



**METRO**

**Agenda**

MEETING: METRO COUNCIL WORK SESSION  
DATE: December 9, 2008  
DAY: Tuesday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

- |                |   |                      |
|----------------|---|----------------------|
| <b>2:00 PM</b> | <b>1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, DECEMBER 11, 2008/ADMINISTRATIVE/CHIEF OPERATING OFFICER COMMUNICATIONS</b> |                      |
| <b>2:15 PM</b> | <b>2. TRANSIT ORIENTED DEVELOPMENT FUNDING AGREEMENT</b>  | Gibbs                |
| <b>2:25 PM</b> | <b>3. 2035 REGIONAL TRANSPORTATION PLAN (RTP) UPDATE SYSTEM DEVELOPMENT PHASE</b>   | Ellis                |
| <b>3:15 PM</b> | <b>4. BREAK</b>   |                      |
| <b>3:20 PM</b> | <b>5. METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) PUBLIC COMMENT ON REGIONAL FLEXIBLE FUND ALLOCATION</b>                | Leybold              |
| <b>3:50 PM</b> | <b>6. SOLID WASTE TRANSPORT CONTRACT EARLY START</b>  | Ehinger/<br>Robinson |
| <b>4:20 PM</b> | <b>7. COUNCIL BRIEFINGS/COMMUNICATION</b>   |                      |

**ADJOURN**

**TRANSIT ORIENTED  
DEVELOPMENT FUNDING  
AGREEMENT**

Metro Council Work Session  
Tuesday, December 9, 2008  
Metro Council Chamber

# METRO COUNCIL

## Work Session Worksheet

Presentation Date: 12-9-08 Time: 2:00pm Length: 15 min

Presentation Title: TOD Funding Agreement with TriMet

Department: Planning and Development

Presenters: Megan Gibb and Joel Morton

### ISSUE & BACKGROUND

In November 1999, TriMet and Metro entered into an Intergovernmental Agreement (IGA) for the purpose of improving transit service and funding the TOD Program. Metro provided State Transportation Improvement Program (STIP) flexible funds and other federal funds for improving transit service. TriMet provided a like amount of local funds to Metro to leverage TOD program activities. The IGA has been amended biannually as additional funding is allocated. In addition, TriMet delegated authority to Metro to operate the program. Instead of amending the IGA once again and continuing to operate the program under TriMet's authority, it is recommended that Metro establish its' own authority to operate the program and that Metro and TriMet enter into a new long term IGA that does not require biannual renewals. Therefore, Metro Council authorization will be requested in two separate actions: 1) an ordinance determining that implementing transit-oriented development is a matter of metropolitan concern; and 2) a resolution authorizing a new funding IGA.

Ordinance 08-1204, For the purpose of determining that implementing transit-oriented development is a matter of metropolitan concern, will be submitted to the Metro Council for first reading on December 18, 2008, and action on January 15, 2009. This action will establish, for the record, that Transit Oriented Development (TOD) and Urban Centers Implementation is a matter of metropolitan concern and therefore within Metro's jurisdiction. Historically, the IGA with TriMet provided jurisdictional authority since the TOD Program was first established under that agency and then realigned with Metro under that joint IGA.

Resolution 09-4014, For the purpose of authorizing an intergovernmental agreement with TriMet for providing funding coordination for Metro's Transit-Oriented Development and Urban Centers program, will be submitted to the Metro Council for action on January 15, 2009. This action recognizes TriMet's long-term interest in supporting the TOD Program by providing for periodic exchanges of TriMet general funds for TOD Program federal transportation flexible funds in order to improve the efficiency of government.

In the future, TOD Program funding will be determined by Metro Council as part of the MTIP allocation process, without the redundancy of seeking Metro Council approval to amend the IGA setting forth the funding every two years.

### **OPTIONS AVAILABLE**

Without approval of the proposed ordinance and resolution, the TOD Program would not be able to continue operation. The IGA with TriMet improves program efficiency by allowing Metro to implement efficient, streamlined program procedures.

### **IMPLICATIONS AND SUGGESTIONS**

It is recommended that the Metro Council take action to approve the proposed ordinance and resolution in order to declare independent authority to implement transit-oriented development, improve program efficiency and continue a nationally-recognized best practice program. Because this action is specifically not intended to exercise any authority to direct, regulate or preempt local government efforts to provide for the implementation of Transit-Oriented Development, this ordinance will not result in Metro providing or regulating any existing service provided by local governments. As a result, this ordinance need not be approved by MPAC. MPAC's advice on this matter will be sought during its December 17, 2008 meeting, in accord with the Metro Charter.

