

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 91-1449A
THE EXECUTION OF A MULTI-YEAR	)	
CONTRACT WITH TRI-MET FOR THE	)	Introduced by Rena Cusma,
TRANSFER OF \$2,000,000 TO PROVIDE	)	Executive Officer
A PORTION OF THE LOCAL MATCH TO	)	
FEDERAL FUNDS FOR FINANCING THE	)	
WESTSIDE LIGHT RAIL PROJECT	)	

WHEREAS, The Regional Transportation Plan adopted by Ordinance No. 89-282 identifies light rail transit expansion as a key element of meeting the region's transportation needs, and the Westside Corridor project as the number one regional transportation priority; and

WHEREAS, The Council of the Metropolitan Service District adopted Resolution No. 89-1035 defining a comprehensive transportation finance strategy including funding for light rail transit; and

WHEREAS, There will be statewide, regionwide, and direct user benefits derived from the basic Westside Light Rail Project; and

WHEREAS, Local governments may wish to add features to the basic project to meet local objectives; and

WHEREAS, The Transportation 2000 Committee, the Joint Policy Advisory Committee on Transportation, and the Metro Council have recommended a light rail transit financing compact involving statewide, regionwide, and direct user and/or local funding sources for the local matching funds; and

WHEREAS, The Metro Council adopted Resolution No. 90-1300 adopting the Regional Compact on Light Rail Funding and endorsed the proceeding with the funding plan for the Westside Corridor project involving state, regional, and local funding mechanisms for the basic Westside project; and

WHEREAS, The adopted funding plan provides that Metro will contribute \$2,000,000 by July 1993 as its share of matching funds for the basic Westside Light Rail Project including a Zoo station; now, therefore,

BE IT RESOLVED,

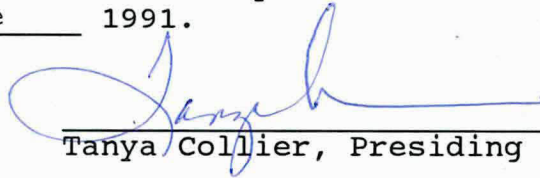
1. That the Metropolitan Service District shall contribute \$2,000,000 as its share of the local match commitment for the Westside Light Rail Project, including a Zoo station, and shall transfer said \$2,000,000 to Tri-Met on July 1, 1993, or

thereafter in accordance with a mutually agreeable payment schedule pursuant to the terms and conditions of an Intergovernmental Agreement between the parties.

2. That the Executive Officer of the Metropolitan Service District is authorized to enter into an Intergovernmental Agreement with Tri-Met similar in form to Exhibit "A" which is attached.

3. That the Metropolitan Service District intends to pursue collection of parking fees at the Zoo to provide the ability to better manage overuse of the parking lot, encourage use of light rail transit to access the site, and provide a funding mechanism for payment of this local match. Prior to implementation of parking fees, consideration will be given to alternatives involving borrowing of funds with a delay in imposition of parking fees until after opening of LRT or improvements in bus service prior to opening of LRT and after imposition of parking fees.

ADOPTED by the Council of the Metropolitan Service District  
this 27th day of June 1991.



Tanya Collier, Presiding Officer

INTERGOVERNMENTAL AGREEMENT FOR MATCHING FUNDS  
WESTSIDE LIGHT RAIL PROJECT

THIS AGREEMENT is entered into this 15<sup>TH</sup> day of JULY, 1991, by and between the Metropolitan Service District ("Metro"), and the Tri-County Metropolitan Transportation District of Oregon ("Tri-Met").

It is agreed by and between the parties hereto:

1. METRO AGREES TO DO AS FOLLOWS:

a. Payment: Metro shall pay to Tri-Met the sum of Two Million Dollars and No Cents (\$2,000,000) as Metro's agreed contribution to the local match share of the Westside Light Rail Project ("Project") including a Zoo station.

Payment shall be made on July 1, 1993, or at such other time and on such a payment schedule as may be mutually agreed by the parties, provided that Tri-Met shall be entitled to simple interest on all amounts not paid by July 1, 1993, at the current 90-day U.S. Treasury Bill rate for Treasury Bills sold on the day nearest to the first day of each fiscal year quarter. Any payment schedule will reflect the cash flow needs of Tri-Met to make necessary payments to further the Project and the reasonable efforts of Metro to reduce the cost of funds needed to make Metro's contribution.

Both parties understand that UMTA may require investigation, analysis, and audit before determining that Metro's commitment to provide the \$2,000,000 as a portion of the total local match for the Project is sufficiently secure and that Metro has the financial ability to provide such matching funds. Metro agrees to fully cooperate with UMTA in this determination and to negotiate in good faith with Tri-Met on any modifications to this Agreement that are required by UMTA.

b. Project Support: Metro shall in addition make reasonable efforts to support Tri-Met in carrying out the Project, and Metro further agrees to act as the lead in gaining support and cooperation from Oregon Museum of Science & Industry and the World Forestry Center in order to positively contribute to assisting Tri-Met in the design and location of the Zoo station to ensure integration with the existing and planned Metro

Washington Park Zoo, Oregon Museum of Science & Industry, and the World Forestry Center facilities.

