Employees-Full Time-Exempt						
	Administrative Assistant	3.00	121,306	-	0	3.00	121,306
	Associate Public Affairs Specialist	1.00	59,115	-	0	1.00	59,115
	Director II	1.00	120,394	-	0	1.00	120,394
	Events Coordinator	1.00	51,885	-	0	1.00	51,885
	Graphics/Exhibit Designer	1.00	53,638	-	0	1.00	53,638
	Management Technician	2.00	90,779	-	0	2.00	90,779
	Manager I	4.00	287,851	-	0	4.00	287,851
	Manager II	1.00	76,811	-	0	1.00	76,811
	Program Analyst II	2.00	102,782	-	0	2.00	102,782
	Program Analyst III	3.00	176,594	-	0	3.00	176,594
	Program Director II	2.00	208,823	-	0	2.00	208,823
	Program Supervisor II	3.00	232,055	-	0	3.00	232,055
	Project Coordinator	1.00	65,206	-	0	1.00	65,206
	Research Coordinator II	1.00	54,575	-	0	1.00	54,575
	Service Supervisor I	1.00	42,848	-	0	1.00	42,848
	Service Supervisor II	10.00	477,884	-	0	10.00	477,884
	Service Supervisor III	5.00	293,614	-	0	5.00	293,614
	Service Supervisor IV	1.00	63,324	-	0	1.00	63,324
	Veterinarian I	1.00	62,288	-	0	1.00	62,288
	Veterinarian II	1.00	79,098	-	0	1.00	79,098
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	1.00	42,927	-	0	1.00	42,927
	Administrative Secretary	3.00	116,448	-	0	3.00	116,448
	Animal Keeper	29.00	1,251,002	-	0	29.00	1,251,002
	Custodian	6.00	228,992	-	0	6.00	228,992
	Education Coordinator I	4.00	158,770	-	0	4.00	158,770
	Exhibits Lead	1.00	57,023	-	0	1.00	57,023
	Exhibits Technician II	1.00	46,437	-	0	1.00	46,437
	Gardener I	6.00	249,054	-	0	6.00	249,054
	Maintenance Electrician	1.00	64,561	-	0	1.00	64,561
	Maintenance Lead	1.00	57,023	-	0	1.00	57,023
	Maintenance Technician	2.00	109,202	-	0	2.00	109,202
	Maintenance Worker 2	9.00	417,933	-	0	9.00	417,933
	Nutrition Technician	1.00	43,138	-	0	1.00	43,138
	Program Assistant 1	4.00	123,652	-	0	4.00	123,652
	Receptionist	1.00	31,466	-	0	1.00	31,466
	Security Officer I	4.00	109,432	-	0	4.00	109,432
	Senior Animal Keeper	6.00	282,630	-	0	6.00	282,630
	Senior Gardener	1.00	49,527	-	0	1.00	49,527
	Storekeeper	1.00	44,140	-	0	1.00	44,140
	Typist/Receptionist-Lead	1.00	32,719	-	0	1.00	32,719
	Veterinary Technician	2.00	86,276	-	0	2.00	86,276
	Volunteer Coordinator I	2.00	97,426	-	0	2.00	97,426

