

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING – revised 2/7/05
DATE: February 10, 2005
DAY: Thursday
TIME: 5:30 PM
PLACE: Portland Community College (PCC) Rock Creek Campus Bldg 9,
Room 122C

CALL TO ORDER AND ROLL CALL

1. **INTRODUCTIONS**
2. **WELCOME FROM PCC DISTRICT PRESIDENT PRESTON PULLIAM**
3. **PCC ROCK CREEK CAMPUS PRESIDENT BILL CHRISTOPHER
ADDRESS TO THE COUNCIL**
4. **CITIZEN COMMUNICATIONS**
5. **COMMUNICATION FROM CPOs 1, 6, 7, 8, BETHANY
NEIGHBORHOOD ASSOCIATION AND ORENCO
NEIGHBORHOOD ASSOCIATION** Garcia, Bartlett,
Laine, Waldo,
Manseau, Oberhelman
6. **CONSENT AGENDA**
- 6.1 Consideration of Minutes for the February 3, 2005 Metro Council Regular Meeting.
7. **ORDINANCES – FIRST READING**
- 7.1 **Ordinance No. 05-1072, For the Purpose of Amending the FY 2004-05 Budget and Appropriations Schedule Accepting \$850,000 of Federal Funds From the Oregon Department of Transportation (ODOT) For a Regional Travel Options Marketing Campaign; Recognizing \$150,000 of the New Grant Funds to Increase the Materials and Services Budget of the Planning Department to Hire Consultants to Develop and Implement the Marketing Campaign; Transferring \$54,655 of TriMet Grant Funds From Contracted Services to Personal Services to Add 1.0 FTE Regional Travel Options Program Manager (Manager 1); and Declaring an Emergency.**

7.2 **Ordinance No. 05-1073**, For the Purpose of Amending the FY 2004-05 Budget and Appropriations Schedule Recognizing \$48,820 in Grant Funds and Private Contributions For Specific Projects in the Zoo Operating Fund; Adding \$48,820 to Revenue and Operating Expenses in the Zoo Operating Fund; and Declaring an Emergency.

8. **ORDINANCES – SECOND READING**

8.1 **Ordinance No. 05-1071**, For the Purpose of Amending the FY 2004-05 Budget and Appropriations Schedule Recognizing \$10,000 in Grant Funds; Transferring \$79,640 From the Regional Parks Operating Fund Contingency; Increasing Operating Expenditures in the Regional Parks Operating Fund By \$89,640; Authorizing 1.0 FTE Receptionist Position; and Declaring an Emergency. McLain

9. **RESOLUTIONS**

9.1 **Resolution No. 05-3536**, For the Purpose of Establishing the Regional Housing Choice Task Force and Its Duties and Responsibilities, and Appointing Its Members. Burkholder

9.2 **Resolution No. 05-3545**, For the Purpose Endorsing the Regional Water Supply Plan Update and the Amendments to the Intergovernmental Agreement Forming the Regional Water Providers Consortium. McLain

10. **CHIEF OPERATING OFFICER COMMUNICATION**

11. **COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for February 10, 2005 Metro Council meeting

Oregon City, Gladstone Channel 28 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.	Washington County Channel 30 -- TVTV www.yourtv.org -- (503) 629-8534 11 p.m. Saturday, Feb. 12 11 p.m. Sunday, Feb. 13 6 a.m. Tuesday, Feb. 15 4 p.m. Wednesday, Feb. 16
Portland Channel 30 (CityNet 30) -- Portland Community Media www.pcmtv.org -- (503) 288-1515 8:30 p.m. Sunday Feb. 13 2 p.m. Monday, Feb. 14	West Linn Channel 30 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.

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8. ORDINANCES – SECOND READING

- 8.1 **Ordinance No. 05-1071**, For the Purpose of amending the FY 2004-05 budget and appropriations schedule recognizing \$10,000 in grant funds; transferring \$79,640 from the regional parks operating fund contingency; increasing operating expenditures in the regional parks operating fund by \$89,640; authorizing 1.0 FTE receptionist position; and declaring an emergency. McLain

9. RESOLUTIONS

- 9.1 **Resolution No. 05-3536**, For the Purpose of Establishing the Regional Housing Choice Advisory Committee and its Duties and Responsibilities, and appointing its members. Burkholder
- 9.2 **Resolution No. 05-3545**, For the Purpose Endorsing the Regional Water Supply Plan Update and the Amendments to the Intergovernmental Agreement Forming the Regional Water Providers Consortium. McLain
- 9.3 **Resolution No. 05-3539**, For the Purpose of Approving a Voluntary Exit Incentive Program for Metro Employees (available at meeting). Burkholder

10. CHIEF OPERATING OFFICER COMMUNICATION

11. COUNCILOR COMMUNICATION

ADJOURN

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Agenda Item Number 6.1

Consideration of Minutes of the February 3, 2005 Regular Council meeting.

Metro Council Meeting
Thursday, February 10, 2005
PCC Rock Creek Bldg 9, Rm 122C

Ordinance No. 05-1072, For the Purpose of Amending the FY 2004-05 Budget and Appropriations Schedule accepting \$850,000 of Federal Funds from the Oregon Department of Transportation (ODOT) for a Regional Travel Options Marketing Campaign; recognizing \$150,000 of the New grant funds to increase the Materials and Services Budget of the Planning Department to hire consultants to Develop and Implement the Marketing Campaign; transferring \$54,655 of TriMet Grant Funds from Contracted Professional Services to Personal Services to add 1.0 FTE Regional Travel Options Program Manager (Manager 1); and Declaring an Emergency.

First Reading

Metro Council Meeting
Thursday, February 10, 2005
PCC Rock Creek Bldg 9, Rm 122C

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE FY) ORDINANCE NO. 05-1072
2004-05 BUDGET AND APPROPRIATIONS)
SCHEDULE ACCEPTING \$850,000 OF) Introduced by Mike Jordan, Chief Operating
FEDERAL FUNDS FROM THE OREGON) Officer, with the concurrence of the Council
DEPARTMENT OF TRANSPORTATION) President Bragdon
(ODOT) FOR A REGIONAL TRAVEL OPTIONS)
MARKETING CAMPAIGN; RECOGNIZING)
\$150,000 OF THE NEW GRANT FUNDS TO)
INCREASE THE MATERIALS AND SERVICES)
BUDGET OF THE PLANNING DEPARTMENT)
TO HIRE CONSULTANTS TO DEVELOP AND)
IMPLEMENT THE MARKETING CAMPAIGN;)
TRANSFERRING \$54,655 OF TRIMET GRANT)
FUNDS FROM CONTRACTED SERVICES TO)
PERSONAL SERVICES TO ADD 1.00 FTE)
REGIONAL TRAVEL OPTIONS PROGRAM)
MANAGER (MANAGER I); AND DECLARING)
AN EMERGENCY)

WHEREAS, the Metro Council has reviewed and considered the need to transfer appropriations within the FY 2004-05 Budget; and

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

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2004-05 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 accepting \$850,000 of federal fund from the Oregon Department of Transportation for a Regional Travel Options marketing campaign; recognizing \$150,000 of the new grant funds to increase the materials & services budget of the Planning Department to hire consultants to develop and implement the marketing campaign; transferring \$54,655 of TriMet grant funds from contracted services to personal services to add 1.00 FTE Regional Travel Options Program Manager (Manager 1).
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 _____, 2005.

David Bragdon, Council President

Attest:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit A
Ordinance No. 05-1072

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Planning Fund							
<u>Resources</u>							
<i>BEGBAL Beginning Fund Balance</i>							
	* Prior year ending balance		477,552		0		477,552
	* Prior year PERS Reserve		150,000		0		150,000
<i>GRANTS Grants</i>							
4100	Federal Grants - Direct		1,338,873		0		1,338,873
4105	Federal Grants - Indirect		5,991,188		0		5,991,188
4110	State Grants - Direct		273,034	150,000			423,034
4120	Local Grants - Direct		672,627		0		672,627
4125	Local Grants - Indirect		57,923		0		57,923
<i>CHGSVC Charges for Service</i>							
4180	Contract & Professional Service		5,079,088		0		5,079,088
4200	UGB Fees		50,000		0		50,000
<i>INCGRV Internal Charges for Service</i>							
4670	Charges for Service		55,000		0		55,000
<i>MISCRV Miscellaneous Revenue</i>							
4890	Miscellaneous Revenue		31,000		0		31,000
<i>INTSRV Internal Service Transfers</i>							
4980	Transfer for Direct Costs						
	* from Regional Parks		87,000		0		87,000
	* from Open Spaces		31,796		0		31,796
	* from SW Revenue Fund		339,349		0		339,349
<i>EQTREV Fund Equity Transfers</i>							
4970	Transfer of Resources						
	* from General Fund (general allocation)		4,066,611		0		4,066,611
	* from General Fund (project allocation)		75,234		0		75,234
TOTAL RESOURCES			\$18,776,275		\$150,000		\$18,926,275

Personal Services

SALWGE Salaries & Wages

5010	Reg Employees-Full Time-Exempt						
	Director II	1.00	113,234	-	0	1.00	113,234
	Manager I	3.00	220,868	1.00	39,292	4.00	260,160
	Manager II	8.00	667,213	-	0	8.00	667,213
	Program Director II	2.00	182,023	-	0	2.00	182,023
	Program Supervisor II	6.00	460,771	-	0	6.00	460,771
	Administrative Assistant	2.00	72,434	-	0	2.00	72,434
	Assoc. Management Analyst	1.00	56,197	-	0	1.00	56,197
	Assoc. Regional Planner	7.00	386,112	-	0	7.00	386,112
	Assoc. Trans. Planner	5.00	276,099	-	0	5.00	276,099

**Exhibit A
Ordinance No. 05-1072**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Planning Fund							
	Asst. Regional Planner	4.00	187,671	-	0	4.00	187,671
	Asst. Trans. Planner	2.00	90,275	-	0	2.00	90,275
	Asst. Management Analyst	1.00	46,255	-	0	1.00	46,255
	Principal Regional Planner	5.00	365,926	-	0	5.00	365,926
	Principal Transportation Planner	3.00	230,928	-	0	3.00	230,928
	Program Analyst IV	1.00	65,056	-	0	1.00	65,056
	Program Analyst V	2.00	144,456	-	0	2.00	144,456
	Senior Management Analyst	1.00	61,958	-	0	1.00	61,958
	Senior Regional Planner	3.00	195,620	-	0	3.00	195,620
	Senior Trans. Planner	11.00	717,349	-	0	11.00	717,349
	Senior Public Affairs Specialist	2.00	110,498	-	0	2.00	110,498
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Secretary	3.00	107,281	-	0	3.00	107,281
	Program Assistant 2	1.00	39,964	-	0	1.00	39,964
5020	Reg Employees-Part Time-Exempt						
	Associate Regional Planner	1.50	84,423	-	0	1.50	84,423
	Assistant Management Analyst	0.75	33,014	-	0	0.75	33,014
	Asst. Regional Planner	0.90	41,630	-	0	0.90	41,630
5080	Overtime		5,000		0		5,000
	Salary Adjustments						
	Adjustment Pool (Non-Rep/AFSCME)		241,204		0		241,204
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits						
	Base Fringe		1,761,372		15,363		1,776,735
Total Personal Services		77.15	\$6,964,831	1.00	\$54,655	78.15	\$7,019,486
 <u>Materials & Services</u>							
<i>GOODS</i>	<i>Goods</i>						
5201	Office Supplies		208,350		0		208,350
5205	Operating Supplies		39,850		0		39,850
5210	Subscriptions and Dues		33,275		0		33,275
<i>SVCS</i>	<i>Services</i>						
5240	Contracted Professional Svcs		2,929,245		95,345		3,024,590
5251	Utility Services		6,700		0		6,700
5260	Maintenance & Repair Services		70,900		0		70,900
5265	Rentals		6,600		0		6,600
5280	Other Purchased Services		318,955		0		318,955
<i>IGEXP</i>	<i>Intergov't Expenditures</i>						
5300	Payments to Other Agencies		677,800		0		677,800