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION  Yes  No  
DRAFT IS ATTACHED  Yes  No**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DETERMINING THAT ) ORDINANCE NO. 08-1204  
IMPLEMENTING TRANSIT-ORIENTED )  
DEVELOPMENT IS A MATTER OF )  
METROPOLITAN CONCERN ) Introduced by Councilor Robert Liberty

WHEREAS, on May 16, 1996, the Metro Council adopted Resolution No. 96-2279 (For the Purpose of Authorizing an Intergovernmental Agreement with TriMet to assist in establishing a Transit-Oriented Development and Implementation Program at Metro) to authorize entry into an Intergovernmental Agreement with TriMet transferring TriMet authority to establish and implement a Transit-Oriented Development Program at Metro; and

WHEREAS, on November 18, 1999, the Metro Council adopted Resolution No. 99-2858 (For the Purpose of Authorizing a Revenue Neutral Intergovernmental Agreement with TriMet Concerning Transit-Oriented Development and Increasing the Level of Transit Service), which determined that implementing Transit-Oriented Development is a cost-effective means of increasing ridership for transit, reducing congestion and improving air quality, and thus is an important component in realizing the Region 2040 Growth Concept and authorized entry into an Intergovernmental Agreement with TriMet exchanging Federal STP Flexible Funds allocated to the Transit Oriented Development Program for TriMet general funds; and

WHEREAS, the TOD Work Plan was amended: (1) to include a site improvements project category by Resolution 00-2906 (For the Purpose of Amending the TOD Program Procedures to Facilitate TOD Projects Including the Round at Beaverton Central,) adopted March 9, 2000; (2) to include additional light rail corridors, streetcar, frequent bus, urban centers and green buildings by Resolution No. 04-3479 (For the Purpose of Amending the Transit-Oriented Development (TOD) Program Work Plan to Expand the TOD Program Area and Initiate An Urban Centers Program,) adopted July 15, 2004; (3) to add selection criteria for frequent bus line projects by Resolution No. 05-3563 (For the Purpose of Amending the Transit-Oriented Development (TOD) Program Work Plan to Apply Additional Selection Criteria to TOD Program Frequent Bus Line Projects), adopted May 19,2005; and (4) to allow a process for unsolicited proposals by Resolution No. 05-3617 (For the Purpose of Amending the Transit-Oriented Development (TOD) Program Work Plan to Allow a Process for Consideration of Unsolicited Development Proposals for Metro TOD & Centers Program Owned Land), adopted September 13, 2005 to designate focus centers, establish an urban living infrastructure program, and make technical changes as set forth in Exhibit A; and

WHEREAS, Section 4 of the Metro Charter, entitled “Jurisdiction of Metro,” provides that, “Metro has jurisdiction over matters of metropolitan concern. Matters of metropolitan concern include . . . those matters the Council by ordinance determines to be of metropolitan concern.”; and

WHEREAS, Section 7 (1) of the Metro Charter, entitled “Assumption Ordinance,” provides that “The Council shall approve by ordinance the undertaking by Metro of any function not authorized by Sections 5 and 6 of this charter. The ordinance shall contain a finding that the function is of metropolitan concern and the reasons it is appropriate for Metro to undertake it.”; and

WHEREAS, implementing Transit-Oriented Development is a cost-effective means of encouraging higher density and mixed-use development, increasing ridership for transit, reducing congestion and improving air quality, and thus is an important component in realizing the vision, policies

and fundamental goals in Metro's Region 2040 Growth Concept, Regional Framework Plan and the Metro Code set forth herein below; and

WHEREAS, Fundamental 2 of the Regional Framework Plan charges Metro to "Encourage the efficient use of land within the UGB including buildable industrial and commercial land and focus development in 2040 mixed use centers and corridors."; and

WHEREAS, Fundamental 7 of the Regional Framework Plan charges Metro to "Enable communities to provide diverse housing options for all residents by providing a mix of housing types as well as affordable housing in every jurisdiction."; and

WHEREAS, the Regional Framework Plan provides that it is the Policy of the Metro Council to: "Balance the region's growth by . . . targeting public investments to reinforce compact urban form." (*Urban Form Policy 1.1.1 (d)*); "Manage the urban land supply in a manner consistent with state law by encouraging the evolution of an efficient urban growth form." (*Growth Management Policy 1.6.1 (a)*); "Support the identity and functioning of communities in the region through . . . ensuring that incentives and regulations guiding the development and redevelopment of the urban area promote a settlement pattern that . . . includes concentrated, high-density mixed-use urban centers developed in relation to the region's transit system." (*Urban Design Policy 1.10.1 (c)(v)*); "Encourage pedestrian and transit supportive building patterns in order to minimize the need for auto trips and to create a development pattern conducive to face-to-face community interaction." (*Urban Design Policy 1.10.2*); "Develop a regional strategy for enhancement of Centers, Station Communities and Main Streets in the region . . . placing a high priority on investments in Centers by Metro and efforts by Metro to secure complementary investments by others." (*Centers Policy 1.15.2. (b)*); "Increase walking for short trips and improve pedestrian access to the region's public transportation system through pedestrian improvements and changes in land use patterns, designs and densities." (*Regional Pedestrian Mode Share Policy 2.25.1*); and