2. TRI-MET AGREES TO DO AS FOLLOWS:

a. Project Responsibility: Make all necessary efforts to obtain a full funding agreement for the Project with Urban Mass Transportation Administration ("UMTA") and to construct the Project as set forth in the Locally Preferred Alternative Report adopted by the Tri-Met Board on April 12, 1991.

b. Project Information: Tri-Met agrees to share all information with and to fully cooperate with Metro in the planning, design, construction, and operation of the Project. If at any time, Tri-Met becomes aware of actual or potential problems relating to the Project, Tri-Met shall inform Metro.

c. Project Design: Tri-Met agrees to cooperate with Metro regarding the design of the Zoo station to ensure integration with the existing and planned Metro Washington Park Zoo, Oregon Museum of Science & Industry, and World Forestry Center facilities.

3. THE PARTIES FURTHER AGREE AS FOLLOWS:

a. Successors and Assigns: This Agreement shall bind each party, its successors, assigns, and legal representatives. Neither party, under any conditions, may voluntarily assign or transfer its obligations to any third party. Any attempted assignment or transfer shall be null and void.

b. Adherence to Law: This Agreement shall be governed by the laws of the State of Oregon. Tri-Met and Metro shall adhere to all applicable federal and state laws including, but not limited to, laws, rules, regulations and policies concerning employer and employee relationships, Workers' Compensation, and public contracting. Such provisions as are necessary to comply fully with the laws of the State of Oregon concerning public contracts and provisions to be included herein are made a part of this Agreement by reference, and the parties shall comply with all obligations and other provisions of those laws the same as though those obligations and provisions were fully set forth herein.

c. No Waiver: Tri-Met or Metro's failure to object to any breach of this Agreement shall not constitute a waiver of that party's right to object to any additional breach or to require specific performance of this Agreement.

d. Modification: Any mutually agreed to modifications of the provisions of this Agreement shall be reduced to writing and signed by both parties.

e. Integration: This Agreement contains the entire agreement between the parties and supersedes all prior written or oral discussions or agreements.

f. Termination: This Agreement shall terminate upon the completion of the Project or upon the failure of Tri-Met to secure sufficient local and federal funds to complete the Project as contemplated in the Locally Preferred Alternative Report adopted by the Tri-Met Board on April 12, 1991.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

TRI-METROPOLITAN TRANSPORTATION  
DISTRICT OF OREGON

METROPOLITAN SERVICE DISTRICT

By: 

By: 

Title: Gen. Mgr.

Title: Deputy Gen. Officer

Date: 7/15/91

Date: 7-15-91

APPROVED AS TO FORM

APPROVED AS TO FORM





Daniel B. Cooper  
Metro General Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 91-1449A FOR THE PURPOSE OF AUTHORIZING THE EXECUTION OF A MULTI-YEAR CONTRACT WITH TRI-MET FOR THE TRANSFER OF \$2,000,000 TO PROVIDE A PORTION OF THE LOCAL MATCH TO FEDERAL FUNDS FOR FINANCING THE WESTSIDE LIGHT RAIL PROJECT ("PROJECT")

Date: May 3, 1991

Presented by: Andrew C. Cotugno

PROPOSED ACTION

This resolution would authorize execution of an Intergovernmental Agreement with Tri-Met for the transfer of \$2,000,000 towards local matching funds for the Westside LRT project and establish an intent to pursue fees for parking at the Zoo/OMSI/World Forestry Center.

FACTUAL BACKGROUND AND ANALYSIS

On July 26, 1990, the Metro Council adopted Resolution No. 90-1300 which:

1. Established an overall funding framework for the Westside Corridor Project to include state, regional and local funding sources to provide the needed 25 percent local matching funds.
2. Endorsed Tri-Met proceeding with a general obligation bond measure to collect the regional share of these matching funds and to seek a state contribution from the '91 Oregon Legislature for the state share of these matching funds.
3. Endorsed local contributions in recognition of direct station area or user benefits as follows:

Portland	\$ 7,000,000
Washington County	\$ 5,000,000
Tri-Met	\$ 7,000,000
Metro (Zoo/OMSI/ WFC Station)	<u>\$ 2,000,000</u>
	\$21,000,000

The Metro contribution of \$2,000,000 is in recognition of the significant benefit realized by the siting of a station in the Metro Washington Park Zoo/OMSI/World Forestry Center area. This is particularly important considering this area is a major statewide and regional attractor, the existing parking facility is inadequate to meet demand, projected attendance is expected to grow significantly and the level of ridership attraction by LRT is much higher than other forms of mass transit, especially for non-work related trips.

This resolution authorizes execution of an Intergovernmental Agreement with Tri-Met for the transfer of the \$2,000,000 as provided for in Resolution No. 90-1300. It is important to execute this agreement to allow Tri-Met to submit the project to UMTA for approval and execution of the federal funding contract. The overall package of materials that must be submitted to UMTA before they will consider approving the federal funds includes:

- approval of all local matching funds needed to build the project; this will require finalizing the state match and other local government contributions in addition to the voter-approved general obligation bond measure;
- selection and local approval of the preferred alternative for the project; and
- submittal of the Final Environmental Impact Statement for the preferred alternative which addresses federal requirements, project impacts and intended mitigations.

