

ERRATA SHEET  
 TO RESOLUTION NO. 90-1369  
 December 28, 1990

Resolution No. 90-1369 used FY 1988 FAU population base in developing the transfer of \$60,000 to the Hawthorne Bridge project. FY 1989 revisions to the population of the City changed the City/Region splits to those noted in the "Correct Percent" column.

Reconciliation (correction) of amounts for Hawthorne Bridge appearing in Resolution No. 90-1369:

	<u>Resolution</u>		<u>Correction</u>	
	<u>Amount</u>	<u>Resolution</u> <u>Percent</u>	<u>Correct</u> <u>Percent</u>	<u>Amount</u>
City	\$25,440	42.398	41.84	\$25,104
Region	<u>34,560</u> \$60,000	<u>57.597</u> 1988 FAU Allocation Base:	<u>58.16</u> 1989 FAU Allocation Base:	<u>34,896</u> \$60,000
		42.46	41.84	
		57.54	58.16	

The Resolution will not be corrected to reflect these revisions because of the small differences between the Resolution amounts and the corrected amounts. This notation will be appended to the Resolution in the Resolution book, and the TIP will be updated to reflect the corrected amounts above.

WHP:mk  
 90-1369, ERR  
 12-28-90

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 90-1369 FOR THE PURPOSE OF  
AUTHORIZING SUPPLEMENTAL FEDERAL-AID URBAN FUNDS FOR LRT  
COMPATIBILITY OF THE HAWTHORNE BRIDGE

Date: December 4, 1990

Presented by: Andrew C. Cotugno

PROPOSED ACTION

This resolution would transfer \$60,000 from the regional and Portland Federal-Aid Urban Reserve to the Hawthorne Bridge East Approach Ramps Replacement Project. These funds, when combined with those previously allocated, will enable constructing additional structural support to accommodate a future LRT corridor. Accommodation for LRT can be made at a lower cost now if combined with the design and reconstruction of the bridge ramps rather than retrofitting the ramps at a future date.

FACTUAL BACKGROUND AND ANALYSIS

In January 1990, JPACT approved preliminary engineering funds to resolve the issue of accommodating light rail transit (LRT) as part of Multnomah County's Hawthorne Bridge Transition Structure Replacement Project. The amount allocated was \$100,000 for PE to determine preferred track alignment and cost to retrofit the entire Hawthorne Bridge for LRT. An additional amount (\$190,000) was set aside in a reserve account for future construction upon determination of specific alignment (inside/outside lanes) and in the event that the PE concluded that LRT compatibility was preferred to a future option of constructing a separate LRT bridge.

CH2M Hill was retained to answer the structural and operational questions of accommodating LRT on the main span of the bridge and has documented their findings in Attachment A. The results suggest that conversion of the outside lanes for use by LRT would cost \$60,000 additional to augment the \$190,000 previously allocated. This funding would be provided on a pro-rata basis by Portland and the region as follows:

Portland	\$25,440
Regional Reserve	<u>34,560</u>
	\$60,000

This funding used now to strengthen the structure in anticipation of LRT would make it easier and cheaper to retrofit the bridge for LRT in the future. To wait and retrofit the transition for this purpose at a later date would cost \$2.0 million. To construct a separate bridge would cost in excess of \$30 million. To

allow LRT conversion on the transition structure on any possible future LRT alignment (i.e., both inside and outside lanes) would cost in excess of \$500,000.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 90-1369.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 90-1369
SUPPLEMENTAL FEDERAL-AID URBAN	)	
FUNDS FOR LRT COMPATIBILITY OF	)	Introduced by
THE HAWTHORNE BRIDGE	)	George Van Bergen, Chair
	)	Joint Policy Advisory
	)	Committee on Transportation

WHEREAS, Metro Resolution No. 90-1200 allocated Federal-Aid Urban Funds to the Hawthorne Bridge Transition Structure Replacement Project; and

WHEREAS, These funds in the amount of \$290,000 were to cover Preliminary Engineering to determine LRT compatibility of the bridge and a reserve for construction if LRT-compatible; and

WHEREAS, Evaluation of the bridge for LRT use has been completed with consultant findings appearing in Attachment A to the Staff Report; and

WHEREAS, Additional Federal-Aid Urban funds will be needed to strengthen the bridge for LRT with significant cost savings if implemented during bridge reconstruction; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District hereby allocates \$60,000, split between the region and Portland, from the Federal-Aid Urban Regional Reserve to the Hawthorne Bridge Transition Structure Replacement Project to supplement funds for additional structural support for LRT.