WHEREAS, Metro Code Chapter 3.07, Title 6, entitled "Central City, Regional Centers, Town Centers and Station Communities," Section 3.07.610 - "Purpose and Intent," addresses the maintenance and enhancement of Centers by encouraging development in Centers that will improve the critical roles they play in the region, in aid of the accomplishment of the 2040 growth concept; and

WHEREAS, Metro Code Chapter 3.07, Title 9, entitled "Performance Measures," Section 3.07.910 - "Purpose and Intent," establishes a summary of fundamental goals of the region, one of which is to "Encourage efficient use of land within the UGB by focusing on development of 2040 mixed use centers and corridors."; and

WHEREAS, in determining that providing for the implementation of Transit-Oriented Development is a matter of metropolitan concern, the Metro Council does not wish to exercise any authority to direct or regulate local government efforts to provide for the implementation of transit-oriented development, and therefore concludes that Metro is not providing or regulating any existing service provided by local governments; and

WHEREAS, pursuant to Section 7 (3) of the Metro Charter, "Assumption of Other Service Functions, the Council shall seek the advice of the MPAC before adopting an ordinance authorizing provision or regulation by Metro of a service, which is not a local government service."; and

WHEREAS, this ordinance has been submitted to MPAC in its advisory capacity prior to being considered by the Metro Council; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The continued implementation of Transit-Oriented Development throughout the Metro Region is a metropolitan concern and the Metro Council finds, pursuant to Section 4 of the Metro Charter, that the Council shall exercise jurisdiction over the matter by providing for the implementation of Transit-Oriented Development through the Metro Transit-Oriented Development and Urban Centers Implementation Program, using federal, state, and regional, financial resources, as said resources become available and as the Metro Council shall further identify and direct.

2. In determining that providing for the implementation of Transit-Oriented Development is a matter of metropolitan concern, the Metro Council finds that Metro shall not exercise any authority to preempt, direct or regulate local government efforts to provide for the implementation of Transit-Oriented Development, and therefore concludes that Metro is not providing or regulating any existing service provided by local governments. Therefore this ordinance is not subject to approval by either the Metro Policy Advisory Committee or the voters of the Metro Area.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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David Bragdon, Council President

Attest:

Approved as to Form:

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Christina Billington, Recording Secretary

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Daniel B. Cooper, Metro Attorney

## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 08-1204, FOR THE PURPOSE OF DETERMINING THAT IMPLEMENTING TRANSIT-ORIENTED DEVELOPMENT IS A MATTER OF METROPOLITAN CONCERN

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Date: December 18, 2008

Prepared by: Robin McArthur and Megan Gibb

## BACKGROUND

The Metro Transit-Oriented Development and Urban Centers Implementation Program (“TOD Program”) originated in 1996, as a result of Metro Council adoption of Resolution No. 96-2279, on May 16, 1996, “For the Purpose of Authorizing an Intergovernmental Agreement with TriMet to Assist in Establishing a Transit-Oriented Development and Implementation Program at Metro.” Subsequent Council Resolutions detailed below authorized the execution of an Intergovernmental Agreement that established the delegation to Metro of TriMet’s authority to implement Transit-Oriented Development, and provided for a coordinated Metro – TriMet approach to Transit-Oriented Development, including a funding exchange between Metro and TriMet to improve the efficiency of the new Metro TOD Program. The Intergovernmental Agreement has been extended on four occasions, most recently in 2005, and is now nearing expiration. During that time, as set forth in the Metro TOD Program Workplan, (established via Metro Council Resolution No. 98-2619 “For the Purpose of Authorizing Start-up activities for the Transit-Oriented Development Program at Metro”) Metro Council has exercised primary oversight on the implementation of Transit-Oriented Development. Metro and TriMet propose to enter into a new long-term IGA to coordinate Transit-Oriented Development and Urban Centers Implementation that requires no recurring extensions of term by Metro Council and no delegation of authority from TriMet. This IGA would maintain the current level of Metro – TriMet coordination and funding exchange, but eliminates any need for TriMet to duplicate Metro Council’s oversight of the TOD Program by eliminating the delegation of authority. This proposed arrangement requires that the Council exercise independent jurisdiction over Transit-Oriented Development and Urban Centers Implementation by declaring it to be a matter of “metropolitan concern.”