All other elements of this package are on schedule for submittal to UMTA by July 15, 1991. The Metro/Tri-Met Intergovernmental Agreement must be a part of this package.

#### FINANCING OPTIONS

In order to implement the intergovernmental agreement, it is important to recognize the potential funding mechanism that will be employed. This resolution establishes an intent to implement parking fees at the Zoo/OMSI/WFC complex to provide, among other things, a mechanism for raising the required \$2,000,000. A parking fee would also provide a mechanism for better managing the usage of the lot since the rate structure affects individual travel behavior. Since the lot does not meet existing demand, parking rates can be targeted to encourage alternative modes on the peak days and create an incentive for higher attendance on the off-peak days.

Operation of the parking lot would be through the mutual agreement of the three affected institutions. Revenue from the parking fees would need to be used not only to help pay for LRT, but also costs to restructure the lot to allow for paid parking operations and for parking lot operations and maintenance costs.

In order to implement a paid parking operation, restructuring of the lot and Knights Boulevard would be necessary. In particular, it would likely be necessary to reroute through traffic on Knights Boulevard around the perimeter of the lot rather than through the middle. In accordance with the Zoo/OMSI/WFC lease for the lot with the City of Portland, the Lessees have the operating authority for the lot, including conversion to paid parking, but physical improvements require approval of the City of Portland's Commissioner of Parks (Mike Lindberg) and a street

vacation requires approval of the Portland City Council. As such, support of the Portland City Council of this approval is essential (attached is a proposed resolution for adoption by the Portland City Council). In addition, agreement must be reached with OMSI and the World Forestry Center since they are co-lessees with Metro of the parking lot.

Alternative funding mechanisms would be either through full payment by the zoo or Metro or shared payment by the three institutions. If a pro-rata approval were taken based upon attendance, the shares would be approximately as follows:

	<u>Attendance</u>	<u>Share</u>	<u>Contribution</u>
Zoo	\$1,000,000	52.63%	\$1,052,630
OMSI	\$ 600,000	31.57%	\$ 631,580
WFC	\$ 300,000	15.78%	\$ 315,790
	<u>\$1,900,000</u>		<u>\$2,000,000</u>

These contributions are, however, not available from the operating budgets of the three institutions. Furthermore, there is no mandatory requirement that OMSI and WFC contribute. Full funding from Metro is limited by the resources Metro could apply to this purpose. The only available general purpose source of revenue is the Metro excise tax which is already too limited.

Implementation of this mechanism will require further activities, including:

- site planning to define needed physical improvements;
- development of an operations plan to define price and operations procedures;
- execution of an agreement with OMSI and WFC to implement the program and define operating procedures;
- financial planning to estimate revenue generation relative to required costs for physical improvements, operations and transfers to Tri-Met for LRT;
- agreement with Tri-Met on a payment schedule; and
- determination of whether to expand Tri-Met bus service in the interim before LRT opens.

Costs for implementing this proposal should be paid through revenues from parking after implementation. In addition, it will be important to coordinate this work with the Zoo Master planning effort and the LRT zoo station final design.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 91-1449A.



ATTACHMENT A

PROPOSED PORTLAND CITY  
COUNCIL RESOLUTION

WHEREAS, Pursuant to Ordinance No. 147431, the City of Portland authorized and entered into a Lease with the Metropolitan Service District (Metro), the Oregon Museum of Science and Industry (OMSI), and the Western Forestry Center (WFC) (collectively "the Lessees") for a 35-year lease of the Parking Lot previously operated by the City of Portland that served the three facilities; and

WHEREAS, Tri-Met upon recommendation of the City and Metro, and others, has approved an alignment for the Westside Light Rail Project that includes the long tunnel option with a station at the Zoo/OMSI/WFC are; and

WHEREAS, Metro has committed \$2,000,000 toward the cost of the light rail system, as its share of the local match, in recognition of the public benefit to be gained from the construction of a station to serve the Zoo, OMSI and WFC; and

WHEREAS, The existing Lease allows the Lessees to operate the Parking Lot by charging patrons for the use thereof; and

WHEREAS, The Lessees desire to make improvements to the Parking Lot in order to make the operation more efficient in order to collect sufficient revenues to contribute the local share for the Zoo/OMSI/World Forestry Center station; and

WHEREAS, The need may exist to relocate or otherwise modify the existing right-of-way of Knights Boulevard located

within the Parking Lot area in order to increase efficiency of Parking Lot use; and

WHEREAS, Revenues from the use of the Parking Lot with the increased efficiency resulting from the improvements and relocation of Knights Boulevard will be utilized to fund the \$2,000,000 contribution for local match for the light rail; and

WHEREAS, The Lease requires the City Commissioner in charge of the Bureau of Parks to approve all improvements made to the area; and