**Exhibit A**  
**Ordinance No. 07-1156**

ACCT	DESCRIPTION	Current Budget		Revision		Current Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Oregon Zoo Department</b>							
5020	Reg Emp-Part Time-Exempt						
	Graphics/Exhibit Designer	0.50	26,819	-	0	0.50	26,819
	Video/Photography Technician	0.50	24,350	-	0	0.50	24,350
5025	Reg Employees-Part Time-Non-Exempt						
	Administrative Secretary	0.60	24,029	-	0	0.60	24,029
	Animal Keeper-PT	2.00	86,276	-	0	2.00	86,276
	Clerk/Bookkeeper	0.75	24,868	-	0	0.75	24,868
	Food Service/Retail Specialist	3.90	144,562	-	0	3.90	144,562
	Lead Cash Office Clerk	0.85	29,586	-	0	0.85	29,586
	Maintenance Worker 2-PT	1.75	81,265	-	0	1.75	81,265
	Office Assistant	0.70	19,980	-	0	0.70	19,980
	Program Assistant 1	1.25	43,300	-	0	1.25	43,300
	Program Assistant 2	0.50	21,057	-	0	0.50	21,057
	Public Relations Support Specialist	0.63	27,859	-	0	0.63	27,859
	Security Officer I	0.50	15,733	-	0	0.50	15,733
	Typist/Receptionist Reg.(Part Time)	0.85	26,498	-	0	0.85	26,498
	Visitor Service Worker 3-reg	0.85	24,262	-	0	0.85	24,262
5030	Temporary Employees		1,013,793		68,000		1,081,793
5040	Seasonal Employees		1,213,613		8,500		1,222,113
5080	Overtime		255,694		8,500		264,194
5089	Salary Adjustments						
	Salary Adjustment Pool (non-rep)		142,426		0		142,426
	Step Increases (AFSCME)		41,343		0		41,343
	COLA (represented employees)		116,684		0		116,684
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		3,281,786		15,000		3,296,786
5190	PERS Bond Recovery		272,303		0		272,303
<b>Total Personal Services</b>		<b>148.13</b>	<b>\$13,378,734</b>	<b>0.00</b>	<b>\$100,000</b>	<b>148.13</b>	<b>\$13,478,734</b>



**Exhibit A**  
**Ordinance No. 07-1156**

ACCT	DESCRIPTION	Current Budget		Revision		Current Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Oregon Zoo Department</b>							
<i>Materials &amp; Services</i>							
<i>GOODS</i>	<i>Goods</i>						
	5201 Office Supplies		90,490		0		90,490
	5205 Operating Supplies		1,177,627		10,000		1,187,627
	5210 Subscriptions and Dues		37,695		0		37,695
	5214 Fuels and Lubricants		50,000		0		50,000
	5215 Maintenance & Repairs Supplies		330,710		0		330,710
	5220 Food		1,004,344		45,000		1,049,344
<i>SVCS</i>	<i>Services</i>						
	5245 Marketing		5,000		0		5,000
	5240 Contracted Professional Svcs		1,259,113		40,000		1,299,113
	5251 Utility Services		2,165,730		0		2,165,730
	5255 Cleaning Services		37,600		0		37,600
	5260 Maintenance & Repair Services		116,725		0		116,725
	5265 Rentals		163,130		0		163,130
	5280 Other Purchased Services		701,130		10,000		711,130
	5290 Operations Contracts		1,543,797		45,000		1,588,797
<i>CAPMNT</i>	<i>Capital Maintenance</i>						
	5262 Capital Maintenance - Non-CIP		269,950		0		269,950
<i>IGEXP</i>	<i>Intergov't Expenditures</i>						
	5300 Payments to Other Agencies		26,145		0		26,145
<i>OTHEXP</i>	<i>Other Expenditures</i>						
	5450 Travel		71,064		0		71,064
	5455 Staff Development		25,847		0		25,847
	5490 Miscellaneous Expenditures		53,800		0		53,800
<b>Total Materials &amp; Services</b>			<b>\$9,129,897</b>		<b>\$150,000</b>		<b>\$9,279,897</b>
<b>Total Capital Outlay</b>			<b>\$308,394</b>		<b>\$0</b>		<b>\$308,394</b>
<b>TOTAL REQUIREMENTS</b>		<b>148.13</b>	<b>\$22,817,025</b>	<b>0.00</b>	<b>\$250,000</b>	<b>148.13</b>	<b>\$23,067,025</b>