This ordinance provides a Metro Council determination that Transit-Oriented Development and Urban Centers Implementation is a matter of metropolitan concern and is thus within Metro’s jurisdiction. Metro Council’s determination is supported by its prior recognition of the fact that Transit-Oriented Development is a cost-effective means of encouraging higher density and mixed-use development, increasing ridership for transit, reducing congestion and improving air quality, and is an important component in realizing the following policies and fundamental goals of the Metro Region 2040 Growth Concept, Regional Framework Plan and the Metro Code:

Fundamental 2 of the Regional Framework Plan charges Metro to: “Encourage the efficient use of land within the UGB including buildable industrial and commercial land and focus development in 2040 mixed use centers and corridors.”

Fundamental 7 of the Regional Framework Plan charges Metro to: “Enable communities to provide diverse housing options for all residents by providing a mix of housing types as well as affordable housing in every jurisdiction.”



The Regional Framework Plan provides that it is the policy of the Metro Council to: “Balance the Region’s growth by . . . targeting public investments to reinforce compact urban form.” (*Urban Form Policy 1.1.1 (d)*); “Manage the urban land supply in a manner consistent with state law by encouraging the evolution of an efficient urban growth form.” (*Growth Management Policy 1.6.1 (a)*); “Support the identity and functioning of communities in the region through . . . ensuring that incentives and regulations guiding the development and redevelopment of the urban area promote a settlement pattern that . . . includes concentrated, high density mixed use urban centers developed in relation to the region’s transit system.” (*Urban Design Policy 1.10.1 (c)(v)*); “Encourage pedestrian and transit supportive building patterns in order to minimize the need for auto trips and to create a development pattern conducive to face-to-face community interaction.” (*Urban Design Policy 1.10.2*); “Develop a regional strategy for enhancement of Centers, Station Communities and Main Streets in the region . . . placing a high priority on investments in Centers by Metro and efforts by Metro to secure complementary investments by others.” (*Centers Policy 1.15.2 (b)*); “Increase walking for short trips and improve pedestrian access to the region’s public transportation system through pedestrian improvements and changes in land use patterns designs and densities.” (*Regional Pedestrian Mode Share Policy 2.25.1*).

Metro Code Chapter 3.07, Title 6, entitled “Central City, Regional Centers, Town Centers and Station Communities,” Section 3.07.610 - “Purpose and Intent,” addresses the maintenance and enhancement of Centers by encouraging development in Centers that will improve the critical roles they play in the region, in aid of the accomplishment of the 2040 growth concept.

Metro Code Chapter 3.07, Title 9, entitled “Performance Measures,” Section 3.07.920 - “Purpose and Intent,” establishes a summary of fundamental goals of the region, one of which is to “Encourage efficient use of land within the UGB by focusing on development of 2040 mixed use centers and corridors.”

## ANALYSIS/INFORMATION

- 1. Known Opposition.** None known.
- 2. Legal Antecedents.** Sections 4 and 7 of the Metro Charter provide that Metro has jurisdiction over “matters of metropolitan concern,” including those matters the Council determines to be of metropolitan concern by ordinance. Such an ordinance shall contain a finding that a function is of metropolitan concern and the reasons for which it is appropriate to be undertaken by Metro. Metro’s authority to implement Transit-Oriented Development and operate the Transit-Oriented Development and Urban Centers Implementation Program has heretofore been by delegation of authority from TriMet to Metro contained in an intergovernmental agreement (the “IGA”) approved by the Metro Council via Resolution No. 99-2858, “For the Purpose of Authorizing a Revenue Neutral Intergovernmental Agreement with TriMet Concerning Transit-Oriented Development and Increasing the Level of Transit Service,” adopted November 18, 1999, and four successive extension amendments approved by the Metro Council via Resolutions No. 99-2858, adopted November 18, 1999; No. 01-3114A, adopted November 8, 2001; No. 03-3314, adopted May 15, 2003; No. 04-3478, adopted July 15, 2004; and No. 05-3627, adopted October 27, 2005.
- 3. Anticipated Effects.** Metro Council will obtain jurisdiction over the implementation of Transit Oriented Development as a matter of metropolitan concern. The delegation of TriMet’s authority to implement Transit-Oriented Development will no longer be necessary, and thus repetitive Metro Council authorization of amendments extending the delegation IGA will no longer be required. Future TOD Program MTIP allocations will be determined by Metro Council as part of the MTIP allocation process. Concurrently with this ordinance, Metro Council will be asked to authorize the

entry by Metro into a long-term IGA with TriMet, providing for periodic exchanges of TriMet general funds for TOD Program federal transportation flexible funds in order to improve the efficiency of government. The ordinance is specifically not intended to exercise any authority to direct, regulate or preempt local government efforts to provide for the implementation of Transit-Oriented Development, and thus this ordinance will not result in Metro providing or regulating any existing service provided by local governments.

- 4. Budget Impacts.** The projected revenues and expenditures associated with the implementation of Transit Oriented Development as a matter of metropolitan concern are already included in the FY 2009-2010 budget.

#### **RECOMMENDED ACTION**

Metro staff recommends the adoption of Ordinance No. 08-1204.