WHEREAS, Any relocation of Knights Boulevard will require formal approval by the City Council pursuant to existing provisions of the City Code; now, therefore,

BE IT RESOLVED,

That the City Council states its intention to assist the Lessees by taking all reasonable actions necessary to accomplish the improvements to the Zoo/OMSI/World Forestry Center Parking Lot in order to facilitate the development of an efficient parking lot to assist in financing of the light rail project, and further states its intent that consistent with existing provisions of City Code and City Charter to consider and approve, if appropriate, any proposal for the relocation of Knights Boulevard in order to assist with the reconfiguration of the Parking Lot.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING ) RESOLUTION NO. 91-1449  
THE EXECUTION OF A MULTI-YEAR )  
CONTRACT WITH TRI-MET FOR THE ) Introduced by Rena Cusma,  
TRANSFER OF \$2,000,000 TO PROVIDE ) Executive Officer  
A PORTION OF THE LOCAL MATCH TO )  
FEDERAL FUNDS FOR FINANCING THE )  
WESTSIDE LIGHT RAIL PROJECT )

WHEREAS, The Regional Transportation Plan adopted by Ordinance No. 89-282 identifies light rail transit expansion as a key element of meeting the region's transportation needs, and the Westside Corridor project as the number one regional transportation priority; and

WHEREAS, The Council of the Metropolitan Service District adopted Resolution No. 89-1035 defining a comprehensive transportation finance strategy including funding for light rail transit; and

WHEREAS, There will be statewide, regionwide, and direct user benefits derived from the basic Westside Light Rail Project; and

WHEREAS, Local governments may wish to add features to the basic project to meet local objectives; and

WHEREAS, The Transportation 2000 Committee, the Joint Policy Advisory Committee on Transportation, and the Metro Council have recommended a light rail transit financing compact involving statewide, regionwide, and direct user and/or local funding sources for the local matching funds; and

WHEREAS, The Metro Council adopted Resolution No. 90-1300 adopting the Regional Compact on Light Rail Funding and endorsed the proceeding with the funding plan for the Westside Corridor project involving state, regional, and local funding mechanisms for the basic Westside project; and

WHEREAS, The adopted funding plan provides that Metro will contribute \$2,000,000 by July 1993 as its share of matching funds for the basic Westside Light Rail Project including a Zoo station; now, therefore,

BE IT RESOLVED,

1. That the Metropolitan Service District shall contribute \$2,000,000 as its share of the local match commitment for the Westside Light Rail Project, including a Zoo station, and shall transfer said \$2,000,000 to Tri-Met on July 1, 1993, or

thereafter in accordance with a mutually agreeable payment schedule pursuant to the terms and conditions of an Intergovernmental Agreement between the parties.

2. That the Executive Officer of the Metropolitan Service District is authorized to enter into an Intergovernmental Agreement with Tri-Met similar in form to Exhibit "A" which is attached.

3. That the Metropolitan Service District intends to pursue collection of parking fees at the Zoo to provide the ability to better manage overuse of the parking lot, encourage use of light rail transit to access the site, and provide a funding mechanism for payment of this local match.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_ 1991.

Tanya Collier, Presiding Officer

EXHIBIT "A"

TO

RESOLUTION NO. 91-1449

INTERGOVERNMENTAL AGREEMENT FOR MATCHING FUNDS  
WESTSIDE LIGHT RAIL PROJECT

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1991, by and between the Metropolitan Service District ("Metro"), and the Tri-County Metropolitan Transportation District of Oregon ("Tri-Met").

It is agreed by and between the parties hereto:

1. METRO AGREES TO DO AS FOLLOWS:

a. Payment: Metro shall pay to Tri-Met the sum of Two Million Dollars and No Cents (\$2,000,000) as Metro's agreed contribution to the local match share of the Westside Light Rail Project ("Project") including a Zoo station.

Payment shall be made on July 1, 1993, or at such other time and on such a payment schedule as may be mutually agreed by the parties, provided that Tri-Met shall be entitled to simple interest on all amounts not paid by July 1, 1993, at the current 90-day U.S. Treasury Bill rate for Treasury Bills sold on the day nearest to the first day of each fiscal year quarter. Any payment schedule will reflect the cash flow needs of Tri-Met to make necessary payments to further the Project and the reasonable efforts of Metro to reduce the cost of funds needed to make Metro's contribution.

Both parties understand that UMTA may require investigation, analysis, and audit before determining that Metro's commitment to provide the \$2,000,000 as a portion of the total local match for the Project is sufficiently secure and that Metro has the financial ability to provide such matching funds. Metro agrees to fully cooperate with UMTA in this determination and to negotiate in good faith with Tri-Met on any modifications to this Agreement that are required by UMTA.

b. Project Support: Metro shall in addition make reasonable efforts to support Tri-Met in carrying out the Project, and Metro further agrees to act as the lead in gaining support and cooperation from Oregon Museum of Science & Industry and the World Forestry Center in order to positively contribute to assisting Tri-Met in the design and location of the Zoo station to ensure integration with the existing and planned Metro

Washington Park Zoo, Oregon Museum of Science & Industry, and the World Forestry Center facilities.