**Exhibit A**  
**Ordinance No. 07-1156**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>General Expenses</b>							
<b>Total Interfund Transfers</b>			<b>\$7,803,692</b>		<b>\$0</b>		<b>\$7,803,692</b>
<u><i>Contingency &amp; Unappropriated Balance</i></u>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General Contingency		1,189,899		(250,000)		939,899
	* General Reserve		5,848,983		0		5,848,983
	* Tourism Opportunity & Comp. Account		43,307		0		43,307
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Undesignated		42,000		0		42,000
	* Recovery Rate Stabilization reserve		1,982,748		0		1,982,748
	* Computer Replacement Reserve (Planning)		90,000		0		90,000
	* Tibbets Flower Account		278		0		278
	* Reserve for Future Debt Service		1,867,516		0		1,867,516
<b>Total Contingency &amp; Unappropriated Balance</b>			<b>\$11,064,731</b>		<b>(\$250,000)</b>		<b>\$10,814,731</b>
<b>TOTAL REQUIREMENTS</b>		<b>403.83</b>	<b>\$102,209,092</b>	<b>0.00</b>	<b>\$0</b>	<b>403.83</b>	<b>\$102,209,092</b>

**Exhibit B**  
**Ordinance No. 07-1156**  
**FY 2006-07 SCHEDULE OF APPROPRIATIONS**

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Amended</u> <u>Appropriation</u>
<b>GENERAL FUND</b>			
Council Office			
Operating Expenses (PS & M&S)	1,775,095	0	1,775,095
Subtotal	1,775,095	0	1,775,095
Finance & Administrative Services			
Operating Expenses (PS & M&S)	7,374,001	0	7,374,001
Capital Outlay	205,150	0	205,150
Subtotal	7,579,151	0	7,579,151
Human Resources			
Operating Expenses (PS & M&S)	1,527,312	0	1,527,312
Subtotal	1,527,312	0	1,527,312
Metro Auditor			
Operating Expenses (PS & M&S)	579,455	0	579,455
Subtotal	579,455	0	579,455
Office of Metro Attorney			
Operating Expenses (PS & M&S)	1,582,475	0	1,582,475
Subtotal	1,582,475	0	1,582,475
Oregon Zoo			
Operating Expenses (PS & M&S)	22,508,631	250,000	22,758,631
Capital Outlay	308,394	0	308,394
Subtotal	22,817,025	250,000	23,067,025
Planning			
Operating Expenses (PS & M&S)	23,822,826	0	23,822,826
Debt Service	29,250	0	29,250
Subtotal	23,852,076	0	23,852,076
Public Affairs & Government Relations			
Operating Expenses (PS & M&S)	1,390,721	0	1,390,721
Subtotal	1,390,721	0	1,390,721
Regional Parks & Greenspaces			
Operating Expenses (PS & M&S)	6,934,866	0	6,934,866
Capital Outlay	100,000	0	100,000
Subtotal	7,034,866	0	7,034,866

**Exhibit B**  
**Ordinance No. 07-1156**  
**FY 2006-07 SCHEDULE OF APPROPRIATIONS**

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Amended</u> <u>Appropriation</u>
Non-Departmental			
Operating Expenses (PS & M&S)	14,003,594	0	14,003,594
Debt Service	1,198,898	0	1,198,898
Subtotal	15,202,492	0	15,202,492
General Expenses			
Interfund Transfers	7,803,692	0	7,803,692
Contingency	7,082,189	(250,000)	6,832,189
Subtotal	14,885,881	(250,000)	14,635,881
Unappropriated Balance	3,982,542	0	3,982,542
<b>Total Fund Requirements</b>	<b>\$102,209,092</b>	<b>\$0</b>	<b>\$102,209,092</b>

*All Other Appropriations Remain as Previously Adopted*

## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 07-1156, AMENDING THE FY 2006-07 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERING \$250,000 FROM CONTINGENCY TO PERSONAL SERVICES AND MATERIALS AND SERVICES FOR THE OREGON ZOO, AND DECLARING AN EMERGENCY

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Date: May 18, 2007

Prepared by: Craig M. Stroud

#### BACKGROUND

The zoo continues to experience record-breaking attendance and strong guest spending. Attendance through April is 104,000 ahead of last year, 136,000 ahead of the fiscal year attendance forecast, and surpasses the all-time year-to-date attendance record, set in fiscal year 2001, by 117,000.

Zoo management has held operating expenditures in line with budgeted amounts even though attendance, and costs that increase based on attendance, exceeded forecasts. Examples of variable costs driven by attendance include food for sale, gate and zoo train personal services, and use of contract services to operate the auxiliary lot guest-parking shuttles. Financial analysis of expenditures through April 2007 forecast operating expenditures through June 30, 2007 to finish uncomfortably close to budgeted amounts.