Agenda Item Number 3.0

**2035 REGIONAL TRANSPORTATION PLAN  
UPDATE SYSTEM DEVELOPMENT PHASE**

Metro Council Work Session  
Tuesday, December 9 2008  
Metro Council Chamber

# METRO COUNCIL

## Work Session Worksheet

Presentation Date: December 9, 2008 Time: 2:25 p.m. Length: 50 minutes

Presentation Title: 2035 RTP Update – System Development Phase

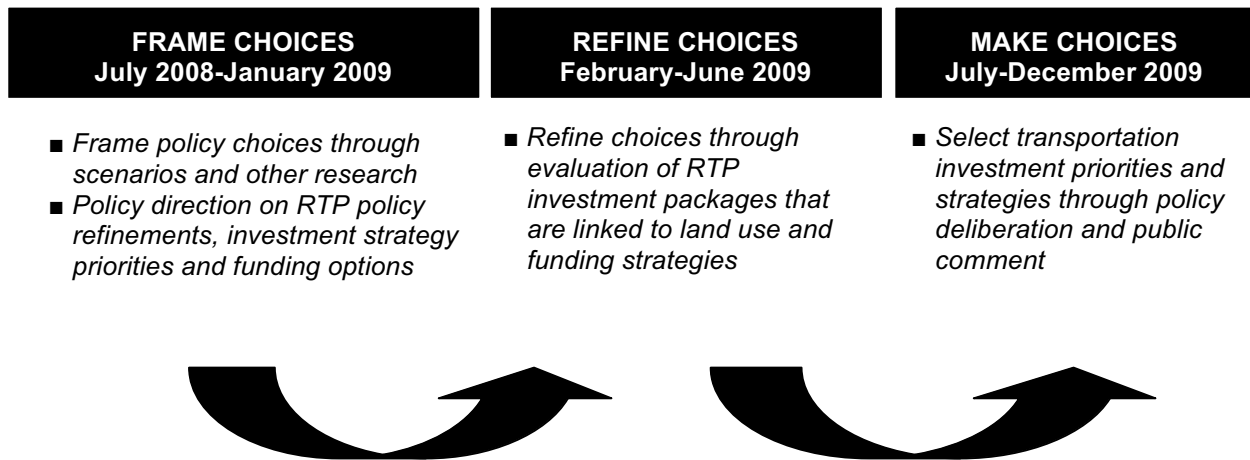
Department: Planning

Presenter: Kim Ellis

### ISSUE & BACKGROUND

The primary aim of the 2035 Regional Transportation Plan (RTP) is to implement the 2040 Growth Concept vision for land use, transportation, the economy and the environment. The 2035 RTP update is being conducted as part of the broader *Making the Greatest Place* effort and will link the region's desired outcomes to transportation and land use decisions and investment priorities. This process is summarized in Figure 1.

**Figure 1. 2035 Regional Transportation Plan Update – Key Milestones**



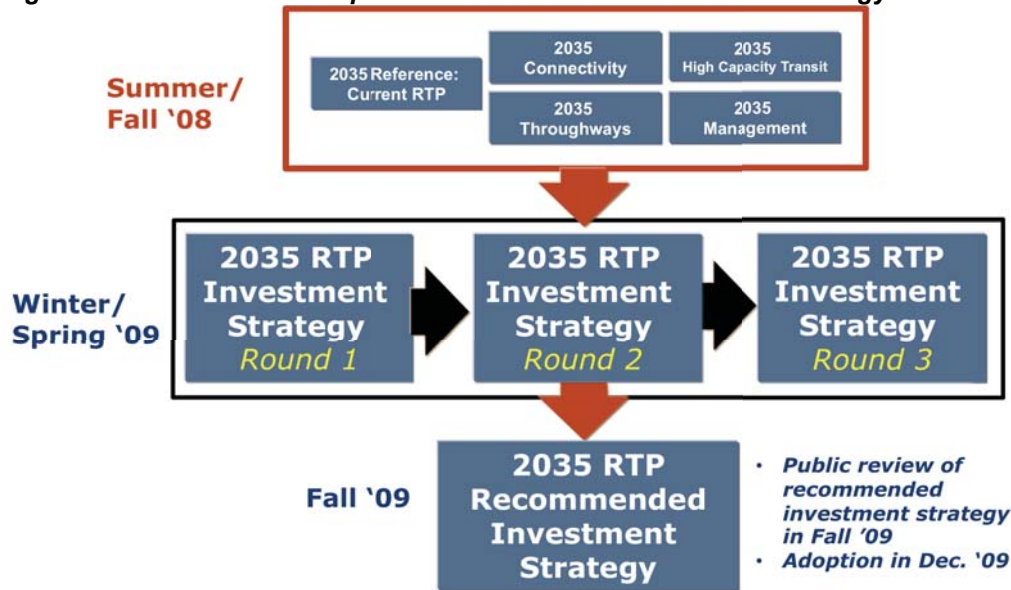
Over the past year, staff focused on framing policy choices and the development of an outcomes-based evaluation framework to assist policy development and investment decision-making in 2009. In addition, the region is working towards a better understanding of regional transportation system needs and investment choices through testing of four transportation investment scenarios and development of the regional mobility corridor atlas, High Capacity Transit (HCT) system plan, regional freight and goods movement plan, regional Transportation System Management and Operations (TSMO) plan and *Connecting Green* regional trail strategy. Additional transportation needs will be identified through the local aspirations work program in Winter 2009. Finally, work is underway to develop funding options for the package of investments that will be recommended in the 2035 RTP. The funding work will inform the size of the state package of investments to be included in the final plan in Spring/Summer 2009.

