

# Metro | Agenda

Meeting: Metro Council  
Date: Thursday, Sept. 19, 2013  
Time: 2 p.m.  
Place: Metro, Council Chamber

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## CALL TO ORDER AND ROLL CALL

### 1. INTRODUCTIONS

### 2. CITIZEN COMMUNICATION

### 3. CONSIDERATION OF THE COUNCIL MINUTES FOR SEPT. 12, 2013

### 4. ORDINANCES – FIRST READING

4.1 **Ordinance No. 13-1314**, For the Purpose of Annexing to the Metro District Boundary Approximately 10.63 Acres Located at 5285 NW 253<sup>rd</sup> Avenue in Hillsboro.

### 5. ORDINANCES – SECOND READING

5.1 **Ordinance No. 13-1315**, For the Purpose of Amending the FY 2013-14 Budget and Appropriations Schedule to Add a 1.0 Limited Duration Analyst in the Cemetery Program. **Tim Collier, Metro**

5.1.1 Public Hearing on Ordinance No. 13-1315.

### 6. CONTRACT REVIEW BOARD

6.1 **Resolution No. 13-4455**, Resolution of the Metro Council, Acting as the Metro Council Contract Review Board, For the Purpose of Approving a Sole Source Contract with the Center for Intercultural Organizing. **Kathleen Brennan-Hunter, Metro**

6.2 **Resolution No. 13-4460**, Resolution of the Metro Council, Acting as the Metro Council Contract Review Board, For the Purpose of Approving a Sole Source Contract with the Columbia Corridor Association. **Will Elder, Metro**

### 7. RESOLUTIONS

7.1 **Resolution No. 13-4459**, For the Purpose of Amending the 2012-15 Metropolitan Transportation Improvement Program (MTIP) to Add the Transportation Alternatives Program Contingency Fund for Eleven Projects. **Ted Leybold, Metro**

*Continued on back...*

8. CHIEF OPERATING OFFICER COMMUNICATION

9. COUNCILOR COMMUNICATION

ADJOURN

**Television schedule for Sept. 19, 2013 Metro Council meeting**

<b>Clackamas, Multnomah and Washington counties, and Vancouver, WA</b> Channel 30 – Community Access Network <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a> <i>Ph:</i> 503-629-8534 <i>Date:</i> Thursday, Sept. 19	<b>Portland</b> Channel 30 – Portland Community Media <i>Web site:</i> <a href="http://www.pcmtv.org">www.pcmtv.org</a> <i>Ph:</i> 503-288-1515 <i>Date:</i> Sunday, Sept. 22, 7:30 p.m. <i>Date:</i> Monday, Sept. 23, 4 p.m.
<b>Gresham</b> Channel 30 - MCTV <i>Web site:</i> <a href="http://www.metroeast.org">www.metroeast.org</a> <i>Ph:</i> 503-491-7636 <i>Date:</i> Monday, Sept. 23, 2 p.m.	<b>Washington County</b> Channel 30– TVC TV <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a> <i>Ph:</i> 503-629-8534 <i>Date:</i> Saturday, Sept. 21, 11 p.m. <i>Date:</i> Sunday, Sept. 22, 11 p.m. <i>Date:</i> Tuesday, Sept. 21, 6 a.m. <i>Date:</i> Wednesday, Sept. 25, 4 p.m.
<b>Oregon City, Gladstone</b> Channel 28 – Willamette Falls Television <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a> <i>Ph:</i> 503-650-0275 Call or visit web site for program times.	<b>West Linn</b> Channel 30 – Willamette Falls Television <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a> <i>Ph:</i> 503-650-0275 Call or visit web site 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 the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site [www.oregonmetro.gov](http://www.oregonmetro.gov) and click on public comment opportunities.

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Agenda Item No. 3.0

**Consideration of the Council Minutes for Sept. 12, 2013.**

Metro Council Meeting  
Thursday, Sept. 19, 2013  
Metro, Council Chamber

Agenda Item No. 4.1

**Ordinance No. 13-1314**, For the Purpose of Annexing to the Metro District Boundary Approximately 10.63 Acres Located at 5285 NW 253<sup>rd</sup> Avenue in Hillsboro.

*Ordinances – First Reading*

Metro Council Meeting  
Thursday, Sept. 19, 2013  
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 10.63 ACRES LOCATED AT 5285 NW 253<sup>RD</sup> AVENUE IN HILLSBORO ) Ordinance No. 13-1314 ) Introduced by Chief Operating Officer Martha Bennett with the Concurrence of Council President Tom Hughes

WHEREAS, Portland General Electric, has submitted a complete application for annexation of 10.63 acres ("the territory") located at 5285 NW 253<sup>rd</sup> Avenue in Hillsboro to the Metro District; and

WHEREAS, the Metro Council added the Evergreen area to the UGB, including the territory, by Ordinance No. 05-1070A on November 17, 2005; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with the requirements of Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on September 26, 2013; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

- 1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
3. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated August 29, 2013, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this \_\_\_\_ day of September, 2013.

Tom Hughes, Council President

Attest:

Approved as to form:

Kelsey Newell, Recording Secretary

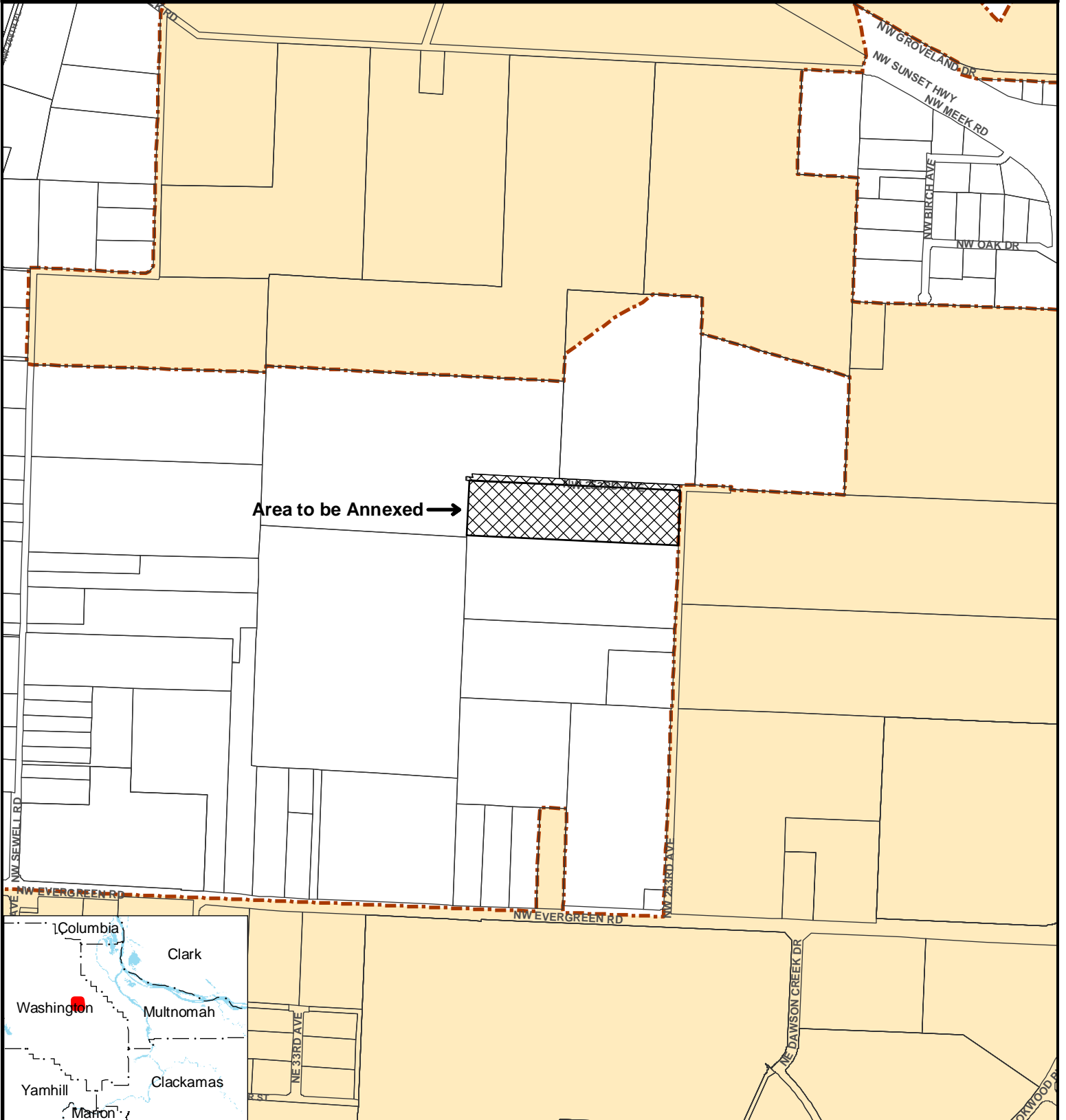
Alison Kean, Metro Attorney

# Proposal No. AN-0313

1N2W21

Annexation to the Metro District Boundary

Washington County






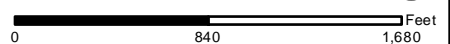
Area to be Annexed →



## Proposal No. AN-0313 Metro District Boundary

1:10,000

-  Area to be annexed
-  Taxlots
-  Metro District Boundary



Data Resource Center  
 600 NE Grand Ave  
 Portland, OR 97232-2736  
 (503) 797-1742  
<http://www.oregonmetro.gov/drc>

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**STAFF REPORT**

IN CONSIDERATION OF ORDINANCE NO. 13-1314, FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 10.63 ACRES LOCATED AT 5285 NW 253<sup>RD</sup> AVENUE IN HILLSBORO

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Date: August 29, 2013

Prepared by: Tim O'Brien  
Principal Regional Planner

**BACKGROUND**

CASE: AN-0313, Annexation to Metro District Boundary

PETITIONER: Portland General Electric  
121 SW Salmon Street  
Portland, OR 97204

PROPOSAL: The petitioner requests annexation of one property to the Metro District boundary following the Metro Council's addition of the property to the Urban Growth Boundary (UGB) in 2005. The property was annexed to the City of Hillsboro on July 16, 2013.

LOCATION: The property is located in Hillsboro at 5285 NW 253<sup>rd</sup> Avenue and is 10.63 acres in size. A map of the area can be seen in Attachment 1.

ZONING: The property was annexed into the City of Hillsboro and zoned Industrial Sanctuary (IS).

The proposal consists of one tax lot. The land was added to the UGB in 2005 and is part of the Evergreen Area Industrial Plan that was adopted by Hillsboro. The land must be annexed into the Metro District for urbanization to occur.

**APPLICABLE REVIEW CRITERIA**

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

*3.09.070 Changes to Metro's Boundary*

*(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:*

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject parcel was brought into the UGB in 2005 through the Metro Council's adoption of Ordinance No. 05-1070A.

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Ordinance No. 05-1070A include a requirement that the City of Hillsboro apply interim protection measures as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas, until the effective date of the comprehensive plan provisions and land use regulations are adopted to implement Title 11. In addition Washington County applied the Future Development-20 Acres (FD-20) designation to prevent premature urbanization of the Evergreen area prior to annexation to the City of Hillsboro.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The property proposed for annexation is part of Hillsboro's Evergreen Area Industrial Plan established by the City of Hillsboro in 2008. The proposed annexation is consistent with the plan and Washington County and the City of Hillsboro have agreed that urban level development will occur following annexation. The inclusion of the property within the Metro District is consistent with all applicable plans.