To ensure the zoo has adequate operating limitation to support guest operations through the end of FY 2006-07, management requests the transfer of \$250,000 from zoo operating contingency to zoo operating personal services and materials and services. The zoo expects positive rates of return for these funds, as the monies will be used for revenue-generating activities. Zoo management will prudently manage these funds and will not spend unneeded budget limitation. Unspent money will revert to FY 2007-08 zoo operating fund beginning balance.

<i>Capital Fund – Oregon Zoo</i>	
<i>Resources</i>	
Contingency	\$250,000
<i>Expenditures</i>	
Personal Services	\$100,000
Materials and Services	\$150,000

## **ANALYSIS/INFORMATION**

- 1. Known Opposition:** None known.
- 2. Legal Antecedents:** ORS 294.450 provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction.
- 3. Anticipated Effects:** This action provides the zoo operating limitation for staff and supplies. This limitation is needed to ensure guests receive a zoo experience that meets their expectations as we move from the FY 2006-07 to FY 2007-08 budgets.
- 4. Budget Impacts:** This action increases the personal services and materials and services operating appropriations in the zoo operating fund, and decreases the contingency appropriation in that fund by \$250,000 in the FY 2006-07 budget. These funds will be used to support revenue-generating activities, and we expect a positive rate of return for every dollar spent in these operating areas. Unused funds will revert to beginning fund balance in the FY 2007-08 budget year.

## **RECOMMENDED ACTION**

The Chief Operating Officer recommends adoption of this Ordinance.

BEFORE THE METRO COUNCIL

ADOPTING THE ANNUAL BUDGET FOR ) FISCAL YEAR 2007-08, MAKING ) APPROPRIATIONS, LEVYING AD VALOREM ) TAXES, AND DECLARING AN EMERGENCY )	ORDINANCE NO 07-1144A    Introduced by David Bragdon, Council President
--	--

WHEREAS, the Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 2007, and ending June 30, 2008; and

WHEREAS, recommendations from the Multnomah County Tax Supervising and Conservation Commission have been received by Metro (attached as Exhibit A and made a part of the Ordinance) and considered; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The "Fiscal Year 2007-08 Metro Budget," in the total amount of FOUR HUNDRED ~~SIXTY-FIVE-SEVENTY~~ MILLION ~~ONE-FOUR~~ HUNDRED ~~NINETY-SIXTY~~ NINE THOUSAND ~~ONE-FOUR~~ HUNDRED ~~THREE-NINETY ONE~~ DOLLARS (\$~~465,199,103~~470,469,491), attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, at the rate of \$0.0966 per ONE THOUSAND DOLLARS (\$1,000) of assessed value for operations and in the amount of THIRTY SEVEN MILLION ~~ONE HUNDRED SIXTY-THREE THOUSAND SEVENTY-FOUR-TWO HUNDRED NINETY THOUSAND SEVEN HUNDRED NINETY THREE~~ DOLLARS (\$37,~~163,074~~290,793) for general obligation bond debt, said taxes to be levied upon taxable properties within the Metro District for the fiscal year 2007-08. The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution constitute the above aggregate levy.

SUMMARY OF AD VALOREM TAX LEVY

	Subject to the General Government <u>Limitation</u>	Excluded from the <u>Limitation</u>
Operating Tax Rate Levy	\$0.0966/\$1,000	
General Obligation Bond Levy		\$37, <del>163,074</del> 290,793

3. In accordance with Section 2.02.040 of the Metro Code, the Metro Council hereby authorizes positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year beginning July 1, 2007, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

4. The following funds are hereby consolidated into the MERC Fund – the MERC Operating Fund and the MERC Pooled Capital Fund. Balances remaining in these funds are consolidated with the MERC Fund effective July 1, 2007.

5. An interfund loan from the General Fund to the General Obligation Bond Debt Service Fund in an amount not to exceed \$2.0 million is hereby authorized. The loan will be made to provide cash flow for debt service payments due during the first six months of the fiscal year prior to the receipt of property taxes. The loan will be repaid, with interest, from property taxes levied for the purpose of paying general obligation debt service. Interest will be charged on the loan at a rate equal to the average yield on Metro’s pooled investments.