2. TRI-MET AGREES TO DO AS FOLLOWS:

a. Project Responsibility: Make all necessary efforts to obtain a full funding agreement for the Project with Urban Mass Transportation Administration ("UMTA") and to construct the Project as set forth in the Locally Preferred Alternative Report adopted by the Tri-Met Board on April 12, 1991.

b. Project Information: Tri-Met agrees to share all information with and to fully cooperate with Metro in the planning, design, construction, and operation of the Project. If at any time, Tri-Met becomes aware of actual or potential problems relating to the Project, Tri-Met shall inform Metro.

c. Project Design: Tri-Met agrees to cooperate with Metro regarding the design of the Zoo station to ensure integration with the existing and planned Metro Washington Park Zoo, Oregon Museum of Science & Industry, and World Forestry Center facilities.

3. THE PARTIES FURTHER AGREE AS FOLLOWS:

a. Successors and Assigns: This Agreement shall bind each party, its successors, assigns, and legal representatives. Neither party, under any conditions, may voluntarily assign or transfer its obligations to any third party. Any attempted assignment or transfer shall be null and void.

b. Adherence to Law: This Agreement shall be governed by the laws of the State of Oregon. Tri-Met and Metro shall adhere to all applicable federal and state laws including, but not limited to, laws, rules, regulations and policies concerning employer and employee relationships, Workers' Compensation, and public contracting. Such provisions as are necessary to comply fully with the laws of the State of Oregon concerning public contracts and provisions to be included herein are made a part of this Agreement by reference, and the parties shall comply with all obligations and other provisions of those laws the same as though those obligations and provisions were fully set forth herein.

c. No Waiver: Tri-Met or Metro's failure to object to any breach of this Agreement shall not constitute a waiver of that party's right to object to any additional breach or to require specific performance of this Agreement.

d. Modification: Any mutually agreed to modifications of the provisions of this Agreement shall be reduced to writing and signed by both parties.

e. Integration: This Agreement contains the entire agreement between the parties and supersedes all prior written or oral discussions or agreements.

f. Termination: This Agreement shall terminate upon the completion of the Project or upon the failure of Tri-Met to secure sufficient local and federal funds to complete the Project as contemplated in the Locally Preferred Alternative Report adopted by the Tri-Met Board on April 12, 1991.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

TRI-METROPOLITAN TRANSPORTATION  
DISTRICT OF OREGON

METROPOLITAN SERVICE DISTRICT

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM

APPROVED AS TO FORM

\_\_\_\_\_

\_\_\_\_\_  
Daniel B. Cooper  
Metro General Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 91-1449 FOR THE PURPOSE OF AUTHORIZING THE EXECUTION OF A MULTI-YEAR CONTRACT WITH TRI-MET FOR THE TRANSFER OF \$2,000,000 TO PROVIDE A PORTION OF THE LOCAL MATCH TO FEDERAL FUNDS FOR FINANCING THE WESTSIDE LIGHT RAIL PROJECT ("PROJECT")

Date: May 3, 1991

Presented by: Andrew C. Cotugno

PROPOSED ACTION

This resolution would authorize execution of an Intergovernmental Agreement with Tri-Met for the transfer of \$2,000,000 towards local matching funds for the Westside LRT project and establish an intent to pursue fees for parking at the Zoo/OMSI/World Forestry Center.

FACTUAL BACKGROUND AND ANALYSIS

On July 26, 1990, the Metro Council adopted Resolution No. 90-1300 which:

1. Established an overall funding framework for the Westside Corridor Project to include state, regional and local funding sources to provide the needed 25 percent local matching funds.
2. Endorsed Tri-Met proceeding with a general obligation bond measure to collect the regional share of these matching funds and to seek a state contribution from the '91 Oregon Legislature for the state share of these matching funds.
3. Endorsed local contributions in recognition of direct station area or user benefits as follows:

Portland	\$ 7,000,000
Washington County	\$ 5,000,000
Tri-Met	\$ 7,000,000
Metro (Zoo/OMSI/ WFC Station)	<u>\$ 2,000,000</u> \$21,000,000

The Metro contribution of \$2,000,000 is in recognition of the significant benefit realized by the siting of a station in the Metro Washington Park Zoo/OMSI/World Forestry Center area. This is particularly important considering this area is a major statewide and regional attractor, the existing parking facility is inadequate to meet demand, projected attendance is expected to grow significantly and the level of ridership attraction by LRT is much higher than other forms of mass transit, especially for non-work related trips.



This resolution authorizes execution of an Intergovernmental Agreement with Tri-Met for the transfer of the \$2,000,000 as provided for in Resolution No. 90-1300. It is important to execute this agreement to allow Tri-Met to submit the project to UMTA for approval and execution of the federal funding contract. The overall package of materials that must be submitted to UMTA before they will consider approving the federal funds includes:

- approval of all local matching funds needed to build the project; this will require finalizing the state match and other local government contributions in addition to the voter-approved general obligation bond measure;
- selection and local approval of the preferred alternative for the project; and
- submittal of the Final Environmental Impact Statement for the preferred alternative which addresses federal requirements, project impacts and intended mitigations.