2. That the Transportation Improvement Program be amended to incorporate these allocations and project changes.

3. That this action is consistent with the Regional Transportation Plan and affirmative Intergovernmental Project Review is hereby given.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_ day of \_\_\_\_\_, 1990.

Tanya Collier, Presiding Officer

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 90-1363 FOR THE PURPOSE OF AMENDING THE TRANSPORTATION IMPROVEMENT PROGRAM TO REVISE TRI-MET'S PROGRAM FOR LIGHT RAIL PROCUREMENT, TRANSIT MALL EXTENSION, AND BUS PURCHASES

Date: December 4, 1990

Presented by: Andrew Cotugno

PROPOSED ACTION

Adoption of this resolution would amend the Transportation Improvement Program to include a series of revisions to Tri-Met's Interstate Transfer, Section 3 Trade, and Section 9 programs. Major considerations of the revised programs for FY 1991 include:

1. Transferring \$3,187,500 from Interstate Transfer funds, currently allocated to light rail vehicle procurement, to the Transit Mall Extension North.
2. Transferring \$3,000,000 from Section 3 Trade funds, currently allocated to the Mall Extension, to bus purchases.
3. Transferring \$3,000,000 from Section 9 funds, currently allocated to articulated buses in 1993, to light rail vehicles.
4. Supplementing light rail vehicle procurement with \$1.9 million of remaining FY 91 Section 9 funds.

TPAC has reviewed this TIP amendment and recommends approval of Resolution No. 90-1363.

FACTUAL BACKGROUND AND ANALYSIS

The Transportation Improvement Program, as adopted in September 1990, includes \$8.2 million of Section 3 Trade funds allocated to the Transit Mall Extension North. Recent discussions between Tri-Met and the Urban Mass Transportation Administration have indicated that some project elements are ineligible for Section 3 Trade funding because they are highway related.

Tri-Met and the City of Portland have devised a series of funding tradeoffs which will accommodate Mall Extension requirements as well as light rail vehicle procurement. The changes proposed are shown as follows:

	<u>Current</u>	<u>Proposed</u>
<b>Section 3 Trade</b>		
Mall Extension	\$ 8.2 m.	\$ 5.2 m.
Standard Buses	0	3.0

	<u>Current</u>	<u>Proposed</u>
<b>Interstate Transfer</b>		
Light Rail Vehicle	\$6,050,990	\$2,863,490
Mall Extension	0	3,187,500
<b>Section 9</b>		
Articulated Buses (1993)	12.2 m.	9.2 m.
Light Rail Vehicles (includes \$1.9 m. supplement)	11.131	16.032

Some of the Section 9 funding accumulated for purchase of articulated buses in 1993 is needed now to keep the light rail vehicle procurement whole. However, \$3 million of substitute Section 3 Trade funds will go toward a standard bus procurement now rather than in 1993, allowed by final provisions of the Clean Air Act extending purchase of diesel buses through 1992. In addition, Tri-Met plans to allocate all remaining available FY '91 Section 9 funds to the light rail vehicle procurement. The \$1.9 million supplementing this procurement is needed to cover potential cost adjustments due to changes in the value of the dollar versus European currencies over the past year.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 90-1363.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE ) RESOLUTION NO. 90-1363  
TRANSPORTATION IMPROVEMENT PRO- )  
GRAM FOR LIGHT RAIL PROCUREMENT, ) Introduced by  
TRANSIT MALL EXTENSION, AND BUS ) George Van Bergen, Chair  
PURCHASES ) Joint Policy Advisory  
Committee on Transportation

WHEREAS, The Joint Policy Advisory Committee on Transportation (JPACT) has approved an overall funding program for transit improvements; and

WHEREAS, Some specific project elements of the program have been allocated funding under the Interstate Transfer Program, Section 3 Trade and Section 9 Programs, and Federal-Aid Urban Program; and

WHEREAS, Some \$8.2 million of Section 3 Trade funding has been allocated to the Transit Mall Extension North Project; and