6. The Chief Financial Officer shall make the filings as required by ORS 294.555 and ORS 310.060, or as requested by the Assessor’s Office of Clackamas, Multnomah, and Washington Counties.

7. This Ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins July 1, 2007, and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council on this 21<sup>st</sup> day of June, 2007.

\_\_\_\_\_  
David Bragdon, Council President

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Chris Billington, Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney



## STAFF REPORT

### CONSIDERATION OF ORDINANCE NO. 07-1144 ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2007-08, MAKING APPROPRIATIONS AND LEVYING AD VALOREM TAXES, AND DECLARING AN EMERGENCY

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Date: March 15, 2007

Presented by: David Bragdon  
Metro Council President

## BACKGROUND

I am forwarding to the Metro Council for consideration and approval my proposed budget for fiscal year 2007-08.

Metro Council action, through Ordinance No. 07-1144 is the final step in the process for the adoption of Metro's operating financial plan for the forthcoming fiscal year. Final action by the Metro Council to adopt this plan must be completed by June 30, 2007.

Once the budget plan for fiscal year 2007-08 is approved by the Metro Council, the number of funds and their total dollar amount and the maximum tax levy cannot be amended without review and certification by the Tax Supervising and Conservation Commission. Adjustments, if any, by the Metro Council to increase the level of expenditures in a fund are limited to no more than 10 percent of the total value of any fund's expenditures in the period between Metro Council approval in early May 2007 and adoption in June 2007.

Exhibit A to this Ordinance will be available subsequent to the Tax Supervising and Conservation Commission hearing June 7, 2007. Exhibits B and C of the Ordinance will be available at the public hearing on March 15, 2007.

## ANALYSIS/INFORMATION

1. **Known Opposition** – Metro Council hearings will be held on the Proposed Budget during the months of March and April 2007. Several opportunities for public comments will be provided. Opposition to any portion of the budget will be identified during that time.
2. **Legal Antecedents** – The preparation, review and adoption of Metro's annual budget is subject to the requirements of Oregon Budget Law, ORS Chapter 294. Oregon Revised Statutes 294.635 requires that Metro prepare and submit its approved budget to the Tax Supervising and Conservation Commission by May 15, 2007. The Commission will conduct a hearing on June 7, 2007 for the purpose of receiving information from the public regarding the Metro Council's approved budget. Following the hearing, the Commission will certify the budget to the Metro Council for adoption and may provide recommendations to the Metro Council regarding any aspect of the budget.
3. **Anticipated Effects** – Adoption of this ordinance will put into effect the annual FY 2007-08 budget, effective July 1, 2007.
4. **Budget Impacts** – The total amount of the proposed FY 2007-08 annual budget is \$465,199,103 and 718.31 FTE.

**RECOMMENDED ACTION**

The Metro Council President recommends adoption of Ordinance No. 07-1144

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BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE ) Resolution No. 07-3822  
COUNCIL PRESIDENT’S APPOINTMENT OF )  
YVONNE J. MCLAIN TO THE METROPOLITAN ) Introduced by David Bragdon, Council  
EXPOSITION-RECREATION COMMISSION ) President

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission; and

WHEREAS, the Metro Code, Section 6.01.030(b) provides that the Metro Council President’s appointments to the Commission are subject to confirmation by the Metro Council; and

WHEREAS, pursuant to Metro Code, Section 6.01.030(d)(3) and (g) the Metro Council President has nominated Yvonne J. McLain as a candidate to replace George Forbes as a member on the Commission due to his resignation from the Commission as of June 30, 2007, for the remainder of Mr. Forbes’ term; and

WHEREAS, the Metro Council President submitted his appointment of Ms. McLain to the Metro Council for confirmation; and

WHEREAS, the Council finds that Yvonne J. McLain has the experience and expertise to make a substantial contribution to the Commission’s work; now, therefore,

BE IT RESOLVED, that the Metro Council hereby confirms the Council President’s appointment of Yvonne J. McLain as a member of the Metropolitan Exposition Recreation Commission beginning on July 1, 2007, and ending December 31, 2009.