Exhibit A
Ordinance No. 05-1072

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Planning Fund							
<i>INCGEX</i>	<i>Internal Charges for Service</i>						
5400	Charges for Service		50,000		0		50,000
<i>OTHEXP</i>	<i>Other Expenditures</i>						
5440	Program Purchases		4,362,950		0		4,362,950
5450	Travel		66,130		0		66,130
5455	Staff Development		24,760		0		24,760
Total Materials & Services			\$8,795,515		\$95,345		\$8,890,860
Total Capital Outlay			\$47,000		\$0		\$47,000
Total Interfund Transfers			\$2,189,991		\$0		\$2,189,991
Total Contingency and Ending Balance			\$778,938		\$0		\$778,938
TOTAL REQUIREMENTS		77.15	\$18,776,275	1.00	\$150,000	78.15	\$18,926,275

Exhibit B
Ordinance No. 05-1072
FY 2004-05 SCHEDULE OF APPROPRIATIONS

	<u>Current Appropriation</u>	<u>Revision</u>	<u>Amended Appropriation</u>
PLANNING FUND			
Operating Expenses (PS & M&S)	\$15,760,346	\$150,000	\$15,910,346
Capital Outlay	47,000	0	47,000
Interfund Transfers	2,189,991	0	2,189,991
Contingency	688,938	0	688,938
Unappropriated Balance	90,000	0	90,000
Total Fund Requirements	\$18,776,275	\$150,000	\$18,926,275

All Other Appropriations Remain as Previously Adopted

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 05-1072, FOR THE PURPOSE OF AMENDING THE FY 2004-05 BUDGET AND APPROPRIATIONS SCHEDULE ACCEPTING \$850,000 OF FEDERAL FUNDS FROM THE OREGON DEPARTMENT OF TRANSPORTATION (ODOT) FOR A REGIONAL TRAVEL OPTIONS MARKETING CAMPAIGN; RECOGNIZING \$150,000 OF THE NEW GRANT FUNDS TO INCREASE THE MATERIALS AND SERVICES BUDGET OF THE PLANNING DEPARTMENT TO HIRE CONSULTANTS TO DEVELOP AND IMPLEMENT THE MARKETING CAMPAIGN; TRANSFERRING \$54,655 OF TRIMET GRANT FUNDS FROM CONTRACTED SERVICES TO PERSONAL SERVICES TO ADD 1.00 FTE REGIONAL TRAVEL OPTIONS PROGRAM MANAGER (MANAGER I); AND DECLARING AN EMERGENCY

Date: January 20, 2005

Prepared by: Andy Cotugno

BACKGROUND

The Metro Council approved a new strategic plan for the Regional Travel Options program in 2004, shifting the lead role for managing the program from TriMet to Metro. The program has been funded through the Metropolitan Transportation Improvement Program (MTIP) for nearly 20 years, and has grown to include a variety of regional partners and outreach programs. This changes Metro's role from planning, policy direction and funding, to implementation. The strategic plan identifies the development of a marketing, message and communications plan that supports program implementation as a top priority for the program over the next three years.

The Oregon Legislature appropriated \$1.5 million in federal funds to ODOT to support transportation demand management marketing programs. Legislators saw a need for a marketing campaign in the Portland metropolitan area that encourages people to think before they drive, to drive wisely when they do drive, through behaviors like trip chaining, and to increase their use of transportation alternatives, including carpooling, vanpooling, riding transit, bicycling, walking and telework.

ODOT appointed a steering committee to recommend how to allocate the funds. Washington County Commission Chair Tom Brian chairs the committee and Metro Councilor Rex Burkholder is a member. The steering committee recommended that \$850,000 of the funds support development of a statewide marketing campaign that is implemented in the Portland metropolitan region over the next two years and then expanded to other markets in Oregon. A consultant team will be selected by the steering committee, through a competitive request for proposals process, to develop and implement the campaign.

The ODOT steering committee also recommended that Metro manage the consultant selection process and consultant contract in coordination with Regional Travel Options Program activities. This budget amendment makes \$150,000 of the funds available for the marketing campaign this fiscal year. The remaining funds will be used to support the consultant contract in FY 2005-06 and FY 2006-07.

Management of the Regional Travel Options Program shifted from TriMet to Metro through an intergovernmental agreement after the Metro Council adopted the program's strategic plan. Metro is now responsible for managing implementation of all travel options programs funded through the MTIP. Key activities include the development of a collaborative marketing campaign to support program implementation; development of performance measures and annual program evaluation; management of a

competitive grants program that funds transportation management associations and 2040 initiatives; and the administration and management of consultant contracts related to program implementation as well as contracts with partner agencies and Transportation Management Associations for service delivery, such as vanpools and outreach to employers.

The overall program management position is needed to ensure the efficient management and operation of the Regional Travel Options Program. The program manager will be responsible for developing a detailed work program and budget. Inclusion of this key management position will ensure work programs are consistent with the Metro Council goals and objectives included in Council's Strategic Planning Process and reflected in the annually adopted budget.

The agreement between Metro and TriMet transferred federal funds originally allocated to TriMet in the MTIP to Metro to support Regional Travel Options program activities. This request is for the transfer of \$54,655 of these funds from contracted services to personal services to support the addition of 1.0 FTE and the funding of a Manager I, reporting to the Transportation Director.

ANALYSIS/INFORMATION

1. **Known Opposition:** None known.
2. **Legal Antecedents:** ORS 294.450 provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction.
3. **Anticipated Effects:** If approved, \$850,000 in federal funds from ODOT (no Metro match is required) will be accepted to support the development and implementation of a travel options marketing campaign by private consultants under Metro's management. Approval of this budget amendment authorizes the Planning Department to accept the funds and use \$150,000 this year to support the consultant contract. The remaining funds will support the contract in FY 2005-06 and FY 2006-07. The program manager is a critical program management position in the Planning Department. Filling this position will add 1.00 FTE, ensure program effectiveness, and provide oversight and accountability for this new regional program.
4. **Budget Impacts** This action accepts \$850,000 in federal funds from ODOT and adds \$150,000 of these funds to the materials and services fund in the Planning Department to support a consultant contract. This action also adds 1.00 FTE of a Manager I in Planning Department and transfers \$54,655 from contracted services for the salary and fringe benefits for the position for six months, through the end of the current fiscal year. This is a permanent position, and would add \$109,310.34 in salary and fringe to the Planning Department budget in FY 2005-06. Currently local match for MTIP funds to support this program is provided through local sources and Business Energy Tax Credits (BETC). In the future, it may be necessary to re-evaluate local match responsibilities between Metro, TriMet, ODOT, and local governments.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this ordinance.

Agenda Item Number 7.2

Ordinance No. 05-1073, For the Purpose of Amending the FY 2004-05 Budget and Appropriations Schedule recognizing \$48,820 in Grant Funds and Private Contributions for Specific Projects in the Zoo Operating Fund; adding \$48,820 to Revenue and Operating Expenses in the Zoo Operating Fund; and Declaring an Emergency.

First Reading

Metro Council Meeting
Thursday, February 10, 2005
PCC Rock Creek Bldg 9, Rm 122C

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE FY)	ORDINANCE NO. 05-1073
2004-05 BUDGET AND APPROPRIATIONS)	
SCHEDULE RECOGNIZING \$48,820 IN GRANT)	Introduced by Mike Jordan, Chief Operating
FUNDS AND PRIVATE CONTRIBUTIONS FOR)	Officer, with the concurrence of Council
SPECIFIC PROJECTS IN THE ZOO OPERATING)	President Bragdon
FUND; ADDING \$48,820 TO REVENUE AND)	
OPERATING EXPENSES IN THE ZOO)	
OPERATING FUND; AND DECLARING AN)	
EMERGENCY)	

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2004-05 Budget; and

WHEREAS, Oregon Budget Law ORS 294.326(3) allows for the expenditure in the year of receipt of grants, gifts, bequests, and other devices received by a municipal corporation in trust for a specific purpose; and

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

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2004-05 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 recognizing \$48,820 in donations and grant funds for specific projects and increasing operating expenditures in the Zoo Operating Fund.
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 _____, 2005.

David Bragdon, Council President

Attest:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

**Exhibit A
Ordinance No. 05-1073**

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Zoo Operating Fund - Expenditures							
<i><u>Personal Services</u></i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Director II	1.00	113,235	0	0	1.00	113,235
	Events Coordinator	1.00	48,880	0	0	1.00	48,880
	Manager I	4.00	291,133	0	0	4.00	291,133
	Management Technician	2.00	82,472	0	0	2.00	82,472
	Program Analyst II	2.00	95,698	0	0	2.00	95,698
	Program Analyst III	3.00	169,523	0	0	3.00	169,523
	Program Analyst V	1.00	66,200	0	0	1.00	66,200
	Program Director I	2.00	190,611	0	0	2.00	190,611
	Program Supervisor I	2.00	114,525	0	0	2.00	114,525
	Program Supervisor II	6.00	400,018	0	0	6.00	400,018
	Project Coordinator	1.00	62,736	0	0	1.00	62,736
	Research Coordinator II	1.00	51,334	0	0	1.00	51,334
	Research Coordinator III	1.00	65,062	0	0	1.00	65,062
	Service Supervisor I	1.00	34,965	0	0	1.00	34,965
	Service Supervisor II	8.00	356,573	0	0	8.00	356,573
	Service Supervisor III	5.00	257,151	0	0	5.00	257,151
	Veterinarian II	1.00	76,242	0	0	1.00	76,242
	Veterinarian I	1.00	58,595	0	0	1.00	58,595
	Administrative Assistant	2.00	83,810	0	0	2.00	83,810
	Assoc. Pub. Affairs Specialist	1.00	50,981	0	0	1.00	50,981
	Graphics/Exhibit Designer	1.00	50,971	0	0	1.00	50,971
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant II	1.00	40,382	0	0	1.00	40,382
	Administrative Secretary	3.00	110,477	0	0	3.00	110,477
	Animal Keeper	29.00	1,203,762	0	0	29.00	1,203,762
	Custodian	6.00	220,282	0	0	6.00	220,282
	Education Coordinator I	2.00	76,004	0	0	2.00	76,004
	Exhibits Lead	1.00	54,873	0	0	1.00	54,873
	Exhibits Technician II	1.00	44,683	0	0	1.00	44,683
	Gardener I	6.00	239,538	0	0	6.00	239,538
	Maintenance Electrician	1.00	62,097	0	0	1.00	62,097
	Maintenance Lead	1.00	54,873	0	0	1.00	54,873
	Maintenance Technician	2.00	105,068	0	0	2.00	105,068
	Maintenance Worker 2	9.00	402,147	0	0	9.00	402,147
	Nutrition Technician	1.00	41,509	0	0	1.00	41,509
	Program Assistant 1	2.00	64,122	0	0	2.00	64,122
	Program Assistant 2	1.00	39,964	0	0	1.00	39,964

**Exhibit A
Ordinance No. 05-1073**

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Zoo Operating Fund - Expenditures							
	Receptionist	1.00	28,376	0	1.00	28,376	
	Security Officer 1	5.00	132,044	0	5.00	132,044	
	Senior Animal Keeper	7.00	317,170	0	7.00	317,170	
	Senior Gardener	1.00	47,648	0	1.00	47,648	
	Storekeeper	1.00	39,964	0	1.00	39,964	
	Typist/Receptionist-Lead	1.00	31,487	0	1.00	31,487	
	Veterinary Technician	2.00	83,018	0	2.00	83,018	
	Volunteer Coordinator I	2.00	83,770	0	2.00	83,770	
5020	Reg Employees-Part Time-Exempt						
	Graphics/Exhibit Designer	1.00	48,595	0	1.00	48,595	
	Video/Photography Technician	0.50	23,128	0	0.50	23,128	
5025	Reg Empl-Part Time-Non-Exempt						
	Animal Keeper-PT	1.17	48,410	0	1.17	48,410	
	Lead Cash Office Clerk	0.85	28,468	0	0.85	28,468	
	Clerk/Bookkeeper	0.75	23,928	0	0.75	23,928	
	Food Service/Retail Specialis	4.75	154,700	0	4.75	154,700	
	Maintenance Worker 2-PT	1.75	78,196	0	1.75	78,196	
	Office Assistant	0.70	17,159	0	0.70	17,159	
	Program Assistant 1	1.25	41,054	0	1.25	41,054	
	Program Assistant 2	1.93	68,525	0	1.93	68,525	
	Secretary	1.50	44,891	0	1.50	44,891	
	Typist/Receptionist Reg.(Part	0.85	25,486	0	0.85	25,486	
	Visitor Service Worker 3-reg	0.85	22,966	0	0.85	22,966	
5030	Temporary Employees		896,123		25,609	921,732	
5040	Seasonal Employees		1,188,501		0	1,188,501	
5080	Overtime		247,560		0	247,560	
	Salary Adjustments						
	Adjustment Pool (Non-Rep/AFSCME)		111,801		0	111,801	
	COLA (all other employee groups)		63,507		0	63,507	
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits						
	Base Fringe		2,936,781		2,211	2,938,992	
	PERS Reserve		0		0	0	
Total Personal Services		150.85	\$12,313,752	0.00	\$27,820	150.85	\$12,341,572