## **ANALYSIS/INFORMATION**

**Known Opposition:** There is no known opposition to this application.

**Legal Antecedents:** Metro Code 3.09.070 allows for annexation to the Metro District boundary.

**Anticipated Effects:** This amendment will add approximately 10.63 acres to the Metro District. The land is currently within the UGB and within the city limits of Hillsboro. Approval of this request will allow for the urbanization of the parcel to occur consistent with the Evergreen Area Industrial Plan.

**Budget Impacts:** The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

## **RECOMMENDED ACTION**

Staff recommends adoption of Ordinance No. 13-1314.

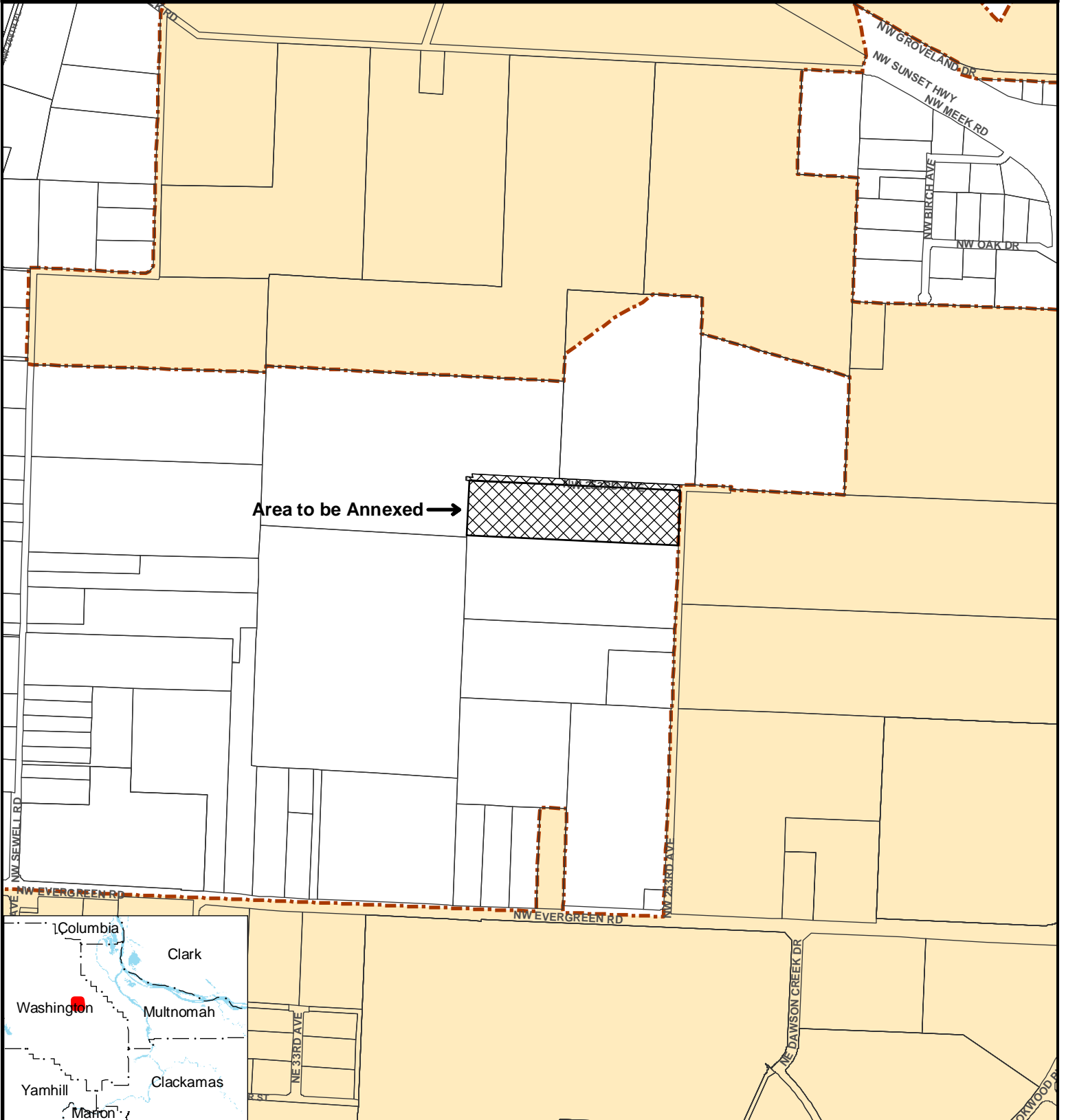


# Proposal No. AN-0313

1N2W21




Annexation to the Metro District Boundary

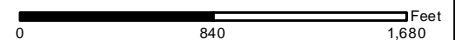
Washington County



Proposal No. AN-0313 Metro District Boundary

1:10,000 

-  Area to be annexed
-  Taxlots
-  Metro District Boundary



Data Resource Center  
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Agenda Item No. 5.1

**Ordinance No. 13-1315**, For the Purpose of Amending the FY  
2013-14 Budget and Appropriations Schedule to Add a 1.0  
Limited Duration Analyst in the Cemetery Program.

*Ordinances – Second Reading*

Metro Council Meeting  
Thursday, Sept. 19, 2013  
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AMENDING THE FY 2013-14 BUDGET AND ) ORDINANCE NO. 13-1315  
APPROPRIATIONS SCHEDULE TO ADD A 1.0 )  
LIMITED DURATION ANALYST IN THE ) Introduced by Martha Bennett, Chief  
CEMETERY PROGRAM ) Operating Officer, with the concurrence of  
 ) Council President Tom Hughes

WHEREAS, Metro Code chapter 2.02.040 requires Metro Council approval to add any new position to the budget; and

WHEREAS, the Metro Council has reviewed and considered the need to add FTE and increase appropriations within the FY 2013-14 Budget; and

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

WHEREAS, adequate funds exist for other identified needs; and

WHEREAS, ORS 294.463(1) provides for transfers of appropriations within a fund, including transfers from contingency that do not exceed 15 percent of a fund’s appropriations, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2013-14 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 adding 1.0 FTE limited duration Program Analyst IV in the Cemetery program budget to implement Council direction on the reclamation of unclaimed burial plots.
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 \_\_\_\_\_ 2013.

\_\_\_\_\_  
Tom Hughes, Council President

Attest:

Approved as to Form:

\_\_\_\_\_  
Kelsey Newell, Recording Secretary

\_\_\_\_\_  
Alison Kean Campbell, Metro Attorney

**Exhibit A**  
**Ordinance No. 13-1315**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Parks &amp; Environmental Services</b>							
<i>Personnel Services</i>							
<i>SALWGE Salaries &amp; Wages</i>							
501000	Reg Employees-Full Time-Exempt						
	Administrative Specialist IV	1.00	60,901	-	0	1.00	60,901
	Assistant Management Analy	6.40	377,131	-	0	6.40	377,131
	Associate Management Analy	0.40	24,963	-	0	0.40	24,963
	Director	1.00	147,281	-	0	1.00	147,281
	Manager I	3.00	272,471	-	0	3.00	272,471
	Manager II	1.40	153,505	-	0	1.40	153,505
	Principal Regional Planner	1.00	94,346	-	0	1.00	94,346
	Program Analyst IV	-	0	1.00	68,000	1.00	68,000
	Program Director	1.00	115,655	-	0	1.00	115,655
	Property Management Specia	0.80	62,090	-	0	0.80	62,090
	Service Supervisor II	1.00	53,517	-	0	1.00	53,517
501500	Reg Empl-Full Time-Non-Exempt						
	Administrative Specialist I	1.00	35,030	-	0	1.00	35,030
	Administrative Specialist II	1.00	47,566	-	0	1.00	47,566
	Arborist	1.00	62,463	-	0	1.00	62,463
	Building Service Worker	1.00	47,566	-	0	1.00	47,566
	Building Services Technician	1.00	63,704	-	0	1.00	63,704
	Janitor	1.00	29,127	-	0	1.00	29,127
	Maintenance Technician	1.00	56,696	-	0	1.00	56,696
	Park Ranger	8.00	420,646	-	0	8.00	420,646
	Park Ranger Lead	1.00	62,463	-	0	1.00	62,463
	Printing/Mail Services Clerk	1.00	43,181	-	0	1.00	43,181
	Property Management Techni	0.50	27,067	-	0	0.50	27,067
	Program Assistant 3	1.00	60,453	-	0	1.00	60,453
	Safety and Security Officer	2.00	76,792	-	0	2.00	76,792
502500	Reg Employees-Part Time-Non-Exempt						
	Lead Janitor	0.50	16,821	-	0	0.50	16,821
	Janitor	2.00	58,254	-	0	2.00	58,254
	Program Assistant 2	1.30	58,116	-	0	1.30	58,116
503000	Temporary Employees - Hourly		390,857		0		390,857
508000	Overtime		38,369		0		38,369
<i>FRINGE Fringe Benefits</i>							
511000	Fringe Benefits - Payroll Taxes		212,812		5,721		218,533
512000	Fringe Benefits - Retirement PERS		419,253		8,568		427,821
513000	Fringe Benefits - Health & Welfare		560,286		13,320		573,606
514000	Fringe Benefits - Unemployment		21,926		0		21,926
515000	Fringe Benefits - Other Benefits		10,691		281		10,972
<b>Total Personnel Services</b>		<b>41.30</b>	<b>\$4,181,999</b>	<b>1.00</b>	<b>\$95,890</b>	<b>42.30</b>	<b>\$4,277,889</b>
<i>Materials &amp; Services</i>							
<i>GOODS Goods</i>							
520100	Office Supplies		72,016		0		72,016
520500	Operating Supplies		112,665		0		112,665
521000	Subscriptions and Dues		6,326		0		6,326
521400	Fuels and Lubricants		75,891		0		75,891
521500	Maintenance & Repairs Supplies		143,462		0		143,462
522500	Retail		13,000		0		13,000
<i>SVCS Services</i>							
524000	Contracted Professional Svcs		366,068		(22,000)		344,068
525000	Contracted Property Services		173,945		0		173,945

**Exhibit A**  
**Ordinance No. 13-1315**

<b>ACCT</b>	<b>DESCRIPTION</b>	<b>Current Budget</b>		<b>Revision</b>		<b>Amended Budget</b>	
		<b>FTE</b>	<b>Amount</b>	<b>FTE</b>	<b>Amount</b>	<b>FTE</b>	<b>Amount</b>
<b>General Fund</b>							
525100	Utility Services		438,908		0		438,908
525500	Cleaning Services		25,278		0		25,278
526000	Maintenance & Repair Services		383,107		0		383,107
526500	Rentals		44,599		0		44,599
528000	Other Purchased Services		56,120		0		56,120
529800	Glendoveer Golf Operating Contract		2,344,363		0		2,344,363
	<i>IGEXP Intergov't Expenditures</i>						
530000	Payments to Other Agencies		112,100		0		112,100
531000	Taxes (Non-Payroll)		225,866		0		225,866
	<i>OTHEXP Other Expenditures</i>						
545000	Travel		8,095		0		8,095
545500	Staff Development		34,536		0		34,536
<b>Total Materials &amp; Services</b>			<b>\$4,636,345</b>		<b>(\$22,000)</b>		<b>\$4,614,345</b>
<b>TOTAL REQUIREMENTS</b>		<b>41.30</b>	<b>\$8,818,344</b>	<b>1.00</b>	<b>\$73,890</b>	<b>42.30</b>	<b>\$8,892,234</b>