ADOPTED by the Metro Council this 14th day of June 2007.

\_\_\_\_\_  
David Bragdon, Council President

Approved as to form:

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3822 FOR THE PURPOSE  
OF CONFIRMING THE COUNCIL PRESIDENT'S APPOINTMENT OF  
YVONNE J. MCLAIN TO THE METROPOLITAN EXPOSITION  
RECREATION COMMISSION

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Date: June 1, 2007

Prepared by: Lake McTighe

### BACKGROUND

The Metro Code, Section 6.01.030(a), gives the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission, subject to confirmation by the Metro Council. Section 6.01.030(d)(3) of the Code allows the Metro Council President to nominate a candidate for appointment for the Council President's consideration. Under Section 6.01.030(g) of the Metro Code, vacancies are filled pursuant to the procedure governing initial appointments.

Commissioner George Forbes, originally appointed by the Metro Council President, resigned from the Commission. His service will end June 30, 2007. The Metro Council President has nominated Yvonne J. McLain as a candidate for membership on the Commission to replace George Forbes and has submitted his appointment of Ms. McLain to the Metro Council for confirmation. If confirmed, Ms. McLain would, pursuant to Metro Code, Section 6.01.030(g), serve the remainder of Mr. Forbes' term, beginning July 1, 2007 and ending December 31, 2009.

A copy of Ms. McLain's resume is attached.

Metro Chief Operating Officer Michael Jordan concurs with this appointment.

### ANALYSIS/INFORMATION

1. **Known Opposition.** None
2. **Legal Antecedents.**  
Metro Code, as referenced above.
3. **Anticipated Effects:**  
Appointment of Ms. McLain in the manner provided by the Metro Code.
4. **Budget Impacts.** None

### RECOMMENDATION

The Chief Operating Officer recommends approval of Resolution 07-3822 to confirm the appointment of Yvonne J. McLain to the Metropolitan Exposition Recreation Commission and to begin serving July 1, 2007.

## **Yvonne J. McLain Resume**

### **EDUCATION**

B.A., Architecture, University of Oklahoma§  
Competent Person Trenching & Excavation, 07/12/2001§  
Work Zone Traffic Control, 07/28/2001§  
OSHA 10-Hr Safety Compliance Course, 02/10/2002

### **PROFESSIONAL AFFILIATIONS§**

Board Member, APWA, 2004 to present  
Member, CMTS Safety Committee  
Member, City of Portland, Bureau of Environmental Services Safety Committee Member

### **GENERAL**

Ms. McClain's is the President of CMTS Inc., and has over 11 years experience in project management and construction management. Her involvement in the construction industry includes projects ranging from \$20 K to more than \$ 30 M. Her leadership is highly regarded for her visionary skills, mentorship, collaboration and ability to listen to each clients needs. Ms. McClain is responsible for the overall operation of the CMTS Northwest Region. She develops and reviews company financial statements, develops the annual marketing plan, and reviews progress in achieving that plan. She administers and reviews all, sub-consultant and prime contracts for the region and develops personnel policies and compensation guidelines.

### **PROFESSIONAL HISTORY**

#### **CMTS, Inc. – President (2001-present)**

Ms. McClain is responsible for the overall operation of the Washington office and the Northwest Region. Ms. McClain develops and reviews company financial statements, develops the annual marketing plan, and reviews progress in achieving that plan. She also develops and administers personnel policies and compensation guidelines.

#### **Loyola Marymount University – Project Manager (1996-2001)**

Ms. McClain was responsible for coordinating design, construction, and budgets with the department director, architects, building occupants and contractors on new and renovation projects. One of the projects was a \$17.5 million, 80,000 square foot Burns Recreation Facility, which holds a 50-meter pool, 2 court gyms, 3 auxiliary gyms, a fitness center, student health center and student psychological center. Other projects included the design development of a performing arts complex included 2 theaters, black box, classrooms/studios, and faculty offices (\$30 million), design development of a chemistry lab addition to Seaver Hall (\$1 million), and faculty and staff office renovations for Foley Hall and Malone Student Center (\$2 million). Ms. McClain also worked on the disabled access renovation for the Huesman and Sullivan dormitories (\$3 million). She produced drawings for over 400 custom office layouts for the newly acquired 1,000,000 square foot facility. Additional responsibilities included construction working drawings for miscellaneous office renovation/relocation projects and tracking campus building square footage.