Exhibit A
Ordinance No. 05-1073

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Zoo Operating Fund - Expenditures							
<i><u>Materials & Services</u></i>							
<i>GOODS Goods</i>							
5201	Office Supplies		77,385		0		77,385
5205	Operating Supplies		1,177,688		5,000		1,182,688
5210	Subscriptions and Dues		28,621		0		28,621
5214	Fuels and Lubricants		40,000		0		40,000
5215	Maintenance & Repairs Supplies		277,335		0		277,335
5220	Food		980,481		0		980,481
<i>SVCS Services</i>							
5240	Contracted Professional Svcs		743,140		0		743,140
5245	Marketing		163,500		0		163,500
5251	Utility Services		2,016,245		0		2,016,245
5255	Cleaning Services		37,630		0		37,630
5260	Maintenance & Repair Services		103,845		0		103,845
5265	Rentals		141,320		0		141,320
5280	Other Purchased Services		509,378		0		509,378
5290	Operations Contracts		1,575,402		0		1,575,402
<i>CAPMN1 Capital Maintenance</i>							
5262	Capital Maintenance - Non-CIP		381,040		11,000		392,040
<i>IGEXP Intergov't Expenditures</i>							
5300	Payments to Other Agencies		18,385		0		18,385
<i>OTHEXF Other Expenditures</i>							
5450	Travel		44,690		0		44,690
5455	Staff Development		12,570		5,000		17,570
5490	Miscellaneous Expenditures		75,100		0		75,100
Total Materials & Services			\$8,403,755		\$21,000		\$8,424,755
Total Capital Outlay			\$285,700		\$0		\$285,700
Total Interfund Transfers			\$2,790,366		\$0		\$2,790,366
Total Contingency and Ending Balance			\$6,512,690		\$0		\$6,512,690
TOTAL REQUIREMENTS		150.85	\$30,306,263	0.00	\$48,820	150.85	\$30,355,083

Exhibit B
Ordinance No. 05-1073
FY 2004-05 SCHEDULE OF APPROPRIATIONS

	<u>Current Appropriation</u>	<u>Revision</u>	<u>Amended Appropriation</u>
ZOO OPERATING FUND			
Operating Expenses (PS & M&S)	\$20,717,507	\$48,820	\$20,766,327
Capital Outlay	285,700	0	285,700
Interfund Transfers	2,790,366	0	2,790,366
Contingency	2,030,595	0	2,030,595
Unappropriated Balance	4,482,095	0	4,482,095
Total Fund Requirements	\$30,306,263	\$48,820	\$30,355,083

All Other Appropriations Remain as Previously Adopted

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 05-1073, FOR THE PURPOSE OF AMENDING THE FY 2004-05 BUDGET AND APPROPRIATIONS SCHEDULE RECOGNIZING \$48,820 IN GRANT FUNDS AND PRIVATE CONTRIBUTIONS FOR SPECIFIC PROJECTS IN THE ZOO OPERATING FUND; ADDING \$48,820 TO REVENUE AND OPERATING EXPENSES IN THE ZOO OPERATING FUND; AND DECLARING AN EMERGENCY

Date: January 20, 2005

Prepared by: Sarah Chisholm

BACKGROUND

During FY 2004-05, the Oregon Zoo has been awarded grants and contributions from private sources that were not in the forecast when the budget was presented and adopted. The intent of this Ordinance is to recognize the new revenues and increase expenditure authority to carry out the requirements of the three projects listed below.

Trillium Creek Family Farm Youth Program

The Oregon Zoo is proud of the innovative programming used to operate the Trillium Creek Family Farm. Trillium Creek Family Farm opened in July 2004 using a staff of teenage volunteers. The long-term operations plan for the Trillium Creek Family Farm is based upon the development of a corps of trained youth volunteers and interns who will be responsible for daily operations. In the short-term, the youth will be supported by Farm Youth Mentors on the Zoo staff. In FY 04-05 the farm is being operated with a more limited youth volunteer and intern program. These youth are being mentored by staff from the existing summer ZooTeen program. Three grants totaling \$27,480 have been received to pay for the extra hours used in mentoring farm youth during FY 04-05.

Bank of America Foundation	\$3,000
Oregon Community Foundation	\$20,000
Verizon Foundation	\$4,820
Total Grants and Donations:	\$27,820

The Oregon Zoo is requesting a budget amendment to recognize receipt of these three grants and increase the Personal Services appropriation for the cost of the Farm Youth Mentor Staff:

Total Budget Amendment for Youth Mentor Program	
Increase Revenues - Donations and Contributions	\$27,820
Increase Expenditures - Education Division Personal Services	\$27,820

Pygmy Rabbit Support from the Washington Department of Fish and Wildlife

The Oregon Zoo has received \$10,000 in support from the Washington Department of Fish and Wildlife (WDFW) for staff training costs and veterinary supplies for the smallest known rabbit in the world, the endangered pygmy rabbit.

The Columbia Basin pygmy rabbits were listed as critically endangered in Washington in 1993. However, by 2001 this pygmy rabbit population, found only in Washington, had drastically plummeted to less than 40 individuals. The Oregon Zoo and the WDFW, in conjunction with Washington State University in Pullman, Wash. and Northwest Trek in Eatonville, Wash., removed 20 pygmy rabbits from the wild and began an emergency captive breeding program. These organizations are working hard to ensure the survival of this elusive species.

In 2001, the Oregon Zoo became the first zoo in the country to successfully breed pygmy rabbits in captivity. In 2003, the Columbia Basin pygmy rabbits received federal endangered species status. In 2004, the Oregon Zoo pygmy rabbits gave birth to 28 kits. Ten of these survived. Survival rate in the wild is 10 to 20 percent, with most of the mortality coming from predation once the kits reach maturity and disperse from the nest.

Total Budget Amendment for Pygmy Rabbit Grant Recognition

Increase Revenues – Federal Grants	\$10,000
Increase Expenditures - Staff Development	\$5,000
Increase Expenditures - Operating Supplies	\$5,000

Oregon Zoo Veterinary Hospital Facility Upgrade

The Zoo has received an \$11,000 restricted gift from the Animal Allergy & Skin Clinic designated for the continuing renovation of the on-site veterinarian hospital.

Total Budget Amendment for Veterinary Hospital Facility Upgrade

Increase Revenues – Donations and Contributions	\$11,000
Increase Expenditures - Capital Maintenance (non CIP)	\$11,000

ANALYSIS/INFORMATION

1. **Known Opposition** None known
2. **Legal Antecedents** ORS 294.326(3) provides an exemption to Oregon Budget Law allowing for the expenditure in the year of receipt of grants, gifts and bequests received by a municipal corporation in trust for a specific purpose.
3. **Anticipated Effects** This action allows the department to recognize the grants dedicated to the projects described in this staff report and either make expenditures to fulfill the terms of the grant or to make accounting entries to record the improvements and expenditures made on Metro property by other entities.
4. **Budget Impacts** This action requests the recognition of \$48,820 in Federal Direct Grants and private contributions, according to Exhibit A. This action also increases appropriation authority in the Zoo Operating Fund Expenditures by \$48,820 as described in Exhibit B Schedule of Appropriations.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this Ordinance.

Ordinance No. 05-1071, For the Purpose of amending the FY 2004-05 budget and appropriations schedule recognizing \$10,000 in grant funds; transferring \$79,640 from the regional parks operating fund contingency; increasing operating expenditures in the regional parks operating fund by \$89,640; authorizing 1.0 FTE receptionist position; and declaring an emergency.

Second Reading.

Metro Council Meeting
Thursday, February 10, 2005
PCC Rock Creek Bldg 9, Rm 122C

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE FY)
2004-05 BUDGET AND APPROPRIATIONS)
SCHEDULE RECOGNIZING \$10,000 IN GRANT)
FUNDS; TRANSFERRING \$79,640 FROM THE)
REGIONAL PARKS OPERATING FUND)
CONTINGENCY; INCREASING OPERATING)
EXPENDITURES IN THE REGIONAL PARKS)
OPERATING FUND BY \$89,640;)
AUTHORIZING 1.0 FTE RECEPTIONIST)
POSITION; AND DECLARING AN)
EMERGENCY)

ORDINANCE NO. 05-1071

Introduced by Mike Jordan, Chief Operating
Officer, with the concurrence of Council
President Bragdon

WHEREAS, the Metro Council has reviewed and considered the need to transfer appropriations within the FY 2004-05 Budget; and

WHEREAS, Oregon Budget Law ORS 294.326(3) allows for the expenditure in the year of receipt of grants, gifts, bequests, and other devices received by a municipal corporation in trust for a specific purpose; and

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

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2004-05 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 recognizing \$10,000 in grant funds; transferring \$79,640 from the Regional Parks Operating Fund contingency; increasing operating expenditures in the Regional Parks Operating Fund by \$89,640; and authorizing 1.0 FTE Receptionist position.
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 _____, 2005.

David Bragdon, Council President

Attest:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit A
Ordinance No. 05-1071

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Regional Parks Operating Fund							
<i>Resources</i>							
REGIONAL PARKS & GREENSPACES							
<i>BEGBAL</i>	<i>Beginning Fund Balance</i>		3,700,311		0		3,700,311
<i>GRANTS</i>	<i>Grants</i>						
4110	State Grants - Direct		149,475		10,000		159,475
<i>LGSHRE</i>	<i>Local Gov't Share Revenues</i>						
4135	Marine Board Fuel Tax		115,000		0		115,000
4139	Other Local Govt Shared Rev.		288,975		0		288,975
<i>GVCNTB</i>	<i>Gov't Contributions</i>						
4145	Government Contributions		40,300		0		40,300
<i>CHGSVC</i>	<i>Charges for Service</i>						
4165	Boat Launch Fees		167,495		0		167,495
4230	Product Sales		1,500		0		1,500
4280	Grave Openings		175,000		0		175,000
4285	Grave Sales		128,100		0		128,100
4500	Admission Fees		638,600		0		638,600
4510	Rentals		480,380		0		480,380
4550	Food Service Revenue		19,207		0		19,207
4560	Retail Sales		3,000		0		3,000
4580	Utility Services		750		0		750
4610	Contract Revenue		947,303		0		947,303
4650	Miscellaneous Charges for Svc		31,000		0		31,000
<i>INTRST</i>	<i>Interest Earnings</i>						
4700	Interest on Investments		60,000		0		60,000
<i>DONAT</i>	<i>Contributions from Private Sources</i>						
4750	Donations and Bequests		1,351,000		0		1,351,000
<i>MISCRV</i>	<i>Miscellaneous Revenue</i>						
4890	Miscellaneous Revenue		11,500		0		11,500
<i>INTSRV</i>	<i>Internal Service Transfers</i>						
4980	Transfer for Direct Costs						
	* from Solid Waste Revenue Fund		3,150		0		3,150
<i>EQTREV</i>	<i>Fund Equity Transfers</i>						
4970	Transfer of Resources						
	* from General Fund (general allocation)		476,847		0		476,847
	* from General Fund (1% on SW revenues)		730,198		0		730,198
	* from General Fund (\$1 per ton)		1,235,149		0		1,235,149
	* from General Fund (\$1.50 per ton)		1,512,917		0		1,512,917
	* from General Fund (landbanking)		231,008		0		231,008
TOTAL RESOURCES			\$12,802,808		\$10,000		\$12,812,808