**Exhibit A**  
**Ordinance No. 13-1315**

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>\$7,146,409</b>		<b>\$0</b>		<b>\$7,146,409</b>
<i>Contingency &amp; Unappropriated Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
	Contingency						
701002	* Contingency		3,440,349		(73,890)		3,366,459
701001	* Opportunity Account		250,000		0		250,000
701004	* Reserve for Future One-Time Expenditures		600,223		0		600,223
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
	Unappropriated Fund Balance						
805100	* Stabilization Reserve		2,575,000		0		2,575,000
805450	* PERS Reserve		2,893,403		0		2,893,403
805900	* Other Planning Department Carryover		466,982		0		466,982
805300	* Reserve for Future One-Time Expenditures		775,000		0		775,000
805900	* Reserved for Community Invest. Initiative		156,034		0		156,034
801003	* Reserved for TOD		5,083,671		0		5,083,671
801002	* Reserved for Local Gov't Grants (CET)		2,353,159		0		2,353,159
805900	* Reserved for Cost Allocation Adjustments		429,590		0		429,590
805900	* Reserved for Nature in Neighborhood Grants		58,327		0		58,327
805900	* Reserved for Metro Export Initiative		25,000		0		25,000
805900	* Reserved for Active Transportation		135,000		0		135,000
805400	* Reserve for Future Debt Service		995,535		0		995,535
<b>Total Contingency &amp; Unappropriated Balance</b>			<b>\$20,237,273</b>		<b>(\$73,890)</b>		<b>\$20,163,383</b>
<b>TOTAL REQUIREMENTS</b>		<b>452.64</b>	<b>\$116,824,274</b>	<b>1.00</b>	<b>\$0</b>	<b>453.64</b>	<b>\$116,824,274</b>

**Exhibit B**  
**Ordinance 13-1315**  
**Schedule of Appropriations**

	<u>Current Appropriation</u>	<u>Revision</u>	<u>Revised Appropriation</u>
<b>GENERAL FUND</b>			
Communications	2,701,648	0	2,701,648
Council Office	3,938,637	0	3,938,637
Finance & Regulatory Services	4,628,354	0	4,628,354
Human Resources	2,219,337	0	2,219,337
Information Services	3,915,095	0	3,915,095
Metro Auditor	725,382	0	725,382
Office of Metro Attorney	2,061,480	0	2,061,480
Oregon Zoo	31,585,451	0	31,585,451
Parks & Environmental Services	8,818,344	73,890	8,892,234
Planning and Development	14,216,023	0	14,216,023
Research Center	3,644,374	0	3,644,374
Sustainability Center	3,916,131	0	3,916,131
Special Appropriations	5,350,265	0	5,350,265
Non-Departmental			
Debt Service	1,720,071	0	1,720,071
Interfund Transfers	7,146,409	0	7,146,409
Contingency	4,290,572	(73,890)	4,216,682
<i>Total Appropriations</i>	100,877,573	0	100,877,573
Unappropriated Balance	15,946,701	0	15,946,701
<b>Total Fund Requirements</b>	<b>\$116,824,274</b>	<b>\$0</b>	<b>\$116,824,274</b>

*All other appropriations remain as previously adopted*

## STAFF REPORT

### FOR THE PURPOSE OF AMENDING THE FY 2013-14 BUDGET AND APPROPRIATIONS SCHEDULE TO ADD A 1.0 LIMITED DURATION ANALYST IN THE CEMETERY PROGRAM

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Date: August 8, 2013

Prepared by: Paul Slyman, 503-797-1510

## BACKGROUND

Metro's Cemetery Program requests the creation of a 1.00 FTE limited duration Program Analyst IV position to complete the efforts of legally resolving unclaimed burial spaces in our 14 historic cemeteries. During FY 2013-14, the employee will work full time implementing the provisions of SB1537 governing the reclamation of unclaimed burial spaces. The limited duration position is requested for a duration not to exceed June 30, 2014.

Metro Council approved an inventory of unclaimed burial spaces on July 25, 2103. Under SB1537, staff will now commence the reclamation process as follows: Staff will provide notice to the record owners and their descendants through certified mail, telephone, and/or email, post notice at Metro's historic cemeteries, and publish notice for four consecutive weeks in a newspaper. Once notice is provided, claimants will have 120 days to present documentation establishing rightful ownership. Burial spaces for which not claim is made within the 120 day window can be declared legally abandoned via final Council resolution.

This work was originally anticipated to be completed by contractual temporary help not to exceed 1040 work hours this fiscal year. At Council's direction, staff increased the body of work significantly to include all unclaimed burial spaces in each of Metro's 14 cemeteries, thus increasing the number of burial sites involved from 532 to 2,517. This directly increases all aspects of work, including the number of letters mailed, the amount of research required, the number of cases addressed, and the size of the inventory managed. Given the increase in project scope, staff finds it necessary to also increase the resources available to manage the program. The cost for this FTE is partially offset by the funds previously allocated for the temporary work. The total net amount requested for this action is \$73,890 to be transferred from the General Fund contingency.

## ANALYSIS/INFORMATION

- 1. Known Opposition:** None known
- 2. Legal Antecedents:** Metro code chapter 2.02 requires the Metro Council to approve the addition of any position to the budget. ORS 294.463(1) provides for transfers of appropriations within a fund, including transfers from contingency that do not exceed 15 percent of a fund's appropriation, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction.
- 3. Anticipated Effects:** This action adds a limited duration 1.00 FTE position to the Cemetery Program in FY 2013-14. The duration of this position is authorized not to exceed June 30, 2014.



4. **Budget Impacts:** This action transfers \$73,890 from the General Fund contingency to the Cemetery Program of the Parks and Environmental Services Department to fund the addition of the 1.0 limited duration FTE through June 30, 2014.

#### **RECOMMENDED ACTION**

The Chief Operating Office recommends adoption of this Ordinance.

M:\Asd\Finance\Confidential\BUDGET\FY13-14\Budord\Ord 13-1315 - LD For Cemetery Prg\Staff Report For Ord 13-1315 LD Cemetery Position.Doc

Agenda Item No. 6.1

**Resolution No. 13-4455**, Resolution of the Metro Council,  
Acting as the Metro Council Contract Review Board, For the  
Purpose of Approving a Sole Source Contract with the Center  
for Intercultural Organizing.

*Contract Review Board*

Metro Council Meeting  
Thursday, Sept. 19, 2013  
Metro, Council Chamber

BEFORE THE METRO COUNCIL

RESOLUTION OF METRO COUNCIL, ACTING )	RESOLUTION NO. 13-4455
AS THE METRO CONTRACT REVIEW BOARD, )	
FOR THE PURPOSE OF APPROVING A SOLE )	Introduced by Chief Operating Officer Martha
SOURCE CONTRACT WITH THE CENTER FOR )	Bennett in concurrence with Council
INTERCULTURAL ORGANIZING )	President Tom Hughes

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, the Center for Intercultural Organizing (CIO) has developed a Pan-Immigrant Leadership and Organizing Training (PILOT), which is a unique program that enhances the skills, analysis and organizing ability of emerging immigrant and refugee leaders across cultural groups, building long-term relationships between diverse immigrant and refugee communities in Portland and increasing the capacity and voice of new communities to affect change; and

WHEREAS, the Chief Operating Officer has determined that developing a partnership with the CIO to include a parks and natural areas element to their PILOT program will improve Metro’s ability to connect with other community-based organizations and is in the best interests of Metro; and

WHEREAS, under the direction of the Chief Operating Officer, CIO will assist immigrant and refugee community members to connect with the region’s natural areas, build understanding of parks and natural areas, train emerging immigrant and refugee leaders on the public policy, legal structures, government agencies, and volunteer community actions that protect the region’s environment, and develop recommendations on culturally specific community engagement practices; and

WHEREAS, CIO offers Metro a unique perspective because it has applied for Metro grants and can provide Metro with insight on the barriers to funding faced by organizations that work with underrepresented communities; and

WHEREAS, the Metro Procurement Officer believes that CIO’s specialized experience and unique qualifications warrant the use of a sole source contract, that it would be impractical to conduct a competitive solicitation process to procure a consultant having such expertise; and that such action is in accordance with the Oregon state law providing for sole source procurements (ORS 279B.075) and Metro Code Section 2.04.062; and

WHEREAS, Metro Code Section 2.04.062 provides that Metro may award a contract for services without competition when the Metro Contract Review Board determines that the needed services are available from only one source; now therefore

BE IT RESOLVED that the Metro Council acting as the Metro Contract Review Board authorizes the Metro Chief Operating Officer to negotiate and execute a sole source contract with CIO for the purpose of developing a partnership with CIO to add parks and natural areas to their PILOT program.

ADOPTED by the Metro Council this \_\_\_\_\_ day of September 2013.

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Tom Hughes, Council President

Approved as to Form:

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Alison R. Kean, Metro Attorney

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 13-4455, FOR THE PURPOSE OF ENTERING INTO A SOLE SOURCE CONTRACT WITH THE CENTER FOR INTERCULTURAL ORGANIZING**

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Date: September 19, 2013

Prepared by: Kathleen Brennan-Hunter, 503-797-1948  
Nuin-Tara Key, 503-797-1917  
Grant Spickelmier, 503-525-4268, x5268

#### **BACKGROUND**

If approved by the Metro Council, this resolution will enable staff to enter into a sole source contract with the Center for Intercultural Organizing. The purpose of the contract is to develop a partnership whereby CIO will add a parks and natural areas element to its PILOT leadership program and will also help Metro connect with other community based organizations. More specifically the following project purposes are defined for the project:

- Help immigrant and refugees to connect with the region's parks and natural areas, as well as the regional government that works to protect and enhance the region's natural environment.
- Build understanding of parks and natural areas for participants in CIO's Multnomah and Washington County leadership development programs.
- Train emerging immigrant and refugee leaders on the public policy, legal structures, government agencies, and volunteer community actions that protect the region's environment.
- Develop recommendations on culturally specific community engagement practices for Metro regional government.
- Provide opportunity for hands-on learning through site visits and strategic convening.
- Develop working and ongoing collaboration between Metro and CIO

This project started following the most recent round of Nature in Neighborhood grants. Program staff conducted outreach to reach new organizations that had not applied before, in particular organizations that represent underrepresented, low income people or people of color.

The outreach was successful in that eight new applicants that directly serve underrepresented, low income people or people of color submitted proposals. As part of program evaluation, program staff learned that many of the organizations that did not receive grants this round were new to the program and did not have the depth of background with Metro and with parks and natural areas to successfully compete for grant funds. This was especially true for organizations that didn't have existing natural areas, parks or conservation education programming. Around this same time CIO reached out and asked about other possibilities for working together. After some initial conversations, the opportunity for collaborating on offering Metro, natural areas and parks education to CIO's PILOT leadership development program was identified.

For the past several months, program staff from natural areas, equity and conservation education worked with CIO to refine this idea and develop the proposal before the Metro Council.

Once the parks and natural areas levy was approved by the region's voters, staff recognized the opportunity to use this effort as an early action learning experience. This contract is structured to enable staff to begin implementation of levy programs, and honor the commitment the Metro Council made to equity, as one of the region's desired outcomes.

Due to the cultural diversity of CIO's members, leaders and staff, and partnerships with other community-based organizations, this project will serve to provide Metro insight into engaging a number of newcomer communities, the lessons learned from which can be incorporated into other Metro projects, including shaping of the levy's community partnership effort.

- CIO is uniquely positioned to bring other community based organizations, large and small, to the table to discuss future partnerships with Metro.
- CIO has applied for Metro's Nature in Neighborhoods grants, and the organization has insights into the barriers of the current grant process for community based organizations who work with underrepresented communities.

The Center for Intercultural Organizing is providing \$10,000 in additional, staff time as an in-kind donation to the project.

### **Metro's Equity Strategy Program**

In 2012, Metro committed to developing an agency strategy for advancing equity as one of the region's desired outcomes. In our role as service provider, convener and investor in the region, Metro is committed to identifying the institutional barriers that stand in the way of advancing equity.