All other elements of this package are on schedule for submittal to UMTA by July 15, 1991. The Metro/Tri-Met Intergovernmental Agreement must be a part of this package.

#### FINANCING OPTIONS

In order to implement the intergovernmental agreement, it is important to recognize the potential funding mechanism that will be employed. This resolution establishes an intent to implement parking fees at the Zoo/OMSI/WFC complex to provide, among other things, a mechanism for raising the required \$2,000,000. A parking fee would also provide a mechanism for better managing the usage of the lot since the rate structure affects individual travel behavior. Since the lot does not meet existing demand, parking rates can be targeted to encourage alternative modes on the peak days and create an incentive for higher attendance on the off-peak days.

Operation of the parking lot would be through the mutual agreement of the three affected institutions. Revenue from the parking fees would need to be used not only to help pay for LRT, but also costs to restructure the lot to allow for paid parking operations and for parking lot operations and maintenance costs.

In order to implement a paid parking operation, restructuring of the lot and Knights Boulevard would be necessary. In particular, it would likely be necessary to reroute through traffic on Knights Boulevard around the perimeter of the lot rather than through the middle. In accordance with the Zoo/OMSI/WFC lease for the lot with the City of Portland, the Lessees have the operating authority for the lot, including conversion to paid parking, but physical improvements require approval of the City of Portland's Commissioner of Parks (Mike Lindberg) and a street

vacation requires approval of the Portland City Council. As such, support of the Portland City Council of this approval is essential (attached is a proposed resolution for adoption by the Portland City Council). In addition, agreement must be reached with OMSI and the World Forestry Center since they are co-lessees with Metro of the parking lot.

Alternative funding mechanisms would be either through full payment by the zoo or Metro or shared payment by the three institutions. If a pro-rata approval were taken based upon attendance, the shares would be approximately as follows:

	<u>Attendance</u>	<u>Share</u>	<u>Contribution</u>
Zoo	\$1,000,000	52.63%	\$1,052,630
OMSI	\$ 600,000	31.57%	\$ 631,580
WFC	\$ 300,000	15.78%	\$ 315,790
	<u>\$1,900,000</u>		<u>\$2,000,000</u>

These contributions are, however, not available from the operating budgets of the three institutions. Furthermore, there is no mandatory requirement that OMSI and WFC contribute. Full funding from Metro is limited by the resources Metro could apply to this purpose. The only available general purpose source of revenue is the Metro excise tax which is already too limited.

Implementation of this mechanism will require further activities, including:

- site planning to define needed physical improvements;
- development of an operations plan to define price and operations procedures;
- execution of an agreement with OMSI and WFC to implement the program and define operating procedures;
- financial planning to estimate revenue generation relative to required costs for physical improvements, operations and transfers to Tri-Met for LRT;
- agreement with Tri-Met on a payment schedule; and
- determination of whether to expand Tri-Met bus service in the interim before LRT opens.

Costs for implementing this proposal should be paid through revenues from parking after implementation. In addition, it will be important to coordinate this work with the Zoo Master planning effort and the LRT zoo station final design.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 91-1449.

ATTACHMENT A

PROPOSED PORTLAND CITY  
COUNCIL RESOLUTION

WHEREAS, Pursuant to Ordinance No. 147431, the City of Portland authorized and entered into a Lease with the Metropolitan Service District (Metro), the Oregon Museum of Science and Industry (OMSI), and the Western Forestry Center (WFC) (collectively "the Lessees") for a 35-year lease of the Parking Lot previously operated by the City of Portland that served the three facilities; and

WHEREAS, Tri-Met upon recommendation of the City and Metro, and others, has approved an alignment for the Westside Light Rail Project that includes the long tunnel option with a station at the Zoo/OMSI/WFC are; and

WHEREAS, Metro has committed \$2,000,000 toward the cost of the light rail system, as its share of the local match, in recognition of the public benefit to be gained from the construction of a station to serve the Zoo, OMSI and WFC; and

WHEREAS, The existing Lease allows the Lessees to operate the Parking Lot by charging patrons for the use thereof; and

WHEREAS, The Lessees desire to make improvements to the Parking Lot in order to make the operation more efficient in order to collect sufficient revenues to contribute the local share for the Zoo/OMSI/World Forestry Center station; and

WHEREAS, The need may exist to relocate or otherwise modify the existing right-of-way of Knights Boulevard located

within the Parking Lot area in order to increase efficiency of Parking Lot use; and

WHEREAS, Revenues from the use of the Parking Lot with the increased efficiency resulting from the improvements and relocation of Knights Boulevard will be utilized to fund the \$2,000,000 contribution for local match for the light rail; and

WHEREAS, The Lease requires the City Commissioner in charge of the Bureau of Parks to approve all improvements made to the area; and

WHEREAS, Any relocation of Knights Boulevard will require formal approval by the City Council pursuant to existing provisions of the City Code; now, therefore,