**Exhibit A
Ordinance No. 05-1071**

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Regional Parks Operating Fund							
<i>Personal Services</i>							
<i>SALWGE Salaries & Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Director II	1.00	99,470	-	0	1.00	99,470
	Manager II	2.00	168,105	-	0	2.00	168,105
	Program Analyst IV	1.00	57,364	-	0	1.00	57,364
	Service Supervisor IV	2.00	118,002	-	0	2.00	118,002
	Administrative Assistant	1.00	36,217	-	0	1.00	36,217
	Associate Management Analyst	0.75	42,148	-	0	0.75	42,148
	Assistant Management Analyst	1.00	48,568	-	0	1.00	48,568
	Associate Regional Planner	2.00	112,536	-	0	2.00	112,536
	Education Coordinator II	1.00	50,971	-	0	1.00	50,971
	Manager I	2.50	183,097	-	0	2.50	183,097
	Program Analyst III	1.00	48,886	-	0	1.00	48,886
	Senior Regional Planner	2.00	136,604	-	0	2.00	136,604
5015	Reg Empl-Full Time-Non-Exempt						
	Arborist	1.00	47,544	-	0	1.00	47,544
	Park Ranger	12.00	503,124	-	0	12.00	503,124
	Program Assistant 2	1.00	39,964	-	0	1.00	39,964
	Education Coordinator I	1.50	64,712	-	0	1.50	64,712
	Receptionist	-	0	1.00	10,962	1.00	10,962
	Secretary	3.00	93,026	-	0	3.00	93,026
	Senior Gardener	1.00	41,927	-	0	1.00	41,927
5020	Reg Empl-Part Time-Exempt						
	Senior Regional Planner	0.80	60,481	-	0	0.80	60,481
	Associate Regional Planner	1.30	66,214	-	0	1.30	66,214
	Volunteer Coordinator II	1.00	56,196	-	0	1.00	56,196
	Asst. Public Affairs Specialist	0.50	23,110	-	0	0.50	23,110
5030	Temporary Employees		370,078		(12,060)		358,018
5080	Overtime		15,420		0		15,420
	Salary Adjustments						
	Adjustment Pool (Non-Rep/AFSCME)		71,532		0		71,532
	COLA (all other employee groups)		11,852		0		11,852
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits						
	Base Fringe		842,738		1,098		843,836
Total Personal Services		40.35	\$3,409,886	1.00	\$0	41.35	\$3,409,886

Exhibit A
Ordinance No. 05-1071

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Regional Parks Operating Fund							
<u>Materials & Services</u>							
<i>GOODS Goods</i>							
5201	Office Supplies		44,320		0		44,320
5205	Operating Supplies		61,280		0		61,280
5210	Subscriptions and Dues		2,450		0		2,450
5215	Maintenance & Repairs Supplies		84,210		0		84,210
5225	Retail		10,900		0		10,900
<i>SVCS Services</i>							
5240	Contracted Professional Svcs		2,112,258		43,000		2,155,258
5250	Contracted Property Svcs		26,148		0		26,148
5251	Utility Services		108,865		0		108,865
5255	Cleaning Services		250		0		250
5260	Maintenance & Repair Services		57,915		33,257		91,172
5265	Rentals		34,630		0		34,630
5270	Insurance		18,000		0		18,000
5280	Other Purchased Services		41,235		0		41,235
5290	Operations Contracts		1,600		0		1,600
<i>IGEXP Intergov't Expenditures</i>							
5300	Payments to Other Agencies		273,340		0		273,340
5310	Taxes (Non-Payroll)		158,100		13,383		171,483
<i>OTHEXP Other Expenditures</i>							
5450	Travel		3,110		0		3,110
5455	Staff Development		10,800		0		10,800
5490	Miscellaneous Expenditures		17,971		0		17,971
Total Materials & Services			\$3,067,382		\$89,640		\$3,157,022
Total Interfund Transfers			\$2,902,040		\$0		\$2,902,040
<u>Contingency and Ending Balance</u>							
<i>CONT Contingency</i>							
5999	Contingency						
	* General contingency		185,427		(79,640)		105,787
	* Prior Year PERS Reserve		143,000		0		143,000
	* Current Year PERS Reserve		145,716		0		145,716
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* Undesignated		955,697		0		955,697
	* Cash Flow Reserve		961,000		0		961,000
	* Renew, Replacement & Capital Imp		1,032,660		0		1,032,660
Total Contingency and Ending Balance			\$3,423,500		(\$79,640)		\$3,343,860
TOTAL REQUIREMENTS		40.35	\$12,802,808	1.00	\$10,000	41.35	\$12,812,808

Exhibit B
Ordinance No. 05-1071
FY 2004-05 SCHEDULE OF APPROPRIATIONS

	<u>Current Appropriation</u>	<u>Revision</u>	<u>Amended Appropriation</u>
REGIONAL PARKS OPERATING FUND			
Operating Expenses (PS & M&S)	\$6,477,268	89,640	\$6,566,908
Interfund Transfers	2,902,040	0	2,902,040
Contingency	474,143	(79,640)	394,503
Unappropriated Balance	2,949,357	0	2,949,357
Total Fund Requirements	\$12,802,808	\$10,000	\$12,812,808

All Other Appropriations Remain as Previously Adopted

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 05-1071, FOR THE PURPOSE OF AMENDING THE FY 2004-05 BUDGET AND APPROPRIATIONS SCHEDULE RECOGNIZING \$10,000 IN GRANT FUNDS; TRANSFERRING \$79,640 FROM THE REGIONAL PARK OPERATING FUND CONTINGENCY; INCREASING OPERATING EXPENDITURES IN THE REGIONAL PARKS OPERATING FUND BY \$89,640; AUTHORIZING 1.0 FTE RECEPTIONIST POSITION; AND DECLARING AN EMERGENCY

Date: January 14, 2005

Prepared by: Jeff Tucker

BACKGROUND

The Regional Parks and Greenspaces Department, in reviewing its funds for the current year, has four separate unforeseen needs that would require budget amendment and address this year.

Emergency Repairs at Gleason Boat Ramp

Immediately upriver of the boat ramp there is a row of aging pilings with timbers ("trash rack") with a protective log boom cabled to it. This trash rack and boom protects the boat basin and its infrastructure from being damaged from river debris. High winds causing rough water and fluctuating water levels have weakened these structures over time. Recently portions of the log boom became unsecured and logs broke loose and are lodged in the trash rack and docks as well as near the Multnomah County River Patrol and Port of Portland's boathouses. This facility is on the CIP for a major facility upgrade with Phase I taking place this fiscal year. Upgrades to the in-water infrastructure will be occurring in the next few years, which includes a total replacement of the existing aged trash rack and log boom.

In order to continue to protect the existing infrastructure (docks, boathouses, concrete ramp) and provide for visitor safety, an emergency repair consisting of retrieval of the displaced logs and reconstructing the log boom and securing it to the trash rack, replacement of the hoops which secure the docks to the pilings, and the replacement of some timbers on the trash rack needs to occur immediately.

The Oregon State Marine Board has awarded Metro an emergency repair grant of up to \$10,000 toward this project.

Regional Parks Operating Fund

New Revenues - State Grant (direct):	\$10,000
Maintenance & Repairs	\$18,000
Contingency	(\$ 8,000)

Emergency Repairs and Additional Property Tax Payments

For over two years, the department has been negotiating with the Multnomah County Assessor's Office over which properties purchased under the 1995 Open Spaces Bond Measure should be taxable, and to what extent. Properties that are leased lose their tax-exempt status, and where portions of the property are leased, the county must determine the relationship between the leased portion and the entire site. In summer 2004, this discussion concluded. The property tax liability due in November 2004 was \$57,383,

while the budget is only \$44,000. Additionally in the Property management program, there have been a number of extra-ordinary maintenance items that have come up this year that were not planned or budgeted for. These include the installation of a new boiler (\$6,765), the replacement of an oil furnace upflow devise (\$3,649), and grading and removing debris (\$4,843) this fiscal year where an emergency septic problem was fixed in June 2004. The total cost of these unanticipated expenses is \$15,257. This budget amendment moves this amount up from the department contingency into the Contracted Property Services budget.

Regional Parks Operating Fund

Property Taxes	\$13,383
Maintenance & Repairs	\$15,257
Contingency	(\$28,640)

Contracted Services to Support Greenspaces Policy Advisory Committee

Temporary contracted professional services are necessary to support the Greenspaces Policy Advisory Committee for the remainder of FY 2004-05. This contract will provide support to the chair of the GPAC committee, as approved by Metro staff, in the area of Regional Greenspaces System support, particularly the development of long-term strategies for implementation of the regional system.

Regional Parks Operating Fund

Contracted Professional Services	\$43,000
Contingency	(\$43,000)

Convert Cemetery Temporary Employee to Permanent Employee

For several years, the Pioneer Cemetery Office has employed a temporary employee to do various tasks, including reception, filing grave sale deeds with the County, and acting as a backup and assistant to the cemeteries program coordinator. Since that program has been moved in the Metro Regional Center, this position has expanded to provide office support for the entire department, including compilation and summary of timesheets, ordering supplies, and backing up the department's front desk reception area. The department sought the advice of the Human Resources office, and has been informed that this temporary position should be recognized as a permanent employee, as it no longer meets the definitions of a temporary employee as defined in the AFSCME contract. This action has no direct impact on the department's budget, as temporary employee salary budget will be reduced to compensate for the conversion of this position to permanent status. The proposed FY 2005-06 budget will include this position as a permanent position.

Regional Parks Operating Fund

Expenditures - Temporary Employee Salary:	\$ (12,060)
Expenditures - Permanent Employee Salary:	\$ 10,962
<u>Expenditures - Increase Fringe Benefits:</u>	<u>\$ 1,098</u>
Net change to Personal Services Budget	\$ 0

Increase Department Budget FTE: 1.0 FTE

ANALYSIS/INFORMATION

1. **Known Opposition** None known
2. **Legal Antecedents** ORS 294.326(3) provides an exemption to Oregon Budget Law allowing for the expenditure in the year of receipt of grants, gifts and bequests received by a municipal corporation in trust for a specific purpose. ORS 294.450 provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction.
3. **Anticipated Effects** This action allows the department to recognize the grant dedicated to the project described in this staff report and make expenditures to fulfill the terms of the grant. This action also transfers appropriation authority from contingency to operating expenses.
4. **Budget Impacts** This action requests the recognition of \$10,000 in State Direct Grants, according to Exhibit A. This action also increases appropriation authority in the Regional Parks Fund Operating Expenditures by \$89,640 as described in Exhibit B Schedule of Appropriations.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this Ordinance.

Agenda Item Number 9.1

Resolution No. 05-3536, For the Purpose of Establishing the Regional Housing Choice Advisory Committee and its Duties and Responsibilities, and appointing its members.

Metro Council Meeting
Thursday, February 10, 2005
PCC Rock Creek Bldg 9, Rm 122C

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING)
THE REGIONAL HOUSING CHOICE)
TASK FORCE AND ITS DUTIES AND)
RESPONSIBILITIES, AND CONFIRMING THE)
APPOINTMENT OF ITS MEMBERS)

RESOLUTION NO. 05-3536

Introduced by Councilors Burkholder
and Liberty

WHEREAS, the provision of a choice of housing types for all families and individuals across the region is a matter of regional concern because of its impact on access to jobs, transportation investments, environmental quality, regional economic competitiveness and issues of fairness to people and among communities; and

WHEREAS, ensuring greater housing choices helps fulfill other elements of Metro's Regional Framework Plan and Urban Growth Management Functional Plan, including focusing development in Regional and Town Centers and along Corridors, conserving farm and forestland, being efficient in the use of tax dollars in transportation, roads and sewers, achieving a greater balance of jobs and housing, and other elements; and

WHEREAS, the Metro Council has identified, through its strategic planning, an aspiration for the region that "The region's residents choose from a diversity of housing options" and has declared this as a strategic objective; and

WHEREAS, the Metro Council adopted Title 7 (Affordable Housing) of Metro's Urban Growth Management Functional Plan (UGMFP) in 1996 to encourage cities and counties in the region to adopt and implement strategies to make housing more affordable to residents; and

WHEREAS, the Council established the Affordable Housing Technical Advisory Committee on September 10, 1998, by Ordinance No. 98-769 (For the Purpose of Amending the Regional Framework Plan Section 1.3 Regarding Housing and Affordable Housing, Adding a Chapter to the Metro Code Creating an Affordable Housing Technical Advisory Committee and Confirming the Appointment of Members) to recommend a Regional Affordable Housing Strategy to the Council; and