The next phase of the RTP process will identify priorities for the state system of investments linked to long-term local and regional land use aspirations and funding strategies. Attachment 1 describes the RTP investment strategy elements as defined in the federal component of the 2035 RTP update.

MPAC, JPACT and the Metro Council will confirm policy direction for the investment strategy in early 2009. Staff, with assistance from a work group comprised of TPAC and MTAC members, will develop and evaluate RTP investment packages in Winter/Spring 2009. The results of each round of

analysis will be reported to technical and policy committees for additional policy direction and investment strategy refinement. This process is shown in Figure 2.

**Figure 2. Process to Develop Recommended RTP Investment Strategy**



Attachment 2 shows the overall timeline and key milestones in greater detail.

**OPTIONS AVAILABLE**

Council may decide to support the recommended elements and approach for developing an RTP investment strategy as presented; or

Council may choose to suggest refinements to the elements or approach.

**IMPLICATIONS AND SUGGESTIONS**

Staff recommends advancing the proposed process shown in Attachment 2. With Council support, it allows the RTP process to move forward to develop and refine long-term land use and transportation investment priorities and implementation strategies. Products for each milestone will be brought forward to JPACT, MPAC and the Metro Council for discussion and direction. For example, on December 17 and January 20, the Council will be asked to provide direction on the RTP evaluation framework and investment strategy criteria.

**QUESTION(S) PRESENTED FOR CONSIDERATION**

1. Does the Council have refinements to the elements to be included in the recommended RTP Investment Strategy (Attachment 1) or the recommended approach for developing the strategy (Attachment 2) as presented?
2. The RTP Investment Strategy will be integrated with the Performance-Based Growth Management effort and development of land use and other infrastructure investment strategies. Does the Council have direction for staff regarding the integration of these efforts?
3. The High Capacity Transit (HCT) System Plan, Regional Freight and Goods Movement Action Plan, and Regional Transportation System Management and Operations (TSMO) Plan will be integrated with the RTP Investment Strategy. Does the Council have direction for staff regarding the integration of these efforts?