BE IT RESOLVED,

That the City Council states its intention to assist the Lessees by taking all reasonable actions necessary to accomplish the improvements to the Zoo/OMSI/World Forestry Center Parking Lot in order to facilitate the development of an efficient parking lot to assist in financing of the light rail project, and further states its intent that consistent with existing provisions of City Code and City Charter to consider and approve, if appropriate, any proposal for the relocation of Knights Boulevard in order to assist with the reconfiguration of the Parking Lot.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING ) RESOLUTION NO. 91-1449A  
THE EXECUTION OF A MULTI-YEAR )  
CONTRACT WITH TRI-MET FOR THE ) Introduced by Rena Cusma,  
TRANSFER OF \$2,000,000 TO PROVIDE ) Executive Officer  
A PORTION OF THE LOCAL MATCH TO )  
FEDERAL FUNDS FOR FINANCING THE )  
WESTSIDE LIGHT RAIL PROJECT )

WHEREAS, The Regional Transportation Plan adopted by Ordinance No. 89-282 identifies light rail transit expansion as a key element of meeting the region's transportation needs, and the Westside Corridor project as the number one regional transportation priority; and

WHEREAS, The Council of the Metropolitan Service District adopted Resolution No. 89-1035 defining a comprehensive transportation finance strategy including funding for light rail transit; and

WHEREAS, There will be statewide, regionwide, and direct user benefits derived from the basic Westside Light Rail Project; and

WHEREAS, Local governments may wish to add features to the basic project to meet local objectives; and

WHEREAS, The Transportation 2000 Committee, the Joint Policy Advisory Committee on Transportation, and the Metro Council have recommended a light rail transit financing compact involving statewide, regionwide, and direct user and/or local funding sources for the local matching funds; and

WHEREAS, The Metro Council adopted Resolution No. 90-1300 adopting the Regional Compact on Light Rail Funding and endorsed the proceeding with the funding plan for the Westside Corridor project involving state, regional, and local funding mechanisms for the basic Westside project; and

WHEREAS, The adopted funding plan provides that Metro will contribute \$2,000,000 by July 1993 as its share of matching funds for the basic Westside Light Rail Project including a Zoo station; now, therefore,

BE IT RESOLVED,

1. That the Metropolitan Service District shall contribute \$2,000,000 as its share of the local match commitment for the Westside Light Rail Project, including a Zoo station, and shall transfer said \$2,000,000 to Tri-Met on July 1, 1993, or

thereafter in accordance with a mutually agreeable payment schedule pursuant to the terms and conditions of an Intergovernmental Agreement between the parties.

2. That the Executive Officer of the Metropolitan Service District is authorized to enter into an Intergovernmental Agreement with Tri-Met similar in form to Exhibit "A" which is attached.

3. That the Metropolitan Service District intends to pursue collection of parking fees at the Zoo to provide the ability to better manage overuse of the parking lot, encourage use of light rail transit to access the site, and provide a funding mechanism for payment of this local match. Prior to implementation of parking fees, consideration will be given to alternatives involving borrowing of funds with a delay in imposition of parking fees until after opening of LRT or improvements in bus service prior to opening of LRT and after imposition of parking fees.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_ 1991.

Tanya Collier, Presiding Officer

REGIONAL FACILITIES COMMITTEE REPORT

RESOLUTION NO. 91-1449A, AUTHORIZING THE EXECUTION OF A MULTI-YEAR CONTRACT WITH TRI-MET FOR THE TRANSFER OF \$2,000,000 TO PROVIDE A PORTION OF THE LOCAL MATCH TO FEDERAL FUNDS FOR FINANCING THE WESTSIDE LIGHT RAIL PROJECT

---

Date: June 18, 1991

Presented by: Councilor Gardner

**COMMITTEE RECOMMENDATION:** At its June 11, 1991 meeting the Regional Facilities Committee voted 5-0 to recommend Council approval of Resolution No. 91-1449. Voting were Councilors Knowles, Bauer, Buchanan, Gardner, and McFarland.

**COMMITTEE DISCUSSION/ISSUES:** Transportation Director Andy Cotugno presented the staff report. He explained that the resolution authorizes an intergovernmental agreement with Tri-Met, and establishes Metro's general intent to pursue charging for parking at the Zoo. Revenue raised is to satisfy Metro's \$2 million commitment to the project, to which we have agreed because of specific benefits we will receive due to close proximity to the light rail line (i.e., the Zoo station). The City of Portland (\$7 million) and Washington County (\$5 million) have similar obligations. Mr. Cotugno also reported that there is still work to do to accommodate physical and operation considerations, such as changing the configuration of the parking lot and SW Knights Blvd., and establishing rates and procedures for parking. Physical changes require approval of the Portland City Council; such approval has been requested and is expected.

Councilor McFarland asked whether there is a contingency plan for raising the money if this plan doesn't work. Mr. Cotugno said the alternatives are other Metro revenue authorities: the Zoo budget or the General Fund. Neither of these is recommended because of budget considerations. Another aspect is whether OMSI and the World Forestry Center will pay if the parking fee is not the mechanism. They would have to agree for a proposal to work, but neither is contractually obligated for the funding, as Metro is.