WHEREAS, in response to the recommendations of the final report of the Affordable Housing Technical Advisory Committee, the Council, by Ordinance No. 00-882C (For the Purpose of Amending the Regional Framework Plan Ordinance No. 97-715B Regarding Housing and Affordable Housing Including Policy Section 1.3 and Amendments to the Urban Growth Management Functional Plan Titles 7 and 8, adopted on January 18, 2001) has established affordable housing production goals, and has adopted policies and strategies intended to meet these goals, including strategies to reduce barriers to sufficient and affordable housing for all income levels in the region, create housing opportunities commensurate with the wage rates of jobs available

across the region, initiate a process for addressing current and future needs for affordable housing, and reduce concentrations of poverty; and

WHEREAS, progress on adoption of strategies and achievement of goals has been slower than desired because funds for housing subsidies and staffing are not keeping pace with the need for more housing choices; and

WHEREAS, the Council further amended Title 7 on June 26, 2003, by Ordinance No. 03-1005A (For the Purpose of Amending Title 7 of the UGMFP to Clarify and Revise City and County Responsibilities), to, among other things, create an ad hoc affordable housing task force to recommend changes, if warranted, to the existing goals, policies, programs, tools, strategies or funding for affordable housing to the Council by December, 2005; and

WHEREAS, the Council President has appointed individuals listed in attached Exhibit A to serve as members of the task force; and

WHEREAS, it is critical that the barriers to housing supply and affordability must be lifted so that all citizens of the region may live in safe and healthy environments that are conducive to the rights of productive citizenship and that further delay in progress is unacceptable; and

WHEREAS, a regional solution to housing supply will require a one-year commitment of action from many individuals and organizations from the public, private, and nonprofit sectors working together; and

WHEREAS, individuals with the experience, expertise, and influence to create and help implement a regional housing solution and to advise the Metro Council in its role in implementing such a solution were contacted and have indicated an interest in serving; and

WHEREAS, the Council consulted with its Metropolitan Policy Advisory Committee on this resolution; now, therefore,

BE IT RESOLVED:

1. The Metro Council hereby establishes the Regional Housing Choice Task Force (HCTF) with the duties and responsibilities set forth in Exhibit A, attached and incorporated into this resolution, and confirms the appointments made by the Council President.
2. The membership of the HCTF will comprise private sector, non-profit, and government representatives as well as builders, financiers and representatives of other organizations with a stake in increasing housing choice. Some of the members will provide regional or state perspectives; others will focus on meeting

the housing goals in particular communities, with the intention of developing a broadly supported strategy for implementing housing supply solutions.

3. The HCTF will offer recommendations for policies and programs to facilitate housing production in 2040 mixed-use areas and to meet the Five-Year Affordable Housing Production Goals in the Urban Growth Management Functional Plan. The recommendations will consider how this mission can be achieved in particular communities, using a mix of private sector, nonprofit and nongovernmental and governmental housing investments, employing and applying realistic strategies and tools, including those outlined in the Regional Affordable Housing Strategy. HCTF will help build support for regional housing supply solutions by working closely with those individuals and organizations that are in a position to help implement them. It will also recommend to the Metro Council actions that they should take as part of the broader strategy for implementing regional housing supply solutions.

4. Metro Councilors Rex Burkholder and Robert Liberty will serve as co-chairs of HCTF.

5. HCTF shall sunset on March 31, 2006.

ADOPTED by the Council this __ day of _____, 2005

David Bragdon, Council President

Approved as to form:

Daniel B. Cooper, Metro Attorney

Exhibit A to Resolution No. 05-3536

**Duties and Responsibilities of the
Regional Housing Choice Task Force**

1. Name of task force:

This committee shall be known as the "Metro Housing Choice Task Force (HCTF)." Hereinafter referred to as "task force."

2. Members of HCTF: The following people are appointed to HCTF.

Tom Kemper
KemperCo., LLC.....For-Profit Housing Developer

Ed McNamara
Turtle Island Development LLC.....For-Profit Housing Developer

Holly Iburg
Newland Communities.....For-Profit Housing Developer

Dee Walsh
REACH Community Development Corp.....Non-Profit Housing Developer

John Miller
HOST Development.....Non-Profit Housing Developer

Robin Boyce
Portland Housing Development Center.....Technical Assistance to Developers

Steve Rudman
Housing Authority of Portland.....Public Housing Provider and Developer

Betty Dominguez
Oregon Housing & Community Serv's Dep't.....Public Housing Provider

Tom Cusack
U.S. Housing & Urban Development..... Public Housing Provider

Kate Allen
Enterprise Foundation.....Non-Profit Housing Financiers

Charlotte Gallagher
Pacific Continental Bank.....For-Profit Housing Financiers

David Williams
Shore Pacific Bank..... For-Profit Housing Financiers

Honorable Rob Drake, Mayor
City of Beaverton.....Local Government

Honorable Jack Hoffman, Councilor
City of Lake Oswego.....Local Government

Ron Bunch, Principal Comprehensive Planner
City of Gresham..... Local Government

Karen Barton, Community Revitalization Coordinator
City of Gresham..... Local Government

Joe Grillo, Director of Community Development
City of Beaverton..... Local Government

Richard Meyer, Director of Development and Operations
City of Cornelius.....Local Government

Sam Chase
Community Development Network... ..Affordable Housing Advocate

Ellen Johnson
Legal Aid Services of Oregon.....Affordable Housing Advocate

Others as determined by the Task Force

3. Work program and duties:

HCTF shall develop a broadly supported strategy for implementing regional housing supply solutions and advise Metro on its role in developing policies and programs in support of that strategy, particularly related to housing production in 2040 mixed use areas and developing “work-force” housing in the region.

Specifically, the task force will review and discuss:

- a) Local and national trends that affect the production of “work-force” housing;
- b) Estimates of the region’s housing demand and need;
- c) Estimates of existing housing units;
- d) Estimates of housing capacity for 2040 Growth Concept mixed use areas and corridors, and other locations.
- e) Assessments of barriers to housing supply, including funding and infrastructure need, and housing delivery mechanisms that hinder “work-force” housing supply in the 2040 Growth Concept mixed use areas, corridors and other locations, and assessment of opportunities that would facilitate increase in the regional housing supply;
- f) Assess the experience and conclusions from local pilot projects that identify the barriers and solutions to meet local Affordable Housing Production Goals.

The task force shall develop an implementation strategy and make recommendations on policies and programs to:

- Significantly increase the production of “work-force” housing in the 2040 mixed-use areas and corridors, and other locations in the region.

- Identify opportunities for Metro to provide leadership, data, funding, and technical assistance in housing production, and prevent the loss of affordable housing.
- Identify opportunities for local governments and other entities, including non-profit and for-profit organizations to provide leadership, establish partnerships and implement tools and strategies that will increase the supply of affordable housing, while taking into account unique local characteristics.

The task force shall work in a manner that builds broad based support for implementation among those individuals and organizations that are key to a regional housing solution.

The Task Force will develop a detailed work program with the assistance of the Director of the Planning Department and other private and public interest groups.

The task force may consult with other committees such as the Metro Policy Advisory Committee, Metro Technical Advisory Committee, Joint Transportation Policy Advisory Committee and Transportation Alternatives Policy Advisory Committee as necessary or with housing experts not on the HCTF committee.

The task force will present its recommendations to the Metro Council and the Metro Policy Advisory Committee and other private and public interest groups such as the State Housing Council, the Oregon Land Conservation and Development Commission and the Association of General Contractors, no later than March 1, 2006.

4. Membership, chairs and term of service:

HCTF is composed of representatives of the land use regulating agencies (cities and counties); housing providers; housing financiers; affordable housing advocates; and past members of the 1998 HTAC. Members appointed shall serve within a year of the establishment of the task force.

Councilors Rex Burkholder and Robert Liberty shall serve as co-chairs of the task force.

The task force shall vote on its recommendations with an aim for consensus. The task force may also vote on other matters as it deems necessary, and as determined by the chair and as necessary.

The members shall submit names of their alternates for approval by the chair. Alternate members shall vote only when their task force member is absent. Alternate members shall serve only during the term of their task force member. Task force members shall make every effort to assure participation by their alternate if the member must miss a meeting.

5. Meetings:

The task force will meet at least once every month, and more often as necessary and/or if requested by the chairs. The meeting times and locations will be jointly agreed upon by task force members and the program staff. All meetings are open to the public.

A quorum of the task force shall be a majority of the members (e.g., if there are 17 filed positions in HCTF, nine members constitute a quorum).

Agenda items for the meetings shall be developed by the chair and program staff. Committee members may suggest future agenda items to the program staff. The Long Range Planning section will staff the task force and its meetings.

6. Vacancies and Resignations:

If a vacancy occurs in any position, the chairs will determine if a replacement is needed after consultation with the Task Force.

Any task force member who intends to resign shall submit a letter to the chairs of the task force. Both the reasons for the resignation and the effective date shall be stated in the letter.

Any member with three consecutive unexcused meeting absences (for any reason other than personal and/or family illness) has, in effect, resigned from the task force. Members shall notify the chairs to obtain an excused absence. A vacancy will automatically occur and the entity with which the departing member was affiliated shall be requested to nominate a new member who will serve the remainder of the term. The chairs must approve the new member.

7. Representation of HCTF members to other groups:

Whenever task force members speak as a member of the task force to other groups, organizations, agencies and individuals they will inform the program staff of the scheduled presentation. This will allow Metro to maintain a record of which groups have been contacted and follow up on their expressed interest.

Task force members are, of course, free to speak on any issues and express any opinions as individual citizens, but may not represent the task force members except as described in the preceding section.

STAFF REPORT

FOR THE PURPOSE OF ESTABLISHING THE REGIONAL HOUSING CHOICE TASK FORCE AND ITS DUTIES AND RESPONSIBILITIES, AND APPOINTING ITS MEMBERS

Date: January 31, 2005

Prepared by Gerry Uba and Andy Cotugno

BACKGROUND

Metro is obligated to create a new regional housing choice task force because the region is at a point where it is important to have a better understanding of policies and programs that would facilitate significant increase in the production of affordable housing. The Regional Housing Choice Task Force to be created by the Metro Council represents diverse interests that are involved in housing supply, including experience building in the 2040 Growth Concept mixed use areas and other locations, rehabilitation projects, funding (especially for affordable housing), mixed use development, small lot development, inner city/existing neighborhood projects, suburban projects, and development of constrained environments.

Metro has been working on this subject since 1997 and is at the end of the three-year policy implementation period called for by Title 7. The highlight of the legislative background is as follows:

- On November 20, 1997 (Resolution 97-2583B), the Metro Council established the first Affordable Housing Technical Advisory Committee (HTAC)
- On December 11, 1997 (Ordinance 97-715B), the Metro Council adopted the Regional Framework Plan containing the establishment of the HTAC;
- The appeal of the Regional Framework Plan provisions by some local governments resulted in a settlement agreement that amended the housing section in the Regional Framework Plan;
- On September 10, 1998, the Council adopted Ordinance 98-769 that amended the Regional Framework Plan provisions and appointed the initial members of HTAC;
- On June 22, 2000 (Resolution 00-2956B), the Metro Council accepted the recommendations of the HTAC contained in its report, Regional Affordable Housing Strategy;
- The housing sections of the Regional Framework Plan (Policy 1.3, Housing and Affordable Housing) and Urban Growth Management Functional Plan (Title 7) were amended and adopted on January 18, 2001 (Ordinance 00-882C);
- On June 26, 2003, the Metro Council amended Title 7 (Ordinance No. 03-1005A) to clarify that it is the responsibility of the governing body of cities and counties to consider each tool or strategy and either amend its comprehensive plan and implementing ordinances to adopt the tool or strategy or explains why it decided not to adopt it.

Following are the actions in Title 7 to be taken by local governments and Metro.

Title 7 requires Local governments to:

- a) Adopt local affordable housing production goals;
- b) Ensure that their comprehensive plans and implementing ordinances include policies that encourage and increase affordable housing;
- c) Consider amendment of their comprehensive plans and implementing ordinances by adopting land use tools and strategies; and
- d) Prepare and submit progress reports at 12 month (January 2002), 24 month (January 2003) and 36 month (January 2004) intervals.

The three annual progress reports submitted by local governments provided information on their success in providing affordable housing, and barriers they encounter during the consideration and implementation of the tools and strategies in Title 7.