#### **CMTS, Inc. – Project Manager (1994-1996)**

Ms. McClain was assigned to the Facilities Planning and Administration Department at Loyola Marymount University. Her responsibilities included direct coordination with the department director, building occupants, and the contractor on 9 fast-track projects. Renovation projects included Tenderich Apartments, Psychology Department, and Sullivan Hall. Ms. McClain also

managed over \$3 million on renovation construction projects. Additional assignments Ms. McClain managed included the City of Santa Monica's Earthquake Recovery Program during Phase 1 and miscellaneous building repairs in Phase 2. This involved close interaction with the city's project manager and occupants of 29 scattered sites throughout Santa Monica in Phase 1 and 19 scattered sites in Phase 2. She coordinated and scheduled final acceptance walk through with each user, documented, reviewed, and reconciled all additional earthquake related change orders, and verified all earthquake change order variances between the actual and original scope of work as indicated by the Federal and State Disaster Survey Reports. Ms. McClain also chaired weekly construction progress meetings, reviewed and tracked contractors' schedules, and reviewed submittals for conformance with design specifications.

CMTS, Inc. – Design Coordinator (1992-1994)

Ms. McClain assisted the deputy resident engineer in managing the construction of the Continental Support Facilities for the Denver International Airport. She was the liaison between the contractor and the architect, tracked and logged RFI's and submittals to ensure timely response to the contractor. Ms. McClain was also responsible for tracking material/equipment approval procurements, reviewing and evaluating change documents and change requests generated by the designer and contractor for approval, chaired weekly construction meetings and coordinated all contractors and airport representatives that interfaced with Continental support facilities contracts. She also generated and coordinated final punch list, tracked contractor' submittals of warranties and O&M manuals and verified all as-builds prior to final acceptance. As Project Coordinator, Ms. McClain assisted the project manager with CMTS personnel management. Her responsibilities included, assisting the Project Manager with CMTS personnel management, conducting interviews and selecting qualified candidates, assisted employees with client relations, placing personnel with consultants, providing technical and business support to employees and authorized new hires, transfers, upgrades and terminations.

Durrant Flickinger Architects – Intern Architect (1991-1992)

Ms. McClain assisted the project architect with coordinating and developing construction documents for the interior renovation of a Lord & Taylor department store in Denver, Colorado and a Foley's department store in Dallas, Texas. Her responsibilities included, documentation of existing lighting, mechanical and interior conditions of department stores, construction documents using Auto Cad, assisted with the development and presentation of drawings that were approved by the Historical Commission of Denver. She also assisted with development of construction documents for a True Value Hardware Store and May D & F and Foley Stores in Denver and Dallas. Ms. McClain also distributed construction documents to general contractors and owners.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENTERING AN ORDER ) Resolution No. 07-3807  
RELATING TO THE BRADLEY K. AND CYNTHIA )  
J. TOMAN CLAIM FOR COMPENSATION UNDER ) Introduced by Chief Operating Officer  
ORS 197.352 (MEASURE 37) ) Michael Jordan with the concurrence of  
 ) Council President David Bragdon

WHEREAS, Bradley K. and Cynthia J. Toman filed a claim for compensation under ORS 197.352 (Measure 37) contending that Metro regulations had reduced the fair market value of their property; and

WHEREAS, the property that is the subject of the claim lies outside Metro's jurisdictional boundary; and

WHEREAS, the Metro Council considered the claim on June 14, 2007; now, therefore

BE IT RESOLVED that the Metro Council:

1. Enters Order No. 07-037, attached to this resolution as Exhibit A, which dismisses the claim for the reason that the subject property lies outside Metro's jurisdictional boundary.
2. Directs the Chief Operating Officer ("COO") to send a copy of Exhibit A to the claimants and Washington County. The COO shall also post the exhibit at the Metro website.