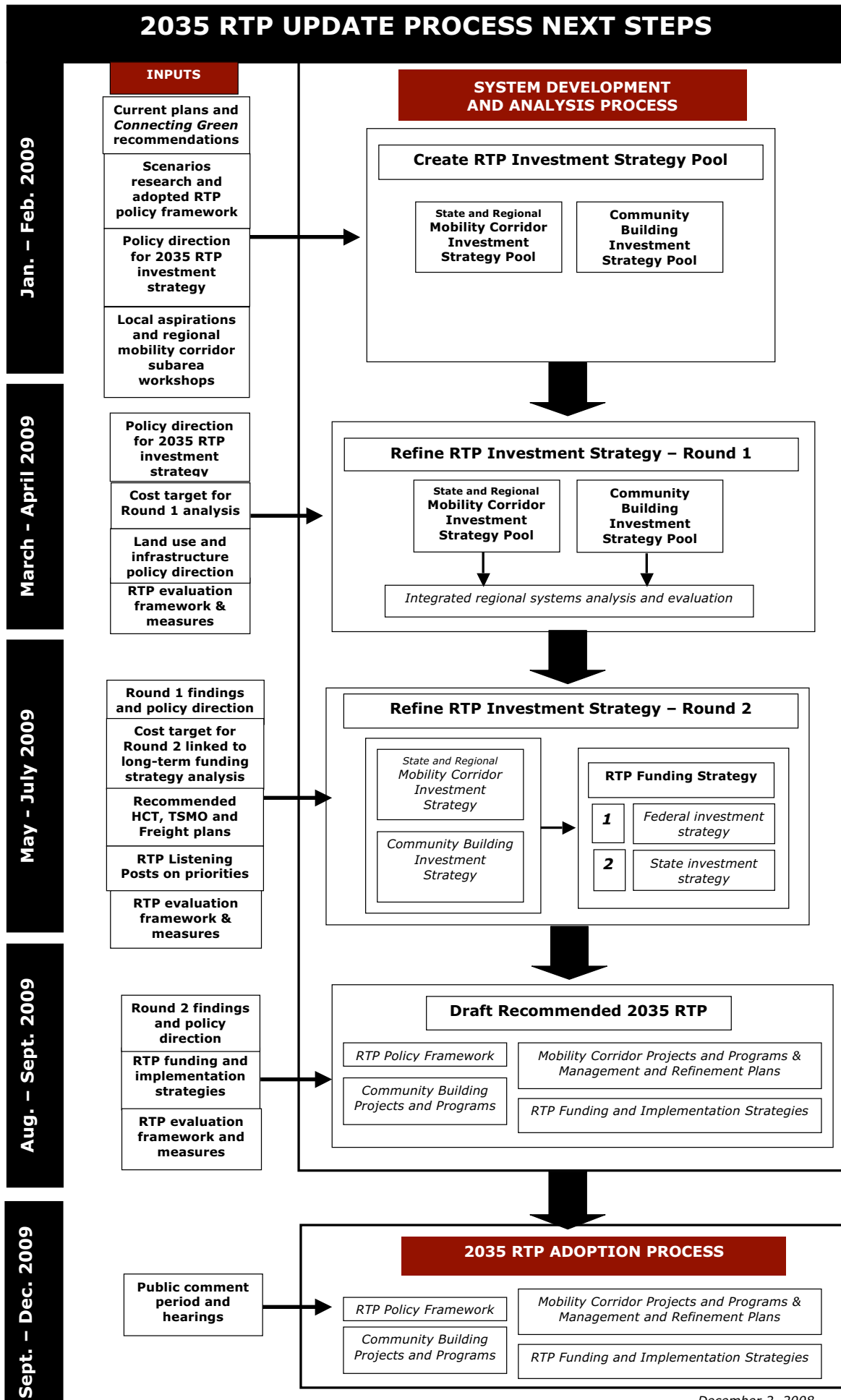
**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION** \_\_ Yes  No  
**DRAFT IS ATTACHED** \_\_ Yes  No



# 2035 Regional Transportation Plan Investment Strategy

<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>State and Regional Mobility Investment Strategy</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);"><i>Investments that support reliable interstate, intrastate and intra-regional people and goods movement.</i></p>	<p><b>Regional Throughway Investments</b> These investments address state and regional mobility corridors identified in the RTP with strategic, multi-modal corridor investments, and system and demand management strategies. These routes have the function of connecting major 2040 Growth Concept activity centers, industrial areas and intermodal facilities within the region and serve as the primary interstate and intrastate connections for travel to other parts of the state, California, Pacific Northwest and Canada.</p> <p><b>Regional High Capacity Transit Investments</b> These investments address the RTP high capacity transit (HCT) network with strategic, multi-modal corridor investments, and system and demand management strategies. The HCT routes have the function of connecting the 2040 Growth Concept central city, regional centers and passenger intermodal facilities within the region.</p> <p><b>Regional Trails Investments</b> These investments implement the Regional Greenspaces Master Plan through strategic investments in regional trails with a transportation function to serve longer-distance bicycle connections to and between the central city, regional centers, town centers, industrial areas and passenger intermodal facilities, regionally significant parks and greenspaces, the Willamette Greenway and other regionally significant habitat areas, fish and wildlife corridors, trails and greenways in Oregon and the state of Washington.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Community Building Investment Strategy</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);"><i>Investments that leverage 2040 land uses and improve community access and mobility.</i></p>	<p><b>Centers and Main Streets Investments</b> These multi-modal investments support multi-modal travel needs to, from and within high 2040 mixed-use areas, including the central city, regional and town centers, main streets, station communities and passenger intermodal facilities.</p> <p><b>Industrial Areas and Employment Areas Investments</b> These multi-modal transportation investments provide access and mobility to and within industrial and employment areas and freight intermodal facilities, and implement the regional freight and goods movement concept.</p> <p><b>2040 Corridors Investments</b> These investments implement the regional bike, pedestrian, arterial street and regional transit network concepts where appropriate through strategic multi-modal corridor investments and management strategies. These investments are targeted to the 2040 Corridors design-type, and provide important access connections to and between centers, main streets, employment areas, industrial areas, intermodal facilities and gaps in connectivity to regional facilities and the regional throughway system.</p> <p><b>Environmental Enhancement and Mitigation Investments</b> These investments address environmental enhancement and mitigation projects, including culvert replacements that benefit endangered fish passage, diesel retrofit projects, and implementation of green street and non-motorized transportation demonstration projects that advance the development of environmentally sustainable transportation design.</p>