Examples of key successes are:

1. 162 units serving seniors, developmentally disabled adults and other families that earn 0-60% of the regional median family income in Beaverton;
2. \$100,000 contribution budgeted by Beaverton toward the Community Housing Trust Fund;
3. \$11 million budgeted by the Portland for housing programs;
4. 112-unit RV park allowed by Troutdale to accommodate long-term affordable housing;
5. Manufactured homes allowed in all residential zones by Wood village to facilitate affordable housing production;
6. Partnership with non-profit community development corporations to provide affordable housing established by Gresham, Beaverton, Portland, Tigard, Washington County;
7. Portland provided assistance toward the creation of the Portland Community Land Trusts.

The key barriers are grouped as follows:

1. **“We’re already in compliance”:** Most local governments take the position that compliance with the State Planning Goal 10 (Housing), the State Metropolitan Housing Rule, and the requirements in Metro’s Functional Plan (density requirements, accessory dwelling units, parking minimums) are sufficient efforts to create a positive environment for affordable housing.
2. **“It costs too much – no funding/not enough staff”:** Some local governments expressed frustration that the strategies (density bonus, transfer of development rights, inclusionary housing, fee waivers, etc.) would require staff and resources that are not currently available.
3. **One size doesn’t fit all:** Some local governments felt that they have unique local situations or city characteristics (abundance of low income or elderly housing) that should have been considered in Title 7. Others report having residential land prices that discourage affordable housing production.
4. **Political barriers:** Some local governments have charters that prohibit the implementation of certain Title 7 strategies such as replacement housing in urban renewal areas and inclusionary housing in urban renewal areas.

Title 7 requires Metro to do the following:

- a) Review progress reports submitted by cities and counties, including progress made to achieve the affordable housing production goals;
- b) Assess affordable housing tools and strategies implemented by local governments and other public and private entities;
- c) Examine federal and state legislative changes affecting affordable housing production;
- d) Review the availability of a regional funding source;
- e) Use 2000 Census data and local data to estimate baseline affordable housing units affordable to the defined income groups in Title 7;
- f) Update the estimate of the regional affordable housing need; and
- g) Create an ad hoc affordable housing task force to use the assessment reports and the estimates of affordable housing need to recommend implementation policies and programs that will ensure significant progress toward increasing the supply of affordable housing in the region.

Local response and Interpretation

On December 8, 2004, Councilor Burkholder presented the new regional affordable housing initiative to the Metro Policy Advisory Committee, and requested them to recommend members. Some local government staff and other stakeholders have expressed interest to serve on the task force.

Analysis and Conclusion

The proposed resolution will create a body of knowledge (Regional Housing Choice Task Force) representing diverse interests involved in housing production that will develop a broadly supported strategy for implementing regional housing supply solutions and assist Metro to identify implementation policies and programs that will enhance the supply of affordable housing in the region. Metro has identified the charge for the task force. The regional housing supply solutions and recommendations of the task force will be based on experiences with producing and maintaining affordable housing in communities across the region.

ANALYSIS/INFORMATION

Known Opposition

Staff is not aware of any opposition to the proposed legislation

Legal Antecedents

Metro Code 3.07.750 established the need to create a task force/advisory committee.

Anticipated Effects

Recommendations of the new task force will be presented to the Metro Council and MPAC for consideration in the amendment of the affordable housing sections of the Regional Framework Plan and Urban Growth Management Functional Plan (Title 7). The work of the task force and its strategies and recommendations may influence and support public, private and non profit organizations including Metro in working together to better meet the housing supply needs of the region.

Budget Impacts

The current budget allows for about 2 FTE through June 2005. The scope of work needs to fit within available resources.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution No. 05-3635 to create the regional Housing Choice Task Force to assist Metro in the identification of site-specific barriers to and opportunities for increasing the production of housing and affordable housing in the region.

Agenda Item Number 9.2

**Resolution No. 05-3545, For the Purpose of Endorsing the Regional Water Supply Plan
Update and the Amendments to the Intergovernmental Agreement Forming the
Regional Water Providers Consortium.**

Metro Council Meeting
Thursday, February 10, 2005
PCC Rock Creek Bldg 9, Rm 122C

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING THE REGIONAL)
WATER SUPPLY PLAN UPDATE AND THE) RESOLUTION NO. 05-3545
AMENDMENTS TO THE INTERGOVERNMENTAL)
AGREEMENT FORMING THE REGIONAL WATER) Introduced by Susan McLain, Metro
PROVIDERS CONSORTIUM) Councilor
)

WHEREAS, Metro is mandated by its 1992 Charter to address regional water supply planning and storage in its Regional Framework Plan; and

WHEREAS, from 1994 to 1996, many of the municipal water providers in the Portland metropolitan area signed an Intergovernmental Agreement to jointly fund and manage the development of a Regional Water Supply Plan; and

WHEREAS, on November 21, 1996, Metro Council adopted Resolution No. 96-2419A, For the Purpose of Authorizing Signature of the Intergovernmental Agreement Forming the Regional Water Providers Consortium. Metro has been participating as an active member of the Consortium since July 1997; and

WHEREAS, the Regional Water Providers Consortium Intergovernmental Agreement (IGA) in Section 3 provided for the endorsement of the Regional Water Supply Plan completed in 1996; and

WHEREAS, the purpose of the Regional Water Supply Plan is to “provide a comprehensive, integrated framework of technical information, resource strategies and implementing actions to meet the water supply needs of the Portland metropolitan areas to the year 2050”; and

WHEREAS, on December 11, 1997, Metro Council adopted Ordinance No. 97-715B, For the Purpose of Adopting the Regional Framework Plan, which incorporates policies of the Regional Water Supply Plan (Chapter 4, Part 1, Urban Water Supply);

WHEREAS, the Regional Water Providers Consortium IGA, the Regional Water Supply Plan and the Regional Framework Plan call for reviewing the Regional Water Supply Plan every five years; and

WHEREAS, the Regional Water Providers Consortium conducted an update of the Regional Water Supply Plan over a three-year period from fall 2001 through summer 2004 and provided public opportunities to review and comment on the update; and

WHEREAS, Metro actively participated in the Regional Water Supply Plan Update and provided a 2025 base-case population forecast to generate individual provider forecast in the update; and

WHEREAS, during the update of the Regional Water Supply Plan, amendments to the Consortium IGA were proposed that clarify the role of the Consortium, change the dues structure, and proposes other minor amendments; and

WHEREAS, on September 1, 2004, the Regional Water Providers Consortium Board approved the amendments to the Consortium IGA and recommended that the IGA be forwarded to Consortium members for their endorsement; and

WHEREAS, the Regional Water Providers Consortium Board met on December 1, 2004 and recommended that the Regional Water Supply Plan Update be forward to Consortium members for their endorsement;

WHEREAS, the Regional Water Supply Plan Update is consistent with policies outlined in Chapter 4 of the Regional Framework Plan; now therefore

BE IT RESOLVED:

1. Endorse the Regional Water Supply Plan Update

The Metro Council endorses the Regional Water Supply Plan Update in Exhibit A, which is consistent with policies in the Regional Framework Plan.

2. Authorize the Chief Operating Officer to execute the amended the Regional Water Providers Consortium Intergovernmental Agreement

The Metro Council Authorizes the Chief Operating Officer to execute the amended Intergovernmental Agreement forming the Regional Water Providers Consortium as attached in Exhibit B.

ADOPTED by the Metro Council this ___ day of _____ 2005.

David Bragdon, Council President

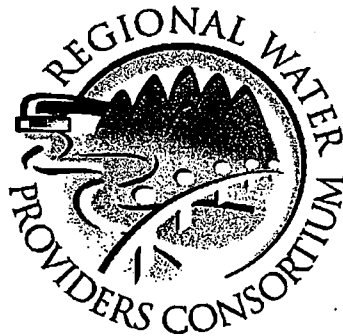
Approved as to Form:

Daniel B. Cooper, Metro Attorney

TOO LARGE TO COPY, MAY BE FOUND ON THE CITY OF PORTLAND
WEBSITE

RESOLUTION NO. 05-3545
EXHIBIT A

REGIONAL WATER SUPPLY PLAN
UPDATE
DECEMBER 2004



PREPARED BY THE REGIONAL WATER PROVIDERS CONSORTIUM
of the Portland Metropolitan Area, Oregon

INTER-GOVERNMENTAL AGREEMENT

OF

REGIONAL WATER PROVIDERS CONSORTIUM

(AS AMENDED IN 2004-05)

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REGIONAL WATER PROVIDERS CONSORTIUM

This Inter-Governmental Agreement is entered into by and among the undersigned municipalities and districts, hereinafter called "Participants," to establish and operate the Water Providers Consortium for the Portland Metropolitan Region.

RECITALS

WHEREAS, ORS Chapter 190 authorizes units of local government to enter into written agreements with any other unit or units of local government for the performance of any or all functions and activities that any of them has authority to provide; and

WHEREAS, all the Participants of this Agreement are thus authorized to enter into an inter-governmental agreement; and

WHEREAS, many of the water providers of the Portland metropolitan area have been meeting together since 1989 through an informal group called the Regional Providers Advisory Group to coordinate water supply planning efforts; and

WHEREAS, twenty seven of the area's water providers agreed in May, 1993, through the *Inter-Governmental Agreement to Fund Phase Two of the Regional Water Supply Plan* jointly to fund an integrated Regional Water Supply Plan and have been meeting monthly since then as the Phase Two Participants Committee to manage the development of that Regional Water Supply Plan; and

WHEREAS, a draft of the resulting Regional Water Supply Plan has been circulated for public review since September, 1995; and

WHEREAS, a final Regional Water Supply Plan has now been completed; and

WHEREAS, that Regional Water Supply Plan contains specific recommendations for future cooperation and coordination between the water providers in this region through the formation of a regional water providers consortium; and

WHEREAS, as the Regional land use agency under state law and Regional charter, the Metropolitan Service District ("METRO") has responsibilities to plan and coordinate the provision of public facilities in the region, including responsibilities created by the Metro Charter requiring that Metro's Regional framework plan address water sources and water storage; and

WHEREAS, Metro has adopted Regional goals and objectives to encourage coordinated planning and management of water resources to ensure a sufficient water supply for the region; and

WHEREAS, Metro's participation in preparation of the Regional Water Supply Plan and this Agreement is consistent with its regional coordination functions and its Charter

responsibilities; and

WHEREAS, Metro's adoption of the Regional Water Supply Plan and execution of this Agreement are important parts of Metro studies preliminary to adoption of a water supply component of its regional framework plan; and

WHEREAS, the Participants desire to enter into an inter-governmental agreement in order to endorse the Regional Water Supply Plan and coordinate and cooperate in its implementation;

NOW, THEREFORE, the Participants agree as follows:

Section 1. Definitions

For purposes of this Agreement the following terms shall be defined as follows:

"Agreement" - This document and any authorized amendments thereto.

"Consortium" - Shall mean all Participants to this Agreement acting pursuant to and under the terms of the Agreement.

"Consortium Board" - Shall mean the Board of Directors established by Section 9 of this Agreement, consisting of one representative from the governing board, commission or council of each Consortium Participant.

"Consortium Funds" - Consortium funds shall consist of all dues, voluntary contributions, grant monies and funding from any other source provided to the Consortium to conduct the activities and business of the Consortium.

"Consortium Technical Committee" - Shall mean the Committee established by Section 10 of this Agreement, consisting of one staff representative appointed by the governing board, commission, or council of each Participant.

"Plan" - That document dated October 1996, entitled Regional Water Supply Plan for the Portland Metropolitan Area, and all subsequent amendments thereto, referred to herein as the "Plan."

Section 2. Purposes

The general purposes of the Consortium are as follows:

- A. To provide a collaborative clearinghouse function for water supply planning and development that fosters regional coordination.
- B. To serve as the central custodian for Plan documents, including computer

models and other local decision support functions;

- C. To review and recommend revisions to the Plan, as appropriate;
- D. To provide a forum for the study and discussion of water supply issues of mutual interest to Participants and to collate the responses of Participants to such issues;
- E. To provide a forum for review and discussion of water resource related issues that may relate to application of the statewide land use goals, comprehensive plans, regional plans, or land use regulations;
- F. To allow for public participation in Consortium activities;
- G. To conduct regional conservation programs;
- H. To facilitate emergency preparedness for water suppliers in the region.