WHEREAS, Tri-Met has been advised by the Urban Mass Transportation Administration that some project elements of the Transit Mall Extension are highway related and therefore not eligible for Section 3 Trade funding; now, therefore

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District endorses Tri-Met's proposal for an alternate FY 1991 funding program to accomplish these goals, as follows:

	<u>Current</u>	<u>Proposed</u>
<b>Section 3 Trade</b>		
Mall Extension	\$ 8.2 m.	\$ 5.2 m.
Standard Buses	0	3.0



	<u>Current</u>	<u>Proposed</u>
<b>Interstate Transfer</b>		
Light Rail Vehicle	\$6,050,990	\$2,863,490
Mall Extension	0	3,187,500
<b>Section 9</b>		
Articulated Buses (1993)	12.2 m.	9.2 m.
Light Rail Vehicles (includes \$1.9 m. supplement)	11.131	16.032

2. That all of the remaining FY '91 Section 9 funds (\$1.9 million) are to be made available for light rail procurement to cover potential cost adjustments.

3. That the Transportation Improvement Program be amended to incorporate these allocations and project changes.

4. That these actions are consistent with the Regional Transportation Plan and affirmative Intergovernmental Project Review is hereby given.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_ day of \_\_\_\_\_, 1990.

\_\_\_\_\_  
Tanya Collier, Presiding Officer

WHP:mk  
90-1363.RES  
12-04-90

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING	)	RESOLUTION NO. 90-1361
A WORK PLAN FOR THE ANALYSIS OF	)	
ISSUES RELATED TO THE TRANSFER	)	INTRODUCED BY COUNCILOR
OF MASS TRANSIT SERVICES FROM	)	JIM GARDNER
TRI-MET TO THE METROPOLITAN	)	
SERVICE DISTRICT	)	

WHEREAS, the Metropolitan Service District has the authority under ORS 268.370 to order transfer of the transit system of the Tri-County Metropolitan Transit District (Tri-Met) to the Metropolitan Service District; and

WHEREAS, the Metro Council adopted Resolution No. 90-1293A on July 12, 1990, "Supporting the Merger of Tri-Met with the Metropolitan Service District and Establishing a Process to Pursue the Merger," which established a five-member Tri-Met Merger Subcommittee (the subcommittee); and

WHEREAS, the Metro Council adopted Resolution No. 90-1322 on September 13, 1990, "Approving a Contract for the Provision of Metro/Tri-Met Merger Services to the Council and its Designated Committees," which authorized a contract with Cogan Sharpe Cogan pursuant to their August 27, 1990, proposal; and

WHEREAS, Cogan Sharpe Cogan has submitted its report, "Analysis of Issues Related to Possible Merger of Metro and Tri-Met" to the subcommittee on November 27, 1990 (attached as Exhibit A); and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) submitted to the subcommittee on November 13, 1990, a report on the transit service and transportation planning implications of a merger (attached as Exhibit B), which included

among its conclusions that, "[t]he consideration of a Tri-Met merger should be delayed until the fall of 1991 after the completion of negotiations for the Westside Light Rail full funding agreement"; and

WHEREAS, the region's top priority transportation project is the construction of Westside Light Rail, which requires a commitment of funds from the 1991 Oregon Legislature and execution by September 30, 1991, of a full funding agreement between Tri-Met and the Urban Mass Transit Administration (UMTA) which stipulates 75% federal funding of the Westside Light Rail project; and

WHEREAS, efforts to secure full federal funding for Westside Light Rail should take precedence over other long-term transit issues until the full funding issue is resolved; and

WHEREAS, the transit service's governance structure is a legitimate issue within the broader discussion of how best to provide public services in the region; and

WHEREAS, the Metro Council recognizes the necessity of establishing a comprehensive and public process for examining the issues surrounding a transfer of the transit system, which process should include provisions for involving JPACT, local governments, citizens' groups interested in transit and transportation issues, and the general public in the identification and resolution of issues concerning transit service and transit governance; and

WHEREAS, Metro's ability to transfer the transit system from Tri-Met to the Metropolitan Service District now exists, and attempts to eliminate or modify the transfer provisions of existing

statutes in the 1991 legislative session may be counter-productive;  
and

WHEREAS, the Tri-Met Merger Subcommittee recommends that a thorough analysis be conducted of the issues involved in a potential transfer of the transit district to the Metropolitan Service District; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service adopts the following work plan regarding the potential transfer of the Tri-Met transit system to the Metropolitan Service District:

1. The Executive Officer shall prepare, as part of her budget proposal for the 1991-92 fiscal year, a request for funding a comprehensive study of issues related to transfer of the transit system to Metro. The budget request shall include, but not be limited to, a proposed timeline for analysis of the issues listed below, and shall also include provisions for the involvement of JPACT, local governments, interested citizens' groups, and the general public.