Metro's Equity Strategy Program provides an opportunity to strengthen existing and build new partnerships with communities most impacted by disparities. Bringing equity to the forefront of our work can help ensure a thriving, prosperous region by creating a place where everyone has access to the opportunities that provide the quality of life for which our region is known.

A key aspect of Metro's Equity Strategy Program is the investment in community partner capacity building. For stakeholders to actively engage as partners in Metro's Equity Strategy Program, it is critical to ensure that they have the knowledge and relationships to examine and shape Metro's role – as an agency – in advancing equity in our programs, policies and services. Given the diversity of community partners Metro aims to engage through this process, a one-size-fits-all approach to capacity-building will not suffice; some partners have voiced an interest in receiving a "Metro 101" training, while other partners want to work more collaboratively to identify how to build capacity around specific areas or topics.

In support of these existing Metro commitments, the proposed Sole Source Contract allows Metro to support a pilot Community Partnerships project effort through collaboration with the Center for Intercultural Organizing.

### **About the Center for Intercultural Organizing**

Founded and led by immigrants, refugees, and people of color, the Center for Intercultural Organizing (CIO) is a nonprofit working to build inclusive, multiethnic communities. CIO is uniquely positioned to assist Metro to train, outreach to, and engage a diverse range of underrepresented populations—with an emphasis on immigrants, refugees, and communities of color - as a pilot implementation program under Metro's equity goals. CIO has a proven track record for developing policies to improve access to government for ethnic minority residents and to increase civic engagement of immigrants, refugees and people of color. The organization has conducted similar work recently for the Aloha-Reedville Study and Livable Community Plan (2012-present) City of Beaverton (2009-present) and the City of Portland (2005-present).

Strengths of the organization include:

- A strong, diverse base of immigrant and refugee leaders from Multnomah, Clackamas, and Washington Counties from various cultural backgrounds (over 70 countries of origin represented)
- An ongoing, yearlong leadership development program for first generation immigrants and refugees with over 120 graduates since 2008
- A skilled multilingual, multi-ethnic staff and Board with experience in public policy, community organizing, training, and civic engagement strategies
- Experience breaking new ground in program design and implementation
- Considered a national model in its field

## **ANALYSIS/INFORMATION**

### **1. Known Opposition**

None known.

### **2. Legal Antecedents**

None known.

### **3. Anticipated Effects**

If adopted by the Metro Council, staff will proceed to enter into a sole source contract with the Center for Intercultural Organizing.

### **4. Budget Impacts**

The contract will be for \$25,000 funded with proceeds from the Parks and Natural Areas levy.

## **RECOMMENDED ACTION**

The Chief Operating Officer recommends adoption of Resolution No. 13-4455.

Agenda Item No. 6.2

**Resolution No. 13-4460**, Resolution of the Metro Council,  
Acting as the Metro Council Contract Review Board, For the  
Purpose of Approving a Sole Source Contract with the Columbia  
Corridor Association.

*Contract Review Board*

Metro Council Meeting  
Thursday, Sept. 19, 2013  
Metro, Council Chamber



BEFORE THE METRO COUNCIL

RESOLUTION OF METRO COUNCIL, ACTING )	RESOLUTION NO. 13-4460
AS THE METRO CONTRACT REVIEW BOARD, )	
FOR THE PURPOSE OF APPROVING A SOLE )	Introduced by Chief Operating Officer Martha
SOURCE CONTRACT WITH THE COLUMBIA )	Bennett in concurrence with Council
CORRIDOR ASSOCIATION )	President Tom Hughes

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, the Columbia Corridor Association has developed the ResourceFull Use Exchange Project, which is a unique program in the region that conducts face-to-face and online reuse exchanges with regional businesses; and

WHEREAS, the ResourceFull Use Exchange Project helps businesses identify their waste products, raw material needs and transportation inefficiencies and match business' waste products with another business' raw material needs; and

WHEREAS, ResourceFull Use Exchange Project will help the Resource Conservation and Recycling Division of Metro achieve its goals of reducing health and human impacts associated with the generation and disposal of waste and reduce the greenhouse gas emissions associated with the regions consumption of goods and food; and

WHEREAS, the Metro Procurement Officer believes that the unique ResourceFull Use Exchange Project, supported by the Columbia Corridor Association, warrants the use of a sole source contract, that it would be impractical to conduct a competitive solicitation process to procure a consultant having such expertise; and that such action is in accordance with the Oregon state law providing for sole source procurements (ORS 279B.075) and Metro Code Section 2.04.062; and

WHEREAS, Metro Code Section 2.04.062 provides that Metro may award a contract for services without competition when the Metro Contract Review Board determines that the needed services are available from only one source; now therefore

BE IT RESOLVED that the Metro Council acting as the Metro Contract Review Board authorizes the Metro Chief Operating Officer to negotiate and execute a sole source contract with the Columbia Corridor Association for the purpose of supporting the ResourceFull Use Exchange Project.

ADOPTED by the Metro Council this \_\_\_\_\_ day of September 2013.

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Tom Hughes, Council President

Approved as to Form:

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Alison R. Kean, Metro Attorney

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 13-4460, FOR THE PURPOSE OF APPROVING A SOLE SOURCE CONTRACT WITH THE COLUMBIA CORRIDOR ASSOCIATION**

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Date: September 19, 2013

Prepared by: Will Elder, 503-797-1581

#### **BACKGROUND**

In 2008, Metro Council adopted the Regional Solid Waste Management Plan (RSWMP). RSWMP identifies waste reduction and prevention as key priorities for Metro.

When the waste of one organization is used as an input for another, many benefits accrue to participating organizations and to the environment. Solid waste, greenhouse gas emissions and pollution are decreased and efficiencies increase. Economic benefits include costs savings from reduced hazardous and solid waste, low cost or free locally sourced materials, new product development, and potentially, the creation of green jobs.

Columbia Corridor Associations' ResourceFull Use project is a Portland-Metro area project designed to provide manufacturers and industry with a combined face-to-face and electronic mechanism to actively exchange resources for reuse. Material exchanges are a way for businesses to find uses for materials that would be considered waste by the generator and is one way for Metro to achieve the region's waste reduction goals. The ResourceFull Use project helps businesses identify their waste products, raw material needs and transportation inefficiencies and attempt to match one business' waste products with another business' raw material needs.

There are two desired outcomes from this contract between Metro and Columbia Corridor Association. The first is the opportunity for the ResourceFull Use project to go through a strategic planning process to identify potential partnership, sustainable funding options for the program and exchange platforms. The second is to perform one material exchange workshop in the Lloyd Eco District. This will also support the work Metro is currently involved with in the Eco-district.

Metro has identified ResourceFull Use project as one that will support the regions waste reduction goals and is the only organization in the region doing this work. The Resource Conservation and Recycling Division at Metro (RCR) has set aside funds in the FY 2013-14 budget to assist in strategic planning and providing a workshop in the Lloyd Eco-district.

#### **ANALYSIS/INFORMATION**

##### **1. Known Opposition**

There is no known opposition.

##### **2. Legal Antecedents**

None known.

##### **3. Anticipated Effects**

Approving this contract will allow ResourceFull Use to continue the work they are doing around reuse as well as plan for the future and be a self-funding, sustainable program here in the region.

##### **4. Budget Impacts**

Program budgeted in the 2013-14 budget.

#### **RECOMMENDED ACTION**

RCR recommend that Council approve the contract with the Columbia Corridor Association.

# Personal Services Agreement

Metro Contract No. 931751

## Personal Services less than \$50,000

THIS AGREEMENT is between Metro, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 N.E. Grand Avenue, Portland, OR 97232-2736, and the Columbia Corridor Association, referred to herein as "Contractor," located at 700 NE Multnomah Street, Suite 340, Portland, OR 97232.

In exchange for the promises and other consideration set forth below, the parties agree as follows:

1. **Duration.** This personal services agreement shall be effective as of the date of last signature and shall remain in effect until and including June 30, 2014, unless terminated or extended as provided in this Agreement. This agreement may be renewed or extended for two additional one-year periods at Metro's sole discretion.
2. **Scope of Work.** Contractor shall provide all services and materials specified in the attached "Attachment A -- Scope of Work," which is incorporated into this Agreement by reference. All services and materials shall be provided by Contractor in accordance with the Scope of Work, in a competent and professional manner. To the extent that the Scope of Work contains additional contract provisions or waives any provision in the body of this Agreement, the Scope of Work shall control.
3. **Payment.** Metro shall pay Contractor for services performed and materials delivered in the amount(s), manner and at the time(s) specified in the Scope of Work for a maximum sum not to exceed TEN THOUSAND AND 00/100THS DOLLARS (\$10,000.00). Payment shall be made by Metro on a Net 30 day basis upon approval of Contractor invoice.
4. **Insurance.** Contractor shall purchase and maintain at the Contractor's expense, the following types of insurance, covering the Contractor, its employees, and agents:
  - (a) The most recently approved ISO (Insurance Services Office) Commercial General Liability policy, or its equivalent, written on an occurrence basis, with limits not less than \$1,000,000 per occurrence and \$1,000,000 aggregate. The policy will include coverage for bodily injury, property damage, personal injury, contractual liability, premises and products/completed operations. Contractor's coverage will be primary as respects Metro;
  - (b) Automobile insurance with coverage for bodily injury and property damage and with limits not less than minimum of \$1,000,000 per occurrence;
  - (c) Workers' Compensation insurance meeting Oregon statutory requirements including Employer's Liability with limits not less than \$500,000 per accident or disease.

Metro, its elected officials, departments, employees, and agents shall be named as ADDITIONAL INSUREDS on Commercial General Liability and Automobile policies.

Contractor shall provide to Metro 30 days notice of any material change or policy cancellation.

Contractor shall provide Metro with a Certificate of Insurance complying with this article upon return of the Contractor signed agreement to Metro. Certificate of Insurance shall identify the Metro contract number.

5. **Indemnification.** Contractor shall indemnify and hold Metro, its agents, employees and elected officials harmless from any and all claims, demands, damages, actions, losses and expenses arising out of or in any way connected with its performance of this Agreement, or with any patent infringement or copyright claims arising out of the use of Contractor's designs or other materials by Metro and for any claims or disputes involving subcontractors.

6. **Maintenance of Records.** Contractor shall maintain all of its records relating to the Scope of Work on a generally recognized accounting basis and allow Metro the opportunity to inspect and/or copy such records at a convenient place during normal business hours. All required records shall be maintained by Contractor for six years after Metro makes final payment and all other pending matters are closed.