Section 3. Endorsement of Plan

- A. By entering into this Agreement, the individual Participants endorse the Plan, attached hereto as Exhibit A, and agree to cooperate among themselves in its implementation.
- B. Endorsement of the Regional Water Supply Plan (RWSP) and coordination and collaboration between the Consortium members that avoids duplicative efforts and cost are part of the ongoing commitment of the Participants to jointly study and create a Regional Water Supply Plan. The RWSP is intended to be a clearing house for local water supply planning and provides support for individual water supply planning and decision making. The Plan does not, however, require any mandatory action by any Participant. Each Participant jurisdiction remains responsible for determining and adopting appropriate comprehensive and functional plan provisions, including city and county public facility plans and special district capital improvement plans. The Plan is not any part of any Participant's comprehensive land use plan or framework plan or implementing regulations unless an individual participant takes such action. No part of the Plan or any coordinated activity of the Consortium constitutes a final land use decision by any Participant applying statewide or regional land use goals, comprehensive plans, functional plans, and/or land use regulations. For any part of the Plan to be applied to a Participant's land use actions, direct action to that effect is required by that Participant.

Section 4. Cooperation and Participants' Retained Powers

The Participants intend that the Consortium shall act through the processes laid out herein in the spirit of cooperation. Unless specifically provided for herein, by entering into this Agreement, no Participant has assigned or granted to any other or to the Consortium its water rights or the power to plan, construct, and operate its water system or perform any other obligation or duty assigned to it under law.

Section 5. Consortium Authority

In accomplishing its purposes, and utilizing the organizational structure and decision-making processes contained herein, the Consortium is authorized to:

- A. Adopt by-laws and other operating procedures consistent with the terms of this Agreement to govern Consortium operation and administration, including such things as meeting arrangements, voting procedures, election of officers of Consortium component boards or committees, notice procedures, procedures for execution of legal documents such as contracts, budgeting, and financial operations.
- B. Adopt and implement an annual work plan and issue annual reports and such supplementary reports as the Consortium may determine appropriate;
- C. Collect regular dues from Participants to support the routine business of the Consortium in amounts established as provided herein;
- D. Accept voluntary contributions from Participants in amounts higher than the regular dues for the purpose of conducting studies or engaging in other activities consistent with the Consortium purposes;
- E. Apply for and receive grants and accept other funds from any person or entity to carry on Consortium activities;
- F. Expend Consortium funds, however obtained, and establish accounts and accounting processes to manage Consortium funds or utilize the accounts and processes of Participants for such purposes under appropriate agreements;
- G. Execute contracts to obtain goods and services and to enter into arrangements whereby Participants may contract on behalf of the Consortium to obtain goods and services;
- H. Execute intergovernmental agreements;
- I. Establish procedures for the hiring and firing of its own staff;
- J. Accept assignment of staff from individual Participants to conduct Consortium work and to reimburse the Participants for the salary and other costs associated with the assigned staff;
- K. Establish procedures and criteria whereby other units of government may enter into this Agreement subsequent to its initial creation by the execution of the Agreement by fifteen or more Participants, subject to the provisions herein enabling any Participant in the *Inter-Governmental Agreement to Fund Phase Two of the Plan* to join as a Participant of the Consortium at any time after the Consortium's creation;

- L. Establish a process to coordinate Participant response to water policy issues of mutual concern;
- M. Establish procedures to solicit the views of the public on water supply and water resource issues within the Consortium's purview;
- N. Establish a process whereby water policy and water supply disputes or disagreements among Participants may be resolved;
- O. Protect Consortium rights and enforce obligations owed to the Consortium by third parties to the extent permitted by law;
- P. Take other action within the powers specifically granted the Consortium herein by the Participants to exercise the authority granted in subsections A. through O. above and to carry out the purposes stated in Section 2 above.

Section 6. Participants

- A. **Participants in General.** Any Participant in the *Inter-Governmental Agreement to Fund Phase Two of the Plan*, as listed in Exhibit B to this Agreement, may, initially join the Consortium at any time. Any Participant which, having once joined, withdraws or is expelled from the Consortium for non-payment of dues, may only re-join as provided in Section 7F. Participants in *Phase Two* may join in their own name or in the name of a separate inter-governmental entity, but not both. (For example, the Cities of West Linn and Oregon City may join as two separate Participants or as one, in the name of the South Fork Water Board.)
- B. **Initial Creation By Fifteen Participants.** The Consortium shall be created and this Agreement shall become effective upon its execution by fifteen or more Participants in the *Inter-Governmental Agreement to Fund Phase Two of the Plan*. This Agreement may be signed in counterparts.
- C. **Additional Participants.** The Consortium Board may accept additional governmental entities as Participants into the Consortium under terms and financial arrangements that the Board determines just and appropriate. The Board may establish standards for membership in its by-laws or may allow new members to join on a case by case basis. Provided, however, that in all cases, no new member may join the Consortium without the affirmative vote of a majority of the Board.
- D. **Withdrawal.** Any Participant may withdraw from the Consortium at any time by giving written notice to the Chair of the Consortium Board. Consortium dues already paid shall not be refunded to the withdrawing Participant. To the extent it is able to do so, any Participant intending to withdraw from the Consortium shall endeavor to advise the Chair of that fact prior to February 1 and the approval of the Consortium's next fiscal year's budget.

Section 7. Dues

- A. Each Participant of the Consortium shall pay annual dues no later than September 1 of each year sufficient to fund the approved annual budget of the Consortium, as established by the Board, provided, however, that the Board may establish a different payment amount and/or schedule for a Participant upon request from that Participant or upon the Board's own motion.

- B. The dues of each water provider Participant shall be determined annually as follows:
 - 1. Total annual dues for all members shall be set to equal the annual budget for the Consortium, not counting budget items to be funded by fewer than all the Participants as provided in Section 8.C., and taking into account any grants or non-dues monies available to fund the annual budget.

 - 2. The total annual dues of Participants that are not water providers shall then be subtracted from the total annual dues-based budget, described in subsection 7.B.1. above, leaving a budget number to be funded by provider dues. Dues shall be set so that the dues of each water provider reflects its proportional share of that sum based on the following formula:
 - (a) 50% of the total provider dues shall be allocated proportionally based on the individual provider's proportional share of the total number of all Participants' retail customer accounts for the prior year;

 - (b) 50% of the total provider dues shall be allocated proportionally based on the individual provider's proportional share of total average daily retail water use (in million gallons a day) in the prior year of all Participants;

 - (c) The changes made to the Consortium's dues formula in FY 2004/05 shall be phased in at 50% in FY 2005/06 and at 100% in FY 2006/07.

- C. The amount of Metro's dues shall be established each year in the Annual Work Plan and budget. Metro's dues may include in-kind contributions.

- D. The dues obligation of any additional Participant that is not a water provider shall be established by the Consortium Board at the time it approves an entity's membership.

- E. A Participant that fails to pay its assigned dues by September 1 or a time otherwise established by the Board pursuant to Section 7.A. shall be automatically removed as a Consortium Participant.
- F. Upon a majority vote of the Board, a defaulting Participant (or a Participant that has previously withdrawn from membership) may be reinstated in the Consortium upon its agreement to pay its dues for the year during which it wishes to rejoin (calculated as if the entity had been a Participant at the time the budget was approved). Upon receipt of such dues by a rejoining member, the Board shall re-calculate the dues owed by other entities and provide a credit on the next year's dues to Participants who paid more than their total dues as recalculated.
- G. If a new entity joins the Consortium as a Participant during an annual dues cycle, its dues and those of the existing Participants shall be calculated as follows:
 - 1. If a new Participant is a water provider, its dues requirement will be calculated pursuant to Section 7.B. above.
 - 2. If a new member is not a water provider, its dues will be determined as provided in Section 7.D. above.
 - 3. The initial year dues for a new Participant joining part way through a budget cycle will be pro-rated to reflect partial year membership.
 - 4. Upon addition of a new Participant part way through a budget cycle, the current year dues for existing Participants will be re-calculated and re-assigned as follows:
 - (a) The new Participant's initial year dues will be deducted from the total current dues-based budget.
 - (b) The remaining budget amount will be allocated to existing members in accordance with the percentage of the budget each Participant was assigned in the current annual budget.
 - (c) Existing members shall receive a credit on their next year's dues payment for any amounts they paid as dues that are greater than their revised dues obligation as determined herein.
 - 5. New Participants joining at any time after September 1 shall pay their initial year dues by the following September or at a time otherwise established by the Board upon admission of the new Participant.

Section 8. Work Plan and Budgeting

- A. By February 1 of each year, the Board shall adopt an annual work plan of Consortium activities for the upcoming fiscal year beginning on July 1.
- B. At the same time, the Board shall adopt a budget sufficient to conduct the Consortium's Annual Work Plan. The budget shall also include a calculation of the dues owed by each Participant to fund the budget as provided in Section 7, taking into account any grants or non-dues funds available to the Consortium, and a table apportioning the dues to each Participant.
- C. The budget may include special studies that will be funded by fewer than all of the Participants on a voluntary basis.
- D. The Board may amend the budget and the work plan at any time during the year as it deems appropriate except that dues may only be increased annually as provided for in Section 7. Additional expenditures may be permitted so long as there are identified sources of revenue, other than increased dues, for such expenditure(s).
- E. Participants are expected to provide to Consortium staff the data necessary to calculate the annual dues for budgeting and planning.

Section 9. Consortium Board

- A. The Consortium Board shall be made up of one representative from the governing board, commission, or council of each Participant. Each Participant shall also name an alternate Board representative from its governing board, commission, or council to serve in case the primary representative cannot. Provided, however, that if the Board Chair does not attend a meeting, the Vice-Chair shall assume the Chair's duties rather than the Chair's alternate.
- B. The Board is authorized to: (1) approve the Consortium's annual work plan and budget; (2) set Consortium policy; (3) approve new Consortium Participants; (4) recommend water supply, water planning, and regional cooperation actions to Participant governing boards, commissions, or councils, especially, but not limited to, actions to implement the Plan; (5) approve minor amendments to the Plan; (6) recommend to the governing boards, commissions, or councils of the Consortium Participants major amendments to the Plan; (7) periodically review the Plan comprehensively, on a schedule providing for review at least every five to ten years as needed, commencing with the date upon which the Consortium is formed; (8) recommend to the governing boards, commissions, or councils of the Consortium Participants amendments to this Agreement; (9) adopt by-laws; (10) exercise any other powers and authority granted to the Consortium by this Agreement necessary

to accomplish the Consortium's purposes.

- C. The Board shall have the authority to designate which Plan Amendments are major and which are minor for purposes of determining the process for amendment consideration. Generally, major amendment to the Plan should include revisions to the Plan's policy objectives, resource strategies, or implementation actions which significantly alter Plan direction or would significantly change the implementation strategies. Minor amendments are all other changes to the Plan.
- D. Upon its first meeting, the Board shall elect a temporary Chair and Vice-Chair and shall proceed within three months thereafter to adopt such by-laws as it deems advisable, consistent with this Agreement. Consistent with the terms of this Agreement, the by-laws shall, at least, (1) establish the offices of Chair and Vice-Chair and determine their terms, their general duties, and the method for their election; (2) establish how the Participants' governing boards, commissions, or councils shall notify the Consortium of their appointment of Board members and alternates; (3) establish a method to allow additional entities to join the Consortium; (4) establish a method to determine timing of meetings, provided that the Board must meet at least once a year; (5) establish a process for resolution of disputes among Participants; and (6) establish a method whereby the Board can create subcommittees of itself and other advisory committees or bodies to assist the Board in conducting its business, including a standing "Executive Committee." In creating a Board Executive Committee, the Board shall endeavor to achieve geographic representation and representation from municipalities, districts, and other types of entities that form the Participants' group.
- E. Each year in the annual work plan or its amendments, the Board may assign such duties or delegate such Board authority as the Board deems advisable to any Board committee or to the Technical Committee, except that the Board may not delegate the authority (1) to execute inter-governmental agreements, (2) to designate Plan amendments as minor or major, (3) to recommend major Plan Amendments or amendments to this Agreement, (4) to approve the annual work plan and the budget, (5) to approve minor Plan amendments, (6) to approve the admission of Participants to the Consortium, or (7) to dissolve the Consortium.
- F. To be effective, Board actions must be approved by a vote of a majority of the Board at a meeting at which a simple majority of the Board is present.