2. Issues to be addressed in the study shall include:

- Development of a strategic plan to identify the relationship between the transfer and other immediate Metro agenda items, including development of a home rule charter, Metro's role in regional growth management, and resources needed to address multiple new initiatives concurrently.

- A detailed personnel study to identify what effect transfer would have on staffing and potential cost savings resulting from transfer.

- A determination of whether to refinance Tri-Met bonds, and the timing and financial effects of refinancing.

- Development of alternatives for long-range financing for the region's transit system.

- Identification of the positive and negative effects of transfer on transit service and planning.

- Effect of transfer on development and implementation of light rail expansion, particularly Westside Light Rail and Clackamas County Light Rail.

- Examination of the possibilities for reconfiguring the transit system to provide more flexibility in serving suburban areas.

- Development of local government concurrence on the structure of the region's Metropolitan Planning Organization following a transfer.

- Boundary issues, including a determination whether action by the legislature would be necessary to resolve boundary issues.

- Review of Metro's governance structure and contracting procedures in relation to carrying out transit responsibilities.

- Identification of time and costs required to absorb Tri-Met's control systems, including whether to fully or partially merge them.

3. The release of any Request For Proposals for performing any or all parts of the study shall occur upon resolution of the UMTA full funding issue.

4. The Metropolitan Service District's agenda for the 1991 Legislative Assembly shall include opposition to any efforts to repeal the existing provisions of ORS 267.020 or 268.370 pertaining to the relationship between Metro and Tri-Met. The Council and the Executive Officer shall encourage other governments in the region, including cities, counties, Tri-Met, and the Oregon Department of Transportation, similarly to pledge their opposition to repealing statutory language regarding the relationship between Metro and Tri-Met.

5. Metro will actively encourage local government participation in the review and analysis of the issues listed in #2 above, based on their recommendations in the JFACT report.

6. Upon completion of the study, Metro will conduct a series of public hearings throughout the district to solicit public comment on the study's findings. These hearings will precede consideration of the study by the full Metro Council and will be considered to be part of the process of reviewing the scope of issues related to a possible transfer.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1990.

Tanya Collier, Presiding Officer

TRI-MET MERGER SUBCOMMITTEE  
COMMITTEE REPORT

RESOLUTION NO. 90-1361, FOR THE PURPOSE OF ESTABLISHING A WORK PLAN FOR THE ANALYSIS OF ISSUES RELATED TO THE TRANSFER OF MASS TRANSIT SERVICES FROM TRI-MET TO THE METROPOLITAN SERVICE DISTRICT

Date: November 30, 1990

Presented by: Councilor Gardner

COMMITTEE RECOMMENDATION: The Tri-Met Merger Subcommittee voted 5-0 to approve Resolution No. 90-1361 and forward it to the Intergovernmental Relations Committee with a recommendation that they forward it to the Council. Subcommittee members voting were Councilors Gardner, Devlin, and McFarland, Executive Officer Rena Cusma, and Tri-Met Board President Loren Wyss.

COMMITTEE DISCUSSION/ISSUES: Councilor Van Bergen attended the meeting, and was invited to participate in the subcommittee's discussion. He raised questions about references to the legislature's "intent" and "belief" regarding the benefits of consolidating regional services in general and transferring the transit system's governance from Tri-Met to Metro, specifically. He also asked whether the Executive Officer could actually perform all the tasks she would be directed to do in #1 and #2 of the Be it Resolved section of the resolution.

Councilor Devlin spoke to the sections of the resolution dealing with Metro's position regarding possible attempts to tamper with the "marriage clause" in the statutes. He stated that it would be inappropriate to put additional hurdles in the way of a transfer, and that Metro's ability to assume Tri-Met's bonds, or other issues, should not be tampered with. He thought this idea was implicit, if not explicit, in the resolution. He further stated that the list of items to be studied should not be considered all-inclusive: other items could be added later.