# Personal Services Agreement

Metro Contract No. 931751

7. Ownership of Documents. All documents of any nature including, but not limited to, reports, drawings, works of art and photographs, produced by Contractor pursuant to this Agreement are the property of Metro, and it is agreed by the parties that such documents are works made for hire. Contractor hereby conveys, transfers, and grants to Metro all rights of reproduction and the copyright to all such documents.
8. Project Information. Contractor shall share all project information and fully cooperate with Metro, informing Metro of all aspects of the project including actual or potential problems or defects. Contractor shall abstain from releasing any information or project news without the prior and specific written approval of Metro.
9. Independent Contractor Status. Contractor shall be an independent contractor for all purposes and shall be entitled only to the compensation provided for in this Agreement. Under no circumstances shall Contractor be considered an employee of Metro. Contractor shall provide all tools or equipment necessary to carry out this Agreement, and shall exercise complete control in achieving the results specified in the Scope of Work. Contractor is solely responsible for its performance under this Agreement and the quality of its work; for obtaining and maintaining all licenses and certifications necessary to carry out this Agreement; for payment of any fees, taxes, royalties, or other expenses necessary to complete the work except as otherwise specified in the Scope of Work; and for meeting all other requirements of law in carrying out this Agreement. Contractor shall identify and certify tax status and identification number through execution of IRS form W-9 prior to submitting any request for payment to Metro.
10. Right to Withhold Payments. Metro shall have the right to withhold from payments due to Contractor such sums as necessary, in Metro's sole opinion, to protect Metro against any loss, damage, or claim which may result from Contractor's performance or failure to perform under this Agreement or the failure of Contractor to make proper payment to any suppliers or subcontractors.
11. State and Federal Law Constraints. Both parties shall comply with the public contracting provisions of ORS chapters 279A, 279B and 279C and the recycling provisions of ORS 279B.025 to the extent those provisions apply to this Agreement. All such provisions required to be included in this Agreement are incorporated herein by reference. Contractor shall comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations including those of the Americans with Disabilities Act.
12. Situs. The situs of this Agreement is Portland, Oregon. Any litigation over this agreement shall be governed by the laws of the State of Oregon and shall be conducted in the Circuit Court of the state of Oregon for Multnomah County, or, if jurisdiction is proper, in the U.S. District Court for the District of Oregon.
13. Assignment. This Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any circumstance, be assigned or transferred by either party without Metro's written consent.
14. Termination. This Agreement may be terminated by mutual consent of the parties. In addition, Metro may terminate this Agreement by giving Contractor seven (7) days prior written notice of intent to terminate, without waiving any claims or remedies it may have against Contractor. Termination shall not excuse payment for expenses properly incurred prior to notice of termination, but neither party shall be liable for indirect or consequential damages arising from termination under this section.
15. No Waiver of Claims. The failure to enforce any provision of this Agreement shall not constitute a waiver by Metro of that or any other provision.
16. Modification. Notwithstanding and succeeding any and all prior agreement(s) or practice(s), this Agreement constitutes the entire Agreement between the parties, and may only be expressly modified in writing(s), signed by both parties. Metro may approve changes and modifications to the original contract, including deletions of work, order of additional materials, and additional services reasonably related to the original work scope. Contractor may propose changes in the work that Contractor believes are necessary, will result in higher quality work, improve safety, decrease the amount of the contract, or otherwise result in a better or more efficient work product. If such changes are approved by Metro, they shall be executed by written contract amendment signed by both parties. Such changes shall not relieve Contractor of any obligation or warranty under the contract. No oral statements by either party shall modify or affect the terms of the contract.

# Personal Services Agreement

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Metro Contract No. 931751

17. Severability. The parties agree that any provision of this Contract that is held to be illegal, invalid, or unenforceable under present or future laws shall be fully severable. The parties further agree that this Contract shall be construed and enforced as if the illegal, invalid, or unenforceable provision had never been a part of them and the remaining provisions of the Contract shall remain in full force and effect and shall not be affected by the illegal, invalid, or unenforceable provision or by its severance from this Contract. Furthermore, a provision as similar to the illegal, invalid, or unenforceable provision as is possible and legal, valid and enforceable shall be automatically added to this Contract in lieu of the illegal, invalid, or unenforceable provision. Any failure by METRO to enforce a provision of the Contract is not to be construed as a waiver by METRO of this right to do so.

18. Counterparts. This Contract may be executed in counterparts or multiples, any one of which will have the full force of an original.

19. Delivery of Notices. Any notice, request, demand, instruction, or any other communications to be given to any party hereunder shall be in writing, sent by registered or certified mail or fax as follows:

To Contractor: Corky Collier  
Columbia Corridor Association  
6627 NE 82<sup>nd</sup> Ave, Suite 102  
Portland, Oregon 97220

To Metro: Will Elder  
Metro  
600 NE Grand Ave  
Portland, OR 97232

CONTRACTOR

METRO

By \_\_\_\_\_

By \_\_\_\_\_

Print Name \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

## Scope of Work – Attachment A

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Metro Contract No. 931751

### A. Purpose and Goal of Work

To grant funds to the Columbia Corridor Association for work on the ResourceFull Use Exchange Project which will support ResourceFull Use's efforts to achieve a sustainable program model around material exchanges for the Metro region. A sustainable program will help the region with its waste reduction goals and increase efficiencies with the regions commercial sector.

### B. Description of the Scope of Work

#### Task 1. Program Development and Exchange tracking. (85 hours)

Program development funds will allow us the ability to solidify our current program and plan for future success.

- I. Long-range strategic planning and partnership development
  - A. Regular meetings and communication with our strategic partners both locally and regionally to receive input and coordinate efforts (e.g. counties and municipalities; NBIS, etc.; assume two to four meetings; 16 hours)
  - B. Develop Strategic Plan (45 hours)
    1. Explore partnership opportunities with similar and complementary programs (e.g. NBIS, Community Environmental Services, and Association of Oregon Recyclers, EcoApprentice);
    2. Build off of findings from the City of Portland's review of other programs; evaluate elements and funding mechanisms for incorporation into ResourceFULL Use (e.g. National Industrial Symbiosis Programme –NISP, SecondCycle)
    3. Assess program development ideas from University of Oregon class analyses.
    4. Evaluate incorporation of business incubator entrepreneur
    5. Identify and evaluate long-term funding mechanisms such as
      - a. Percentage of exchange value
      - b. Public or grant funding
      - c. Sponsorships
      - d. Fee to participate
  - C. Plan preparation: key milestones, partnerships and funding mechanisms (14 hours)
- II. Exchange tracking and expansion (10 hours; 2.5 hours/quarter)
  - A. Provide follow up coaching to participants to facilitate exchanges
  - B. Collect metrics from successful exchanges
  - C. Expand upon successful exchanges and build markets around them

#### Task 2. Workshop. (22 hours)

Host a 2-hour facilitated workshop or Clean Up Day in the Lloyd District (or other location determined with Metro input) in Fall 2013 or early 2014 with follow-up on the identified potential exchanges.

The current proposed location is the Lloyd Center Shopping Mall. The U of O research suggests that shopping malls could follow the Port of Portland Clean Up Day model. If this location is selected, contractor would coordinate with the on-going Lloyd Ecodistrict activities, as well as invite representatives from other regional shopping centers, to seed interest in replicating the model.

An alternative location that has been identified is the Swan Island industrial area. The diverse industrial and manufacturing base has potential for on-going and one-time material exchanges, as well as being a possible focus for continued area collaboration and partnerships between organizations.

# Scope of Work – Attachment A

Metro Contract No. 931751

Whichever location is selected, the workshop format will include the following:

- I. Brief program overview
- II. Short presentations on resource reduction topics or case studies by practitioners (ideally selected from the area selected)
- III. Exploration of exchange opportunities (e.g. Speed Resource Exchange "dating")
- IV. Facilitated roundtables to brainstorm next steps for identified exchanges

This task includes program design, coordination of outreach, workshop facilitation, and material exchange follow up.

## Project Schedule

Quarter	Activities
1	Initiate strategic planning process. <ul style="list-style-type: none"> <li>• Meet with strategic partners – set goals; frame program.</li> <li>• Explore partnership with other programs; assess UO program expansion suggestions; evaluate funding mechanisms.</li> <li>• Build off of City of Portland’s evaluation of other programs</li> </ul> Follow up on workshop exchanges.
2	Explore partnership with other programs; assess UO program expansion suggestions; evaluate funding mechanisms. Follow up on workshop exchanges.
3	Meet with strategic partners - review results; explore funding strategies Plan and facilitate workshop (Lloyd District or other location determined with input from Metro). Follow up on workshop exchanges.
4	Follow up on workshop exchanges. Compile results. Prepare strategic plan and workshop summary.

### C. Deliverables/Outcomes

Strategic plan summary including key milestones, proposed timeline, partnerships and funding mechanisms.

The strategic plan will also include the following two stand-alone pieces:

- a. Follow up and quantification of all exchanges identified in workshop series.
- b. Summary memo of Metro-funded workshop.

### D. Payment and Billing

Contractor shall perform the above work for a maximum price not to exceed TEN THOUSAND AND 00/100<sup>TH</sup> DOLLARS (\$10,000.00).

The maximum price includes all fees, costs and expenses of whatever nature. Upon final contract signature and receipt of an invoice from Contractor, Metro will pay Contractor TEN THOUSAND AND 00/100<sup>TH</sup> DOLLARS (\$10,000.00) in one lump sum. Contractor’s billing invoice shall include the Metro contract number, Contractor name, remittance address, invoice date, invoice number, invoice amount, and tax amount (if applicable). Contractor’s billing invoice shall be sent to Metro Accounts Payable, 600 NE Grand Avenue, Portland, OR 97232-2736 or metroaccountspayable@oregonmetro.gov. The Metro contract number shall be referenced in the email subject line. Contractor’s billing invoice shall be submitted to Metro by June 30, 2014. Payment shall be made by Metro on a Net 30 day basis upon approval of Contractor invoice.



Agenda Item No. 7.1

**Resolution No. 13-4459**, For the Purpose of Amending the  
2012-15 Metropolitan Transportation Improvement Program  
(MTIP) to Add the Transportation Alternatives Program  
Contingency Fund for Eleven Projects.

*Resolutions*

Metro Council Meeting  
Thursday, Sept. 19, 2013  
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE 2012-	)	RESOLUTION NO. 13-4459
15 METROPOLITAN TRANSPORTATION	)	
IMPROVEMENT PROGRAM (MTIP) TO ADD	)	Introduced by Chief Operating Officer Martha
THE TRANSPORTATION ALTERNATIVES	)	Bennett in concurrence with Council
PROGRAM CONTINGENCY FUND FOR	)	President Tom Hughes
ELEVEN PROJECTS	)	
	)	
	)	
	)	

WHEREAS, the Regional Transportation Plan (RTP) is a central tool for implementing the Region 2040 Growth Concept, and constitutes a policy component of the Metro Regional Framework Plan; and

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan to receive transportation related funding; and

WHEREAS, Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the MTIP and any subsequent amendments to change programming policies to the MTIP per federal regulation 23 CFR 450.324; and

WHEREAS, JPACT the and the Metro Council approved by Resolution the 2012-2015 MTIP on March 15, 2012; and

WHEREAS, the implementation of the new federal transportation authorization, Moving Ahead Toward Progress in the 21<sup>st</sup> Century (MAP-21) combined several federal funding programs and changed the administration of the combined program which went into effect immediately; and

WHEREAS, the transition to the new MAP-21 funding programs and administration require Metro to fund partially eleven local transportation projects, originally selected for funding by ODOT; and

WHEREAS, when originally selected for funding, these projects had access to ODOT contingency funds to address unexpected costs and ensure timely implementation; and

WHEREAS, without access to contingency funds, projects could face significant delays, higher administrative costs and possible cancellation and repayment of development costs; and

WHEREAS, a proposed contingency fund could be provided from unallocated Transportation Alternatives program funding and not impact funding of existing projects; and

WHEREAS, a work group of project stakeholders, TPAC and JPACT have considered this issues  
WHEREAS, a work group of project stakeholders, TPAC and JPACT have considered this issues and recommend the 2012-15 MTIP be amended to include a project delivery contingency fund for the eleven projects awarded funding prior to the implementation of the new federal transportation authorization, MAP-21; and

WHEREAS, the projects eligible for contingency funds and the activities the fund will support do not affect the conformity status of the 2035 RTP and the 2012-15 MTIP; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to:

1. Amend the 2012-15 MTIP to include the project delivery contingency fund for the eleven impacted projects as shown in Exhibit A, attached and incorporated into this Resolution.
2. Amend chapter 1 section 6 in the 2012-2015 MTIP to enable the contingency fund to be established, which is attached as Exhibit B and incorporated into this Resolution.

ADOPTED by the Metro Council this \_\_\_\_ day of September 2013.