ADOPTED by the Metro Council this \_\_\_\_ day of June, 2007

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David Bragdon, Council President

Approved as to form:

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Daniel B. Cooper, Metro Attorney

Exhibit A to Resolution No. 07-3807

Order No. 07-037

RELATING TO THE BRADLEY K. AND CYNTHIA J. TOMAN CLAIM  
FOR COMPENSATION UNDER ORS 197.352 (MEASURE 37)

Claimant: Bradley K. and Cynthia J. Toman

Property: City of Hillsboro

Claim: Regulations in Titles 3 and 13 reduce the fair market value of claimants' property

Claimants submitted the claim to Metro pursuant to ORS 197.352 (Measure 37). This order is based upon materials submitted by the claimants.

IT IS ORDERED THAT:

The claim of Bradley K. and Cynthia J. Toman for compensation be denied because the subject property lies outside Metro's jurisdictional boundary.

ENTERED this \_\_\_\_ day of June, 2007.

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David Bragdon, Council President

Approved as to form:

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Daniel B. Cooper, Metro Attorney



**CLAIM FOR COMPENSATION**  
UNDER ORS 197.352  
AND METRO CODE CHAPTER 2.21

**REVISED REPORT OF THE CHIEF OPERATING OFFICER**

**In Consideration of Order No. 07-037**  
**For the Purpose of Entering an Order**  
**Relating to the Claim of Bradley K. and Cynthia J. Toman**

April 30, 2007

**METRO CLAIM NUMBER:** Claim No. 07-037

**NAME OF CLAIMANTS:** Bradley K. and Cynthia J. Toman

**MAILING ADDRESS:** 31400 NW Camp Ireland St.  
Hillsboro, OR 97124

**PROPERTY LOCATION:** 31400 NW Camp Ireland St.  
Hillsboro, OR 97124

**TAX LOT ID:** 1N325AB-001600

**DATE OF CLAIM:** December 4, 2006

**I. CLAIM**

Claimants seek compensation in the amount of \$405,000 for a claimed reduction in fair market value of the subject property as a result of Title 13 (“Nature in Neighborhoods”) of Metro’s Urban Growth Management Functional Plan. Claimants seek a waiver of the regulations to allow for residential development.

**II. SUMMARY OF COO RECOMMENDATION**

The Chief Operating Officer (COO) recommends that the Metro Council dismiss the claim for the reason set forth in section III of the report.

**III. PRELIMINARY REVIEW**

1. *Timeliness of Claim*

ORS 197.352(5) requires that a written demand for compensation be made:

- a. For claims arising from a land use regulation enacted *prior* to the effective date of Measure 37, within two years of that date or the date a public entity applies the regulation to the property as an approval criterion in response to a land use application submitted by the owner; or
- b. For claims arising from a land use regulation enacted *after* the effective date of Measure 37, within two years of the enactment of the regulation or of the date the owner of the property submits a land use application for the property in which the regulation is an approval criterion.

Claimants filed their claim on December 4, 2006. The claim is timely.

2. *Location of Property*

The subject property is within Metro's urban growth boundary, but is outside of Metro's jurisdictional boundary. Because the property is outside of Metro's jurisdictional boundary, the claim is invalid.

3. *Land Use Regulation*

Only Metro regulations that apply to properties inside Metro's jurisdictional boundary are subject to claims under ORS 197.352. No Metro land use regulations apply to claimant's property.

4. *Interest in Land*

Claimants assert that they acquired the property in February 1980 and are presumed to have had a continuous ownership since that date. Claimants did not submit any proof of ownership.

**IV. COO Recommendation**

Metro Code section 2.21.040(b) requires the COO to make a preliminary analysis to determine whether a claim meets the basic requirements for full review. The subject property is outside of Metro's jurisdictional boundary. Therefore, the claim does not meet the basic requirements for further review. The COO recommends that the Metro Council dismiss the claim pursuant to Metro Code 2.21.040(c) and 2.21.060(a)(1).