In response to questions, Mr. Cotugno said that the \$2 million would be produced through the parking revenues, and will likely be paid to Tri-Met over time on a schedule to be developed. He added that Metro would like improved bus service to the zoo, and such service might be paid for through the parking revenues.

Councilor Knowles offered a conceptual amendment to the resolution, calling for Metro to request Tri-Met to improve transit service to the Zoo prior to the opening of Westside LRT and after the imposition of the parking charges. He justified his amendment by citing the inadequate level of transit service now at the Zoo, pointing out that transit should be expanded if we start charging for parking.

Councilor Gardner suggested Metro borrow from Solid Waste funds to pay its obligation to Tri-Met, and not begin charging for parking until Westside LRT is operational. Councilors Knowles and Bauer spoke in opposition to Councilor Gardner's suggestion.

Councilor Knowles' amendment was approved without dissent, and the Chair asked Mr. Cotugno to investigate the cash flow issues raised by Councilor Gardner.

Chair Knowles convened a public hearing, and no one testified. Mr. Cotugno relayed a message he had received from a Linda Dugger, who expressed concern about the difficulty in taking strollers on the train or bus. Committee staff Casey Short reported that he had received several phone calls in opposition to the proposed parking charge. Those callers expressed concern that the Zoo would be pricing itself out of competition and hurting its revenues; that it would create difficulty for low-income people; and that accommodations should be made for Friends of the Zoo members.



## TRANSPORTATION AND PLANNING COMMITTEE REPORT

RESOLUTION NO. 91-1449A, AUTHORIZING THE EXECUTION OF A MULTI-YEAR CONTRACT WITH TRI-MET FOR THE TRANSFER OF \$2,000,000 TO PROVIDE A PORTION OF LOCAL MATCH TO FEDERAL FUNDS FOR FINANCING THE WESTSIDE LIGHT RAIL PROJECT ("PROJECT")

Date: June 12, 1991

Presented by: Councilor Gardner

COMMITTEE RECOMMENDATION: At the June 11, 1991, Transportation and Planning Committee meeting, Councilors Bauer, Devlin, McLain, Van Bergen and myself voted 4 to 1 (Councilor Van Bergen dissenting) to recommend Council adopt Resolution No. 91-1449A as amended.

COMMITTEE DISCUSSION/ISSUES: Resolution No. 91-1449A authorizes an intergovernmental agreement to transfer \$2,000,000 to Tri-Met for Metro's contribution toward the \$21,000,000 local match for the Westside light rail (LRT) project. Transportation Department Director Andy Cotugno provided a brief review of the Westside LRT financing agreement which the Council adopted through Resolution No. 91-1300 last July. Metro's \$2,000,000 contribution is in recognition of the benefits the Zoo will realize from the Zoo/OMSI/World Forestry Center LRT station. Mr. Cotugno highlighted additional points about the resolution and agreement:

- o Metro and Tri-Met will need to negotiate at a later date a payment schedule for the transfer;
- o The resolution establishes the intent to use a Zoo/OMSI/WFC parking fee as the payment vehicle but project specifics have yet to be developed;
- o Action will be required by the City of Portland, as lease holder of the parking lot property, to implement a parking fee system (depending on the final project scope).

Mr. Cotugno identified parking fee benefits, noting it would help the Zoo to better manage parking demand; it would serve as a deterrent to LRT riders using the Zoo lot as a "park-and-ride" lot; and it would provide an incentive to increase use of public transit.

The Metro Regional Facilities Committee considered Resolution No. 91-1449 just prior to the Transportation and Planning Committee and Mr. Cotugno reported their concerns: 1) Seeking to have Tri-Met improve bus service to the Zoo between any parking fee initiation and the actual start of LRT service; 2) Exploring other options, such as borrowing from the Solid Waste Revenue Fund, to delay imposing a parking fee until light rail service begins.

As a result of these concerns, the Regional Facilities Committee recommended amending point 3. under the "Be It Resolved" section to include an additional sentence:

Prior to implementation of parking fees, consideration will be given to alternatives involving borrowing of funds with a delay in imposition of parking fees until after opening of LRT or improve-

ments in bus service prior to opening of LRT and after imposition of parking fees.

Committee discussion clarified that the proposed "borrowing of funds" referred explicitly to Metro interfund borrowing.

The Transportation and Planning Committee concurred with this amendment and recommended its adoption. In dissenting against the resolution as amended, Councilor Van Bergen expressed concerns about Metro liability for the parking lot and said he did not like to see an additional fee imposed at the Zoo. He asked staff whether the City of Portland could terminate the parking lot lease with a minimum amount of notice. He said he would have supported an open resolution, which did not speak to a specific funding mechanism. Committee members also expressed concern about the lack of cost information for implementing a parking fee.

Councilors agreed that with the Westside Preferred Alternative including the Zoo stop, as formally supported by Metro, it was incumbent upon the District to meet the \$2,000,000 obligation.