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Tom Hughes, Council President

Approved as to Form:

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Alison R. Kean, Metro Attorney

**Exhibit A for Resolution 13-4459**

**Projects Impacted by Transition from the Transportation Enhancements (TE) and Safe Routes to Schools (SRTS) funding programs to the Transportation Alternatives (TA) funding program**

<b>Project Name</b>	<b>Project Sponsor</b>	<b>Total TE or TAP \$</b>
SW Birchwood Road: 87 <sup>th</sup> – Laurelwood Sidewalk	Beaverton	\$398,000
Springwater Trail: Rugg Road – Dee Street	Clackamas County Parks	\$1,200,000
SE 122 <sup>nd</sup> Avenue and 132 <sup>nd</sup> Avenue Sidewalk Connections	Clackamas County	\$607,538
Willamette Greenway Trail: Chimney Park – Pier Park	Metro	\$1,499,000
SE Holgate and Ramona: 122 <sup>nd</sup> Avenue – 136 <sup>th</sup> Avenue Sidewalk	Portland	\$1,351,800
B Street: 23 <sup>rd</sup> Avenue – Primrose	Forest Grove	\$350,000
NE 172 <sup>nd</sup> Avenue: Halsey Street to Glisan Street	Gresham	\$169,000
SE Lake Road: Where Else Lane to Freeman Road	Milwaukie	\$233,724
Pedestrian Crossings at Four Schools	Portland	\$455,827
SW Leahy Road and W Stark Street	Washington County	\$411,000
Portland-Milwaukie LRT: Kellogg Lake Bridge M/U Path	TriMet & Milwaukie	\$1,000,000

## 1.6 PROGRAMMING FUNDS AND PROJECT SELECTION

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As discussed above, project prioritization refers to the process of choosing a subset of projects to advance in any given two-year MTIP cycle, from among all those approved for implementation in the RTP long-range plan. Programming of funds refers to the assignment of project costs by phase (project development, final design, right-of-way and construction) to types of funds and expected years of expenditure. The programming tables in Chapter 3 summarize the programming to be adopted in this MTIP. Project *selection* refers to the process of deciding how to advance some projects ahead of others when funding conflicts develop within a current fiscal year. The answer to this question depends mostly on which agency has primary administrative responsibility for the type of funding that is at issue.

### Programming Funds

**Metro Regional Flexible Funds.** Metro and the Joint Policy Advisory Committee on Transportation (JPACT) selects projects funded with local Surface Transportation Program (STP) and Congestion Mitigation/Air Quality (CMAQ) funds, in cooperation with all of the region's local and regional transportation agencies. These funds are awarded by Metro to sponsoring agencies, which then contract with ODOT to obtain access to the funds. These agencies are ultimately responsible for operation of newly constructed facilities. Unlike all the other regional funding sources discussed above, administrative responsibility for STP and CMAQ funds is essentially split between Metro and a broad selection of local sponsoring agencies.

To manage equitable access to the regional flexible funds, Metro staff coordinates with sponsoring agencies to determine the expected timing of project phases and seeks to schedule expected revenue to planned work phases in each year of the program. For the regional flexible funds, programming requests are solicited and the MTIP adoption process is the means used to prioritize projects for funding and balance allocations to project phases and years of expenditure.

The goal is to assure that all regionally funded projects are able to advance in a timely, logical fashion. Typically, this involves preliminary engineering in year one, right-of-way acquisition in year two and construction in year three. It is very rare that a project can execute more than one phase of work in a single year.

Balancing project expenditures with annual revenue limits becomes more difficult when a single project requires a large sum to complete one or more phases of work in one year. A project that requires above \$5 to \$6 million can make it difficult for other more modest projects to proceed in a given year. There are no adopted rules for making such decisions, except that the volume of project work that can proceed in any one year must fall within the revenue that is available that year, including conditional access to statewide resources, as discussed above.

At the outset of each two-year MTIP cycle, Metro formulates a proposal that seeks to balance these constraints and assure progress across jurisdictional boundaries so that no single agency is unduly delayed in delivering its approved projects. The proposed scheduling of the regional flexible funds is submitted for consideration by a regionally sponsored technical subcommittee for approval by consensus. If projects that are scheduled to spend funds in a given year are

delayed, they receive authority to spend funds in the following year unless delays are expected to push the project schedule to a subsequent year. Every two years, a new schedule is developed to account for advances and delays, and incorporation of newly authorized funds, and the biennial process of expenditure resumes. Projects may be added or taken from the total regional program, or diverted between projects, or project phases, or a project scope significantly changed without notification and approval by Metro.

As part of the approval for funding projects, conditions of approval are attached to specific projects to indicate that additional requirements must be met during project implementation to stay eligible for the funds. These conditions can relate to design considerations or public involvement and outreach activities that must be done. Conditions of approval are one mechanism Metro employs to make sure that project elements, particularly those associated with quantitative points given to a project, are carried out and that the intent behind funding a project is met according to Metro's goals and objectives.

**Metro Administered Transportation Alternatives Program.** The authorization of the new federal authorization, MAP-21, Metro has the responsibility of jointly administering the Transportation Alternatives (TA) funding program with ODOT. The split administration is based on a population share formula in which Metro expects to administer half of the TA funds available to the region and ODOT will administer the remaining half as part of a statewide funding program. With the TA funding formula going into effect immediately, eleven local transportation projects originally selected for funding by ODOT is now partially funded by Metro. To ensure all regionally funded projects are able to advance in a timely manner, Metro established a contingency fund for the eleven projects being partially funded by both agencies. Only the eleven projects will be eligible for the contingency funds to prevent delays in project implementation due to unforeseen costs and cost overruns. The contingency fund cannot be increased beyond what TA funding is currently available. Contingency funding requests are limited to 10% of their original funding award and must be matched by an equal or greater amount of local funding. Availability of funding to the projects will be considered in the order received. Final decision on requests for contingency funding is the responsibility of the Metro Planning & Development director. ~~and cannot seek additional funding from Metro.~~

**ODOT.** ODOT, in cooperation with Metro, proposes programming Interstate Maintenance, State Modernization (vehicle capacity projects), federal and state bridge rehabilitation, and highway safety, preservation and operations projects. In practice, ODOT's programming recommendations for these projects are accepted by JPACT and the Metro Council as ODOT is most aware of project readiness issues. Coordination on programming of ODOT funds focuses on ensuring timely implementation of the Transportation Control Measures for air quality and ensuring compliance with air quality emissions budgets.

**Public Transit.** In cooperation with Metro, TriMet and SMART propose programming of Federal Transit Administration (FTA) funding categories (e.g., Section 5307 and 5309 funds) that are limited to public transit purposes (e.g., bus purchase and maintenance, light rail construction, etc.). TriMet allocates both federal and general fund revenues to implement their five-year Transportation Improvement and Annual Service plans. Again, the MTIP reports only the federal

funding component of TriMet and SMART's overall capital and operations programs other than local funds used as match on federal projects or on regionally significant capital projects.

Federal New Starts funding received by TriMet in the current MTIP consists of funds for the Portland to Milwaukie light rail transit project. TriMet expects to receive its first appropriation for the Portland to Milwaukie light project in federal fiscal year 2013.

Other federal public transit funding categories received by TriMet and SMART (Section 5307 and 5309 formula funds) have greater programming discretion. Metro though, supports bundling these discretionary federal funds into several large programs, (e.g., bus purchases, and bus and light rail maintenance) for purposes of minimizing the complexity of submitting annual federal grant requests to FTA. Metro defers allocation of discretionary federal public transit funds to TriMet and SMART for routine maintenance programs.

In practice, TriMet and SMART's major service decisions are well coordinated with RTP-defined public transit system corridor priorities and new service decisions are reflected in Metro's regional transportation model. TriMet periodically briefs TPAC and JPACT on the allocation of federal funds relative to all funding sources to meet the various categories of cost outlays.

### **Selection of Projects**

When funding conflicts arise between projects within a programmed fund year, it is sometimes necessary to select which projects will advance as programmed and which must be delayed to a future year when additional funds become available. This can occur when actual appropriation or allocation of funds is less than authorized or forecast for a particular year or if there are project cost over runs. Projects on the National Highway System or projects funded under the Bridge or Interstate Maintenance programs are selected by ODOT in cooperation with Metro, TriMet and SMART.

Public transit funds are subject to their own limitation and do not draw down the ability of either ODOT or Metro to spend other fund categories in any given year.

If a current year project is not ready to proceed, Metro or ODOT may select projects scheduled in years two, three or four of the program to proceed. For example, a first-year project may have delays in development of plans and specifications, or its right-of-way acquisition may encounter obstacles. In this instance, Metro, in cooperation with ODOT and other affected agencies, would move the delayed project to a later year and select a project from year two, three or four of the four-year approved program period. This flexibility assures that the region contributes its share to orderly statewide obligation of available funds. Because selection actions are not considered formal amendments under federal regulations, *they do not require re-conformity of the TIP with the State (Air Quality) Implementation Plan.*

Should a project be delayed to a later year, either because it was not ready to proceed or because less funding is made available than expected, the project would then share equal priority with all other projects scheduled in that later year of the Approved Program. Once selected, readiness to proceed determines which projects advance that year.

## STAFF REPORT

### FOR THE PURPOSE OF AMENDING THE 2012-2015 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM TO ADD THE TRANSPORTATION ALTERNATIVES CONTINGENCY FUND FOR ELEVEN PROJECTS

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Date: September 3, 2013

Prepared by: Grace Cho

#### BACKGROUND

As the metropolitan planning organization (MPO) for the urban area of the Portland region, Metro receives and distributes different sources of federal transportation funds. Under the new federal funding programs outlined in the federal MAP-21 authorization, several programs were collapsed to create the Transportation Alternatives (TA) program. The TA program establishes metropolitan planning organizations (MPOs) and State Department of Transportation (DOT) to administer the program jointly based on a population share formula. From the formula, Metro expects to administer half of the TA funds available to the region and ODOT will administer the remaining half of TA funds as part of a statewide funding program. The TA funding formula went into effect immediately.

Eleven local transportation projects selected for funding by ODOT will now be partially funded by Metro due to changes under the federal MAP-21 authorization. (See Exhibit A) When originally selected for funding, these projects had access to ODOT contingency funds to address unexpected costs and ensure timely implementation. Without access to contingency funds, projects could face significant delays, higher administrative costs and possible cancellation and repayment of development costs.

Metro staff formed an ad-hoc working group that developed options to address this issue. At the June 28, 2013 TPAC meeting, TPAC members considered the working group options and recommended a preferred proposal for JPACT and Metro Council consideration. At the August 1, 2013 JPACT meeting, JPACT approved staff to move forward with drafting legislation to enable the Metro contingency fund.

The contingency fund cannot be increased beyond what TA funding is currently available. At this time, the funding available is approximately \$120,000, which is the difference between the estimated amount of TA funding coming to the region and the actual amount received. However, based on the total project costs for the eleven projects, the potential maximum contingency liability is upward of \$460,000. The contingency fund is permitted to be supplemented with TA returned funds for projects which are not completed.

The action of creating a Metro administered contingency fund for these eleven projects does not trigger a new air quality conformity analysis. This is because the contingency fund would only apply to projects already conformed in the current MTIP and the scope of the eleven projects would not change by receiving additional funds. Further, these projects focus solely on active transportation, including building sidewalks, bicycling infrastructure and landscaping. In review of the eleven projects, an air quality conformity analysis is not triggered since: 1) the amendment is taking action on projects which are deemed exempt from regional conformity analysis; and 2) additional funds are only being added to the projects if requested and approved. Contingency funds can only be applied to activities identified in the original scope of work. The original scope of work for the eleven projects are consistent with regional policy and help advance implementation of the region's desired outcomes.

#### ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.




2. **Legal Antecedents:** This resolution amends the 2012-15 MTIP, adopted by Metro Resolution 12-4332.
3. **Anticipated Effects** Adoption of this resolution will authorize the Metro Planning and Development Department Director to allocate contingency funds on a first-come, first-serve basis. Only the eleven projects impacted by the MAP-21 changes to transportation alternatives funding will be eligible for contingency funds. The contingency funds, if utilized, will help local alternative transportation projects, including bike lane projects and sidewalk projects, be implemented and prevent local jurisdictions having to return federal transportation funds for not delivering a project in a timely manner.
4. **Budget Impacts:** There is no impact to the Metro budget by the proposed actions of this resolution. Administration of the contingency fund is to be delivered by existing Planning & Development department staff.

#### **RECOMMENDED ACTION**

Metro staff recommends the approval of Resolution No. 13-4459.

Materials following this page were distributed at the meeting.

**REVISED, 9/16**

 **Metro | Agenda**

Meeting: Metro Council  
Date: Thursday, Sept. 19, 2013  
Time: 2 p.m.  
Place: Metro, Council Chamber

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**CALL TO ORDER AND ROLL CALL**

**1. INTRODUCTIONS**

**2. CITIZEN COMMUNICATION**

**3. CONSIDERATION OF THE COUNCIL MINUTES FOR  
SEPT. 12, 2013**

**4. ORDINANCES – FIRST READING**

4.1 **Ordinance No. 13-1314**, For the Purpose of Annexing to the Metro District Boundary Approximately 10.63 Acres Located at 5285 NW 253<sup>rd</sup> Avenue in Hillsboro.

**5. ORDINANCES – SECOND READING**

5.1 **Ordinance No. 13-1315**, For the Purpose of Amending the FY 2013-14 Budget and Appropriations Schedule to Add a 1.0 Limited Duration Analyst in the Cemetery Program. **Tim Collier, Metro**

5.1.1 Public Hearing on Ordinance No. 13-1315.

**6. CONTRACT REVIEW BOARD**

6.1 **Resolution No. 13-4455**, Resolution of the Metro Council, Acting as the Metro Council Contract Review Board, For the Purpose of Approving a Sole Source Contract with the Center for Intercultural Organizing. **Kathleen Brennan-Hunter, Metro**

6.2 **Resolution No. 13-4460**, Resolution of the Metro Council, Acting as the Metro Council Contract Review Board, For the Purpose of Approving a Sole Source Contract with the Columbia Corridor Association. **Will Elder, Metro**

*Continued on back...*

8. CHIEF OPERATING OFFICER COMMUNICATION

9. COUNCILOR COMMUNICATION

ADJOURN

**Television schedule for Sept. 19, 2013 Metro Council meeting**

<b>Clackamas, Multnomah and Washington counties, and Vancouver, WA</b> Channel 30 – Community Access Network <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a> <i>Ph:</i> 503-629-8534 <i>Date:</i> Thursday, Sept. 19	<b>Portland</b> Channel 30 – Portland Community Media <i>Web site:</i> <a href="http://www.pcmtv.org">www.pcmtv.org</a> <i>Ph:</i> 503-288-1515 <i>Date:</i> Sunday, Sept. 22, 7:30 p.m. <i>Date:</i> Monday, Sept. 23, 4 p.m.
<b>Gresham</b> Channel 30 - MCTV <i>Web site:</i> <a href="http://www.metroeast.org">www.metroeast.org</a> <i>Ph:</i> 503-491-7636 <i>Date:</i> Monday, Sept. 23, 2 p.m.	<b>Washington County</b> Channel 30– TVC TV <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a> <i>Ph:</i> 503-629-8534 <i>Date:</i> Saturday, Sept. 21, 11 p.m. <i>Date:</i> Sunday, Sept. 22, 11 p.m. <i>Date:</i> Tuesday, Sept. 21, 6 a.m. <i>Date:</i> Wednesday, Sept. 25, 4 p.m.
<b>Oregon City, Gladstone</b> Channel 28 – Willamette Falls Television <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a> <i>Ph:</i> 503-650-0275 Call or visit web site for program times.	<b>West Linn</b> Channel 30 – Willamette Falls Television <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a> <i>Ph:</i> 503-650-0275 Call or visit web site 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 the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site [www.oregonmetro.gov](http://www.oregonmetro.gov) and click on public comment opportunities.

**Metro's nondiscrimination notice**

Metro respects civil rights. Metro fully complies with Title VI of the Civil Rights Act of 1964 that bans discrimination on the basis of race, color or national origin. For more information on Metro's civil rights program, or to obtain a Title VI complaint form, visit [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights) or call 503-797-1536. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. All Metro meetings are wheelchair accessible. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1536 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 7 business days in advance of the meeting to accommodate your request. For up-to-date public transportation information, visit TriMet's website at [www.trimet.org](http://www.trimet.org).



## CEDAR CROSSING

This covered bridge, the first ever built in Multnomah County, was dedicated January 16, 1982, by County Executive Donald E. Clark and Lea Wikman, chairwoman of Powellhurst Community Planning Group, as a nostalgic tribute to ingenious frontiersmen who built such structures throughout western Oregon in the 19th and 20th centuries.

This bridge was named by Ginell Lamont in a contest among David Douglas School students.

The creek below is named for William Johnson who built a sawmill in Lents in the 1850's. The road commemorates WA Deardorf who petitioned the County to build the original road in 1898.



After a 25 year disappearance this replacement sign was created in July 2013 by Multnomah County Sign Shop. Layout and production by Tyler Kunter, supervised by Gary Petesz (who created the original Historical Marker). Replacement project leader Kim Peoples.

**THANK YOU ALL**

## Johnson Creek spanned 'Cedar Crossing' covered bridge opens

The spectators were all wet, but the span across Johnson Creek remained dry Saturday as officials and citizens dedicated Multnomah County's first covered bridge.

Despite drenching rain and chilly gusts, the ceremony and parade drew an enthusiastic crowd to the new bridge, which crosses the creek at Southeast 134th Avenue and Deardorff Road.

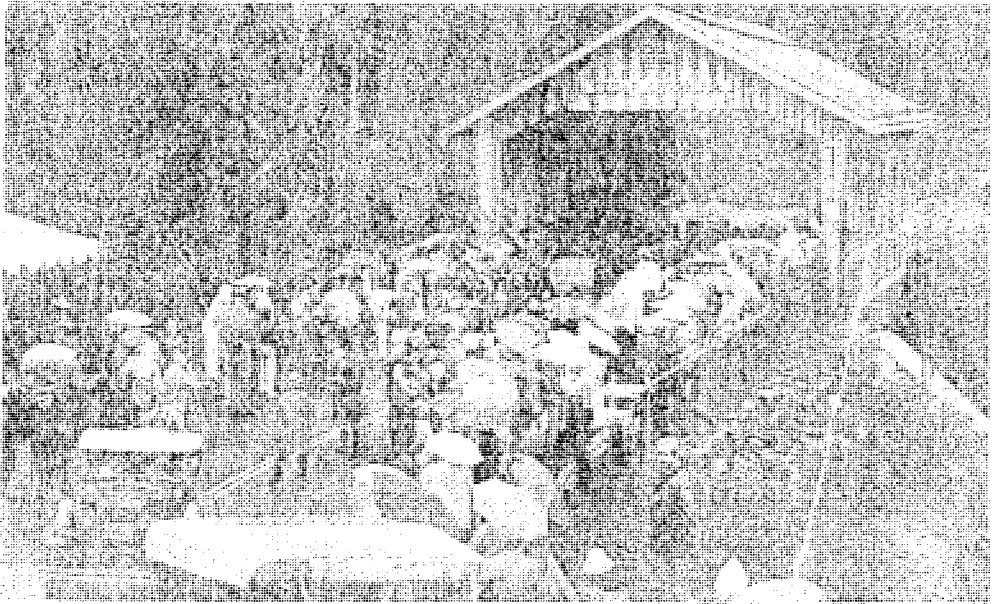
"If you've ever wondered why they put covers on bridges, if this weather doesn't tell you, nothing will," Multnomah County Executive Don Clark told onlookers.

Building a covered bridge in the county has been a dream of Clark's for many years. The opportunity arose when county engineers began considering a replacement for the aging bridge that had spanned the creek for about 45 years.

At Saturday's ceremony, Clark joined with Ginell Lamont, a seventh-grader at Alice Ott Middle School, to unveil a sign bearing the structure's name, "Cedar Crossing." The name was Ginell's entry in a contest conducted in the David Douglas School District.

Lea Wikman, head of the Community Covered Bridge Committee, and Geannae Newell, who designed and wood-burned a logo on the bridge, also assisted in the ceremony.

The 60-foot-long span, the first covered bridge built in Oregon in 16 years, has two lanes for vehicles and a 5-foot-



Staff photo by RANDY WOOD

**ONE DRY SPOT** — A parade of antique vehicles makes its way across the driest 60 feet of road over Johnson Creek Saturday morning, the county's new covered bridge. The bridge has been named "Cedar Crossing."

long pedestrian path. The cover has a vertical clearance of 14 feet.

The first vehicles across the newly dedicated bridge were Multnomah County sheriff's department motorcycles, which led a parade of antique vehi-

cles and drill units, including the 62-member Kelly Kadet Korp. The David Douglas High School marching band also tried out the new structure.

Designed by the county Department of Environmental Services, the bridge

cost \$83,500, with the tab for related road work totaling \$74,800.

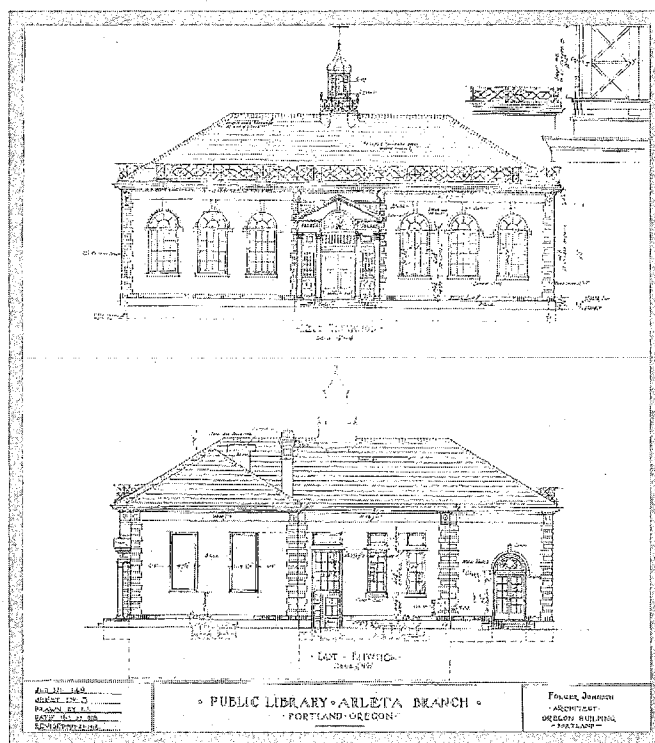
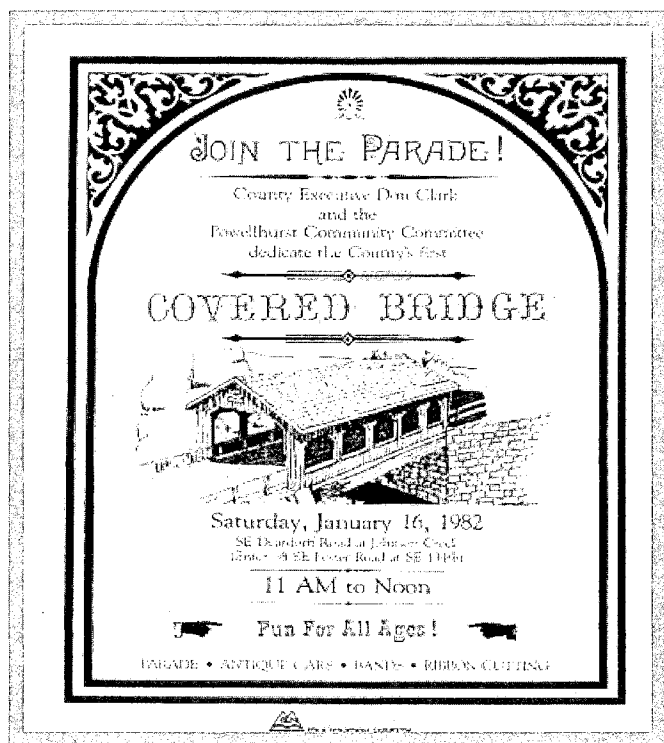
County Engineer Oliver Domreis said the cost of the covered bridge was lower than estimates for a standard concrete-and-steel bridge.