Councilor McFarland agreed with Councilor Van Bergen on the legislative intent statements. She stated that legislative intent can only be found out by talking with the legislators who voted on a measure. The only person to address the subcommittee who had been in the legislature at the time was Commissioner Earl Blumenauer, who said that the legislature included language authorizing a transfer as a compromise, and intended to remove it later.

Mr. Wyss advised that in attempting to discern legislative intent, we should consider the status of Metro and Tri-Met at the time the statutes were adopted. Both agencies were less mature then, and no one could have envisioned how they would develop. He said the resolution was timely and supportable, but he had problems with some of the Whereas statements which drew conclusions not supported by the Cogan Sharpe Cogan report. Mr. Wyss added that it has never been on Tri-Met's agenda or plan to attempt to change the legislation as it currently exists.

Councilor Devlin then moved to eliminate Whereas clauses 10, 11, and 12\* (see attached). He later added an amendment to his motion to include deletion of part of the subsequent Whereas.

After discussion of possible language of the latter amendment, the subcommittee voted 3-1 to delete Whereas clauses 10, 11, and 12. (Councilor McFarland was temporarily out of the room; when she returned, she stated that she supported the motion.) Councilor Gardner explained that he voted No because he supported a reference in the resolution to the potential benefits of a transfer.

Mr. Wyss moved an amendment to the next-to-last Whereas, as follows (words in [brackets] to be deleted, words underlined to be added):

WHEREAS, [retention of] Metro's ability to transfer the transit system from Tri-Met to the Metropolitan Service District [is in the best interests of the citizens of the region] now exists and attempts to eliminate or modify the transfer provisions of existing statutes in the 1991 legislative session [would] may be [inappropriate and] counter-productive; and

The amendment was approved unanimously, followed by approval of the main motion.

Mr. Wyss then voiced a concern that the resolution had no reference to the advantages and disadvantages of a governance change on Tri-Met riders and taxpayers.

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\* Much of the subcommittee's discussion concerned three Whereas statements which the subcommittee voted to delete. The text of those statements is attached to this report for reference.



#10. WHEREAS, the Oregon Legislature has established its intent that regional services be consolidated under one government wherever possible; and

#11. WHEREAS, the existence of the statutory provisions enabling Metro to transfer governance of the transit system demonstrates the Legislature's belief that transfer poses the potential long-term benefits of consolidating multiple regional services and providing direct accountability for transit service through an elected governing body which directly represents the citizens of all parts of the metropolitan region; and

#12. WHEREAS, transfer of the transit system's governance from Tri-Met to Metro poses additional potential benefits through improved coordination of land use and transportation planning, resulting in more effective management of the region's projected growth; and

JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION  
 December 13, 1990  
 ATTENDANCE ROSTER

	<u>Name</u>	<u>Agency</u>	<u>Phone Number</u>
Att.	Tom Sutherland	DEQ	229-5287
Att.	Les White	C-Town	(206) 696-4494
Att.	Roy ROGERS	WASHINGTON County	
Att.	Jim Gardner	Metro	
M-	BDB LIDDLE	CLACKAMAS CD CITIES	691-3588
Att.	Don Adams	ODOT	653-3090
Att.	Keith Akola	WSDOT	696-6626
M-	Donnie Hays	Washington Co.	648-8681
M-	JIM COWEN	TRI/MET	238-4915
M-	David Knapp	Metro	241-2300
M-	William Clark	Cities of Wash Co	357-4891
M-	Ed DeWitt	CLACKAMAS Co.	655-8581
M-	Pauline Anderson	Wentworth Co.	248-5220
M-	RICHARD DEKIN	METRO	221-1646
M-	George Van Zeyen	Metro	221-1646
M-	Andy Cooper	Metro	220-1152
G	PAUL HAINES	CLACKAMAS CITIES	635-0270
G	Dennis Mulvihill	Wash Cnty	648-8681
G	BRUCE WARNER	Wn. Co.	648-8740
G	Bebe Rucker	Port	231-5000x709
G	Denny Moore	ODOT - Public Transit	378-8201
G	GB ARRINGTON	TRI-MET	238-4477
G	ROD SANDOR	CLACKAMAS Co.	650-3272
M-	CRAIG J Lomnick	CITIES OF CLACKAMAS Co.	652-2492