## 2035 RTP UPDATE PROCESS NEXT STEPS



Agenda Item Number 5.0

**METROPOLITAN TRANSPORTATION  
IMPROVEMENT PROGRAM (MTIP) PUBLIC  
COMMENT ON REGIONAL FLEXIBLE FUND  
ALLOCATION**

Metro Council Work Session  
Tuesday, December 9, 2008  
Metro Council Chamber



# METRO COUNCIL

## Work Session Worksheet

Presentation Date: Dec 3, 2008 Time: 3:20 PM Length: 30 minutes

Presentation Title: Briefing on Regional Flexible Fund public comment period and discussion of project narrowing process

Department: Planning and Development

Presenters: Ted Leybold, Pat Emmerson

### ISSUE & BACKGROUND

Every two years Metro allocates federal funds for transportation projects throughout the region through the Regional Flexible Fund allocation process. After having completed the solicitation and technical evaluation phases of the process, a public comment period was held from October 13, 2008 through noon on December 1, 2008 to receive comments on projects submitted by local jurisdictions and regional programs. All of the comments are compiled into a public comment report to be completed in January 2009. The executive summary of the report will be distributed at the December 9<sup>th</sup> work session. The process of narrowing projects to a final list has now started and Metro staff is seeking input into the process to proceed in narrowing down the applicant project list.

TPAC will be considering at its December 5<sup>th</sup> meeting a Metro staff proposal to develop options of project packages to recommend for JPACT and Council consideration. The packages would be developed around proposed themes that emphasize a particular policy choice such as implementation over project development or a particular category of projects (such as regional mobility corridors) over others. The package options would then be evaluated relative to the policy objectives of the Regional Flexible Fund allocation process as adopted prior to the project solicitation process. TPAC's recommendation on the narrowing process and any policy themes they develop will be summarized at the work session.

### OPTIONS AVAILABLE

Public Comment executive summary briefing: no action.

Narrowing process: provide feedback to staff and Council JPACT members on the proposed process for narrowing applicant projects to a final list of projects to receive funding.

### IMPLICATIONS AND SUGGESTIONS

N/A

### QUESTION(S) PRESENTED FOR CONSIDERATION

N/A

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION**  Yes  No  
**DRAFT IS ATTACHED**  Yes  No

Agenda Item Number 6.0

**SOLID WASTE TRANSPORT CONTRACT EARLY  
START**

Metro Council Work Session  
Tuesday, December 9, 2008  
Metro Council Chamber

## METRO COUNCIL

### Work Session Worksheet

Presentation Date: December 9, 2008      Time:      Length: 30 minutes

Presentation Title: *New Waste Transport Contract- A Discussion of Early Start*

Department: Parks and Environmental Services

Presenters: Paul Ehinger and Teri Dresler

#### **ISSUE & BACKGROUND**

Metro's new Waste Transport Services Contract with Walsh Trucking Co., Ltd., is currently scheduled to begin operations on January 1, 2010. Recent assessments of current operations indicate that it may be in Metro's best interests to initiate operations under the new contract prior to its scheduled start.

The results of these assessments, which focused primarily on the condition of the equipment currently in use and the financial condition of the contractor, will be summarized at the work session. Staff will also summarize options, from continuing with the current contractor through the end of the contract term, to the timeline for an early transition to the new contractor

#### **OPTIONS AVAILABLE**

Council could direct staff to initiate negotiations with Walsh Trucking for a change order to the new contract to initiate operations prior to January 1, 2010. Council could direct staff to continue with the current contractor through the end of the contract term.

#### **IMPLICATIONS AND SUGGESTIONS**

Having studied the options, staff recommends executing a contract with Walsh Trucking prior to the scheduled start date. The primary implications of initiating operations under Walsh Trucking early would be improved transport operations and higher cost. The newer equipment that would be used is less likely to be out of service than the existing fleet, and can also haul 10% greater payloads. The main cost increase associated with a early transition is the higher unit cost of approximately \$3.25/ton contained in the new contract.

The implication of continuing under the existing contract until the end of 2009 is increased exposure to risk. Much of the existing equipment is 18 years old and has reached the end of its useful life. Continuing its use may result in poor contract performance if equipment is unavailable due to the need for repairs, or the possibility of equipment failure on the road resulting in accidents. In addition, the increases in needed repairs make the contract less lucrative for the existing contractor. This could result in exercising its option for early termination of the contract and the need for Metro to obtain replacement services in a short time frame.

It is suggested that Metro reduce its exposure to risk and pursue the change order with Walsh Trucking.

**QUESTION(S) PRESENTED FOR CONSIDERATION**

- 1) Does Council have questions or require additional information regarding this issue?
- 2) Does the Council wish to direct staff to negotiate a change order with Walsh Trucking for an early start of operations?

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION \_\_\_Yes xNo  
DRAFT IS ATTACHED \_\_\_Yes \_\_\_No**

**SCHEDULE FOR WORK SESSION**

Chief Operating Officer Approval \_\_\_\_\_

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