Rededication ceremony on September 28<sup>th</sup>, during the Fun on Foster annual event. Reception at the Historic Wikman Building @ SE 64<sup>th</sup> at Holgate Blvd



Please join  
Commissioner Judy Shiprack

# The Second Annual Multnomah County *Fun On Foster Open House*



**The Wikman-Arleta Library Building**  
**4420 SE 64<sup>th</sup> Avenue, Portland, Oregon**  
**Saturday, September 28, 2013, 1:00 PM to 2:30 PM**

**1:15 PM: A Special Re-Dedication Ceremony for the Cedar Crossing Bridge, Multnomah County's only covered bridge!**

**Meet representatives from (invited guests): Multnomah County programs, Neighborhood Organizations, Leach Gardens, Portland Bridge Festival, Zenger Farms, and the Johnson Creek Watershed Council.**

*For information contact Mike Sublett | T: 503.988.4149 | E: michael.a.sublett@multco.us*



## METRO COUNCIL MEETING

Meeting Summary

Sept. 12, 2013

Metro, Council Chamber

Councilors Present: Council President Tom Hughes, and Councilors Shirley Craddick, Sam Chase, Kathryn Harrington, Bob Stacey, and Carlotta Collette

Councilors Excused: Councilor Craig Dirksen

Council President Tom Hughes called the regular Council meeting to order at 2:02 p.m.

### 1. INTRODUCTIONS

There were none.

### 2. CITIZEN COMMUNICATIONS

Dani Dennenberg, Human Education Advocates Reaching Teachers (HEART): Ms. Dennenberg addressed the Metro Council on the captivity of elephants at the Oregon Zoo. She read a poem, selected from an Inspiration Station in the Lloyd District, regarding elephant captivity and encouraged councilors to connect with their hearts.

Riley Henne, 18262 Bryant Rd., Lake Oswego: Ms. Henne, a student at Lakeridge High School, expressed her concern for the elephants at the Oregon Zoo. She stated that the elephants cannot consent to captivity. She was concerned with the harsh and cramped living conditions, intense and cruel training programs, and the animals' poor health. She did not believe the elephants were happy and encouraged Metro to advocate, educate and stand up for what is right.

Courtney Scott, 2106 NE Flanders, Portland: Ms. Scott stated that the Detroit zoo is experiencing record profits despite releasing its two elderly elephants to a sanctuary. She recommended Metro do the same and release Packy and the other elephants to a sanctuary in California. She cited current health issues, such as tuberculosis, as reasoning. In addition, Ms. Scott commented on the Oregon Zoo director and questioned the director's previous employment and death of a 40-year old elephant.

Bette Stefalk, 2826 NE 61<sup>st</sup> Ave., Portland: Ms. Stefalk referenced a variety of studies and/or articles by organizations such as USA Today, PETA, and National Geographic which conclude that captive elephants live considerably shorter lives than those in the wild. She discussed an elephant's most basic needs including space to roam and socialize, and spoke to the injuries and/or disease an elephant can face during captivity. She encouraged the Metro Council to review the information provided and to release Packy and the other elephants.

Ninette Jones, 7637 N. Interstate, Portland: Ms. Jones requested that elephants Packy and Rama be released to a sanctuary in California. She recommended that the \$60,000 needed to treat the



tuberculosis be reallocated and used to transport the elephants. She did not believe the Oregon Zoo's current 1.2 acre habitat provided sufficient space for zoo staff to protect the remainder of the herd from tuberculosis.

Nancy Newell, 3917 SW Skidmore St., Portland: Ms. Newell expressed her frustration with the Oregon Zoo's elephant program. She recommended that elephant breeding be stopped immediately, citing tuberculosis issues and cruelty to animals as reasoning. She was concerned that the zoo's program was setting a negative example for children. She encouraged the Council to be creative and consider a program similar to Detroit.

Art Lewellan, 3205 SE 8<sup>th</sup> Ave., Apt. #9, Portland: Mr. Lewellan addressed the Metro Council on the Columbia River Crossing project. He submitted a revised rendering and proposal which included bus rapid transit, versus light rail, at the Hayden Island interchange. He believed that BRT could eventually evolve into light rail, and therefore would satisfy the federal government's grant criteria. His proposal also recommended a single deck bridge, as opposed to a double-deck bridge which he believed was structurally unsound. (Rendering included as part of the meeting record.)

### **3. CONSIDERATION OF THE COUNCIL MINUTES FOR AUGUST 15, 2013**

Motion:	Councilor Carlotta Collette moved to approve the Council minutes for August 15, 2013.
Second:	Councilor Bob Stacey seconded the motion.

Vote: Council President Hughes, and Councilor Craddick, Collette, Harrington, Chase, and Stacey voted in support of the motion. The vote was 6 ayes, the motion passed.

### **4. ORDINANCES – FIRST READING**

4.1 **Ordinance No. 13-1315**, For the Purpose of Amending the FY 2013-14 Budget and Appropriations Schedule to Add a 1.0 Limited Duration Analyst in the Cemetery Program.

Second read, public hearing, and Council consideration and vote are scheduled for Thursday, Sept. 19, 2013.

### **5. RESOLUTIONS**

5.1 **Resolution No. 13-4456**, For the Purpose Approving a Work Program for the 2014 Regional Transportation Plan Update.

Motion:	Councilor Collette moved to approve Resolution No. 13-4456.
Second:	Councilor Kathryn Harrington seconded the motion.

Councilor Collette introduced the resolution. Unlike the last Regional Transportation Plan update in 2010, she stated that the work program for the 2014 has been simplified and is focused on two major areas: integration of the Transportation Safety Plan completed in 2012, and Regional Active Transportation Plan currently under discussion at JPACT. Councilor Collette stated that a third item,

review of the RTP's auxiliary lanes policy, will no longer be a component of the 2014 work program as initially discussed. After presentation of the Oregon Department of Transportation's Corridor Bottleneck Operations Study, JPACT was satisfied with ODOT's approach and determined that additional review of the auxiliary policy was not needed.

Councilor Collette confirmed that the Joint Policy Advisory Committee on Transportation unanimously approved Resolution No. 13-4456 at its meeting on Sept. 12.

Vote:

Council President Hughes, and Councilor Craddick, Collette, Harrington, Chase, and Stacey voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> .
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## **6. CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett provided an update on:

- Metro staff Mr. Tim Collier has been appointed director for Metro's Finance and Regulatory Services Department. Mr. Collier has been serving as the department's interim director over the past several months.
- Metro and AFSME 3580-1 have reached a tentative agreement for the agency's visitor venues. The agreement will remain tentative until approved by both MERC and the union. Ms. Bennett thanked members who participated on the bargaining team.
- News Channel 8 is scheduled to run a story on Metro's improvements at Broughton Beach next to the Gleason boat ramp.

Ms. Bennett asked Mr. Jim Desmond, director of Metro's Sustainability Department, to share a few words about the PaintCare paint recycling program. Mr. Desmond recognized Metro staff Randy Tucker, Andy Sloop, Jim Quinn and Scott Klag for their work to get the program successfully passed during the last Oregon legislative session.

## **7. COUNCILOR COMMUNICATION**

Councilors provided updates on the recent meetings or events: Metro Policy Advisory Committee, JPACT, State Transportation Improvement Program Selection Committee, and Oregon Zoo Citizens' Oversight Committee meetings, and Rosemont Trail ribbon cutting ceremony, Willamette Falls Partner Group meeting and tours of the falls site, and The Intertwine Alliance annual retreat and presentation by Adrian Benepe of Trust for Public Lands. Highlighted upcoming events included additional tours of the Willamette Falls site, and the final Community Investment Initiative's Regional Infrastructure Enterprise work group meeting.

Additional comments addressed The Intertwine's new media campaign, Washington County Board of Commissioners' consideration of a vehicle registration fee proposal, and interest in developing an Urban Growth Report 101 to assist her partners in the process for 2014.

**8. ADJOURN**

There being no further business, Council President Hughes adjourned the regular meeting at 2:54 p.m. The Metro Council will convene the next regular council meeting on Thursday, September 19 at 2 p.m. at Metro's Council Chamber.

Respectfully submitted,



Kelsey Newell, Regional Engagement & Legislative Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF SEPT. 12, 2013**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
2.0	Rendering/Testimony	N/A	Rendering distributed by A. Lewellan	91213c-01

BEFORE THE METRO COUNCIL

RESOLUTION OF METRO COUNCIL, ACTING )	RESOLUTION NO. 13-4455
AS THE METRO CONTRACT REVIEW BOARD, )	
FOR THE PURPOSE OF APPROVING A SOLE )	Introduced by Chief Operating Officer Martha
SOURCE CONTRACT WITH THE CENTER FOR )	Bennett in concurrence with Council
INTERCULTURAL ORGANIZING )	President Tom Hughes

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, the Center for Intercultural Organizing (CIO) has developed a Pan-Immigrant Leadership and Organizing Training (PILOT), which is a unique program that enhances the skills, analysis and organizing ability of emerging immigrant and refugee leaders across cultural groups, building long-term relationships between diverse immigrant and refugee communities in Portland and increasing the capacity and voice of new communities to affect change; and

WHEREAS, the Chief Operating Officer has determined that developing a partnership with the CIO to include a parks and natural areas element to their PILOT program will improve Metro's ability to connect with other community-based organizations and is in the best interests of Metro; and

WHEREAS, under the direction of the Chief Operating Officer, CIO will assist immigrant and refugee community members to connect with the region's natural areas, build understanding of parks and natural areas, ~~train emerging leaders to participate in community actions that protect the region's natural areas~~ train emerging immigrant and refugee leaders on the public policy, legal structures, government agencies, and volunteer community actions that protect the region's environment, and develop recommendations on culturally specific community engagement practices; and

WHEREAS, CIO offers Metro a unique perspective because it has applied for Metro grants and can provide Metro with insight on the barriers to funding faced by organizations that work with underrepresented communities; and

WHEREAS, the Metro Procurement Officer believes that CIO's specialized experience and unique qualifications warrant the use of a sole source contract, that it would be impractical to conduct a competitive solicitation process to procure a consultant having such expertise; and that such action is in accordance with the Oregon state law providing for sole source procurements (ORS 279B.075) and Metro Code Section 2.04.062; and

WHEREAS, Metro Code Section 2.04.062 provides that Metro may award a contract for services without competition when the Metro Contract Review Board determines that the needed services are available from only one source; now therefore

BE IT RESOLVED that the Metro Council acting as the Metro Contract Review Board authorizes the Metro Chief Operating Officer to negotiate and execute a sole source contract with CIO for the purpose of developing a partnership with CIO to add parks and natural areas to their PILOT program.

ADOPTED by the Metro Council this \_\_\_\_\_ day of September 2013.

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Tom Hughes, Council President

Approved as to Form:

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Alison R. Kean, Metro Attorney