Section 10. Consortium Technical Committee

- A. The Consortium Technical Committee shall be made up of one staff representative appointed by the governing board, commission, or council of each Participant. Each governing board, commission, or council shall also name a Technical

Committee representative alternate to serve when the primary representative cannot. Provided, however, that if the Technical Committee Chair does not attend a meeting, the Vice-Chair shall assume the Chair's duties rather than the Chair's alternate.

- B. The Technical Committee shall advise and provide assistance to the Board on any matters falling within the Consortium's purview under this Agreement, and may act upon Board delegation of authority as provided in Section 9.F.
- C. The Technical Committee shall, upon its first meeting, elect a temporary Chair and Vice-Chair and shall proceed within three months thereafter to adopt such bylaws for its operation as it deems advisable, consistent with this Agreement. The by-laws shall, at least, (a) establish the offices of Chair and Vice-Chair and determine their terms, their general duties, and the method for their election; (b) establish how the Participants' governing boards, commissions, or councils shall notify the Consortium of their appointment of Technical Committee members and alternates; (c) establish a method to determine timing of meetings, provided that the Technical Committee must meet at least three times a year; and (d) establish a method whereby the Technical Committee can create subcommittees of itself and other advisory committees or bodies to assist the Technical Committee in conducting its business.
- D. The Technical Committee under the provisions of any agreement or contract to provide staff shall supervise Consortium staff and assume the responsibility to draft proposed work plans, budgets, annual and other reports, plan amendments, and implementation proposals for submission to the Board or Executive Committee as appropriate.
- E. To be effective, Technical Committee actions must be approved by a vote of a majority of the Committee at a meeting at which a quorum of two-thirds of the Committee is present.

Section 11. Dispute Resolution

It is the intention of the Participants to limit the issues available for dispute resolution . The issues raised must be related to interpretation of the express terms of this Agreement. No issues related to water supply development or program development by individual members may be raised. Any such dispute shall, if possible, be resolved through the use of a mandatory, but non-binding dispute resolution mechanism established by the Board through its by-laws.

Section 12. Duration and Dissolution

This Agreement shall remain in effect, subject to the following: (1) any Participant may withdraw at any time as provided in this Agreement; (2) should all but one Participant withdraw, the Agreement shall end and the Consortium shall be dissolved; (3) the Agreement

may be ended and the Consortium dissolved by a vote of the Board.

Section 13. Legal Liability

Participants agree to share any costs or damages, including reasonable attorney's fees, from third party actions against the Consortium. The obligation shall apply to any entity that was a Participant in the Consortium at the time the liability arose or the cause of action accrued. Payment obligations shall be proportional to the dues of each entity. Participants agree to assist and cooperate in the defense of such an action. Settlement of any action that would impose an obligation to pay upon the Participants under this provision must be approved by a majority of the Board.

Section 14. Oregon Law and Forum

- A. This Agreement shall be construed according to the law of the State of Oregon.
- B. Any litigation between the Participants under this Agreement or arising out of work performed under this Agreement shall occur, if in the state courts, in the Multnomah County Court having jurisdiction thereof, and if in the federal courts, in the United States District Court for the District of Oregon.

Section 15. Public Notification

Meetings of the Consortium Board, the Consortium Technical Committee, and any subcommittees of those bodies shall be considered open meetings as provided by law.

Section 16. Agreement Amendment

Amendments to this Agreement shall be recommended by the Board and shall be effective when authorized by the governing board, commission or council, as the case may be, of every Participant.

**PHASE 2
of the
REGIONAL WATER SUPPLY PLAN**

PARTICIPANTS:

City of Beaverton
Canby Utility Board
Clackamas River Water
City of Gladstone
Damascus Water District
City of Fairview
City of Gresham
City of Hillsboro Utilities Commission
City of Forest Grove
City of Lake Oswego
Metro
City of Milwaukie
Mt. Scott Water District
Oak Lodge Water District
City of Portland
Raleigh Hills Water District
Rockwood Water
City of Sandy
City of Sherwood
South Fork Water Board: City of Oregon City/City of West Linn
City of Tigard Water Department
City of Troutdale
City of Tualatin
Tualatin Valley Water District
West Slope Water District
City of Wilsonville
City of Wood Village

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 05-3545, FOR THE PURPOSE OF ENDORSING THE REGIONAL WATER SUPPLY PLAN UPDATE AND THE AMENDMENTS TO THE INTERGOVERNMENTAL AGREEMENT FORMING THE REGIONAL WATER PROVIDERS CONSORTIUM.

Date: January 28, 2005

Prepared by: Carol Krigger

BACKGROUND

Policies in Metro's Charter and Regional Framework Plan call for Metro to address regional water supply and storage. In 1996 Metro and many of the municipal water providers in the Portland metropolitan area signed an Intergovernmental Agreement (IGA) to form the Regional Water Providers Consortium (Consortium). The intent of the Consortium is to collaboratively discuss, study and facilitate partnerships to provide municipal drinking water supplies. Metro has been participating as an active member of the Consortium since July 1997.

At the same time that the IGA was signed to form the Consortium, Metro and the other water provider members also endorsed the Regional Water Supply Plan (RWSP), which was prepared through a jointly managed effort from 1993-1996. The purpose of the RWSP is to "provide a comprehensive, integrated framework of technical information, resource strategies and implementing actions to meet the water supply needs of the Portland metropolitan area to the year 2050." Metro refers to the RWSP as part of meeting the water supply element of the Regional Framework Plan. The RWSP was based on more than a dozen background documents; contained several chapters on policy objectives, water demands, existing and future source options, conservation program evaluations and transmission; and formulated a set of resource strategies to meet future needs. Both the RWSP and the IGA forming the Consortium state the RWSP should be reviewed and updated as needed on a five-year interval. The Consortium Board approved a two-year program and special dues assessment to update the RWSP starting in July 2001, with work that began in January 2002.

The Consortium reviewed the RWSP over a three-year period from fall 2001 through summer 2004 and provided public opportunities to review and comment on the update. The RWSP update (Exhibit A) was based on the following tasks:

1. An assessment of the changes in water supply conditions since adoption of the RWSP in 1996, including a review of the policy objectives developed to guide the original RWSP, and an integration of other plans and strategies adopted by the Consortium Board since 1997, including a Transmission and Storage Strategy adopted in 2000, a Source Water Protection Strategy in 1999, and implementation of regional conservation programs by the Consortium starting in 2000.

2. The development of a new water-demand forecast out to the year 2025 for the water providers that participate in the Consortium, using Metro's population forecast data.
3. A review of the existing and planned water sources in the region.
4. A new look at conservation programs in the region.
5. The development of a new integrated planning model call *Confluence*® to assess different future water program strategies.

Some key findings from the RWSP update include:

- Average peak season water demands increase by 130 million gallons per day (mgd) in 2025, or about a 49 percent increase over 2004. Per capita consumption is increasing in some service areas, while decreasing in others (mostly in the older more mature cities).
- Water conservation is a key part of meeting new water needs; the water providers identified about 19 mgd peak season of savings in various programs. Over time this number is likely to rise as the State requires Water Management and Conservation Plans to support holding unexercised water rights.
- Transmission costs are the major cost for the increased water supplies in the region, regardless of the sources considered. Using a gross estimation method in the integrated model, the transmission costs range between \$125 million to \$237 million.
- System interconnections are an important part of the ability to address emergencies, particularly since many areas of the region are served by only one source. Emergency preparedness is included in the update.

During the time that the RWSP update was being conducted in 2003-04, the Consortium Board also reviewed and revised their 5-Year Strategic Plan. As part of the revision, the functions and purposes of the Consortium during the last seven years were evaluated and changes were adopted to the Strategic Plan that clarify the role of the Consortium, including the role of the RWSP. The RWSP, as originally adopted, was more directive in the source options considered for the future, even though the IGA made it clear that local control to develop sources and implement programs was retained by each provider. The newly adopted strategic plan outlines a different planning role for the Consortium – one of facilitating local decision making, implementing regional conservation programs, and being a clearinghouse for local master planning efforts. The planning role is more supportive and less directive, but it does not change the fact that the RWSP update continues to be an accurate picture of how, in aggregate, the future water needs of the region can be met with various programs and options as adopted and implemented at the local level, including the regional water conservation program.

The revised 5-Year Strategic Plan also directed an examination of the Consortium IGA and Bylaws. The amended IGA (Exhibit B) reflects changes that create a more effective document and one that better reflects the participants' current and future method of operation. The following amendments are made to the IGA:

- Adds new language in to reflect the new planning role of the Consortium and adds regional conservation programs and emergency preparedness for water suppliers (Sections 2 and 3);
- Changes Consortium dues structure; this does not affect Metro's dues (Section 7);
- Removes ex officio members of the Board; changes review of RWSP from five years to five to ten years and changes quorum requirements from two-thirds to a simple majority (Section 9);
- Removes Consortium Technical Sub-Committee (Section 11) and adds those functions under the Consortium Technical Committee (Section 10);
- Limits the issues available for dispute resolution (Section 12); and
- Adds new language on how IGA amendments are done (Section 17).

The Consortium Board met on September 1, 2004 and recommended approval of the IGA amendments. On December 1, 2004, The Consortium Board recommended that the Regional Water Supply Plan Update be forwarded to Consortium members for their endorsement.

ANALYSIS/INFORMATION

1. **Known Opposition.** No known opposition.
2. **Legal Antecedents.** Metro's 1992 Charter mandates that regional water supply planning be addressed in the Regional Framework Plan. Resolution No. 96-2419A, For the Purpose of Authorizing Signature of the Intergovernmental Agreement Forming the Regional Water Providers Consortium, was adopted on November 21, 1996. The IGA, Section 3 stipulates that by entering into the agreement, the individual participants endorse the Regional Water Supply Plan. The Regional Framework Plan, adopted December 11, 1997 by Ordinance No. 97-715B01, For the Purpose of Adopting the Regional Plan, incorporates policies from the Regional Water Supply Plan. Section 9 (B) of the Consortium IGA, as well as the Regional Framework Plan, stipulate that the Regional Water Supply Plan be updated every five years.
3. **Anticipated Effects.** Approval of this resolution will allow Metro to continue to meet its obligations set forth in the Metro Charter and Regional Framework Plan regarding regional water supply planning. The Regional Water Supply Plan Update is consistent with the policies set forth in the Regional Framework Plan. The amendments to the IGA clarify the role of the Consortium, change the dues structure (does not affect Metro's dues), and propose other minor amendments.
4. **Budget Impacts.** There are no budget impacts.

RECOMMENDED ACTION

Staff request that Metro Council endorse the Regional Water Supply Plan Update and the Regional Water Providers Consortium amended IGA.

The number one concern for CPO-7 is that we have **adequate infrastructure at time of development** of North Bethany.

In the last 20 years we have seen Bethany grow from a rural community with fewer than 600 residents to over 11,000 residents. Many of the adjacent communities have shown similar population increases. We have seen first-hand the impacts when inadequate funding for planning for transportation, schools and parks is provided. Because of our negative experiences with growth, we are hopeful that things will be better this time around

We have been told that the 800 acres in north Bethany is some of the most shovel ready dirt brought inside the UGB in 2002. We believe that development will occur rapidly. Without appeals being finalized, land is reportedly selling for \$450,000 an acre. Complete approval has already been granted for a 162-lot subdivision to begin construction upon resolution of the outstanding appeals and before the master planning for the area has begun.

We feel our needs are being overlooked. We understand you are trying to do more to support planning efforts.

We welcome your request for adequate grant funds to support local planning efforts in your legislative agenda, but are now asking you for more help.

Washington County has agreed to move forward with scoping work to determine the planning needs for North Bethany. We respectfully request you join with Washington County to help fund planning. Without adequate funding, planning will not move forward. Without planning moving forward, transportation needs cannot be identified, our schools are left out of the conversation and our Natural Resources will not be adequately protected.

The UGB was expanded in 2002. The RTP was updated in 2004—but this was only a technical adjustment and the impact of UGB expansion areas was not addressed.

The selection of transportation projects for the MTIP for 2006-2009 is just being completed.

I am really excited about the great projects that are going to be funded by MTIP funding—but disappointed that funding does not seem to stretch far enough to serve our high growth area. Only one project in CPO-7, an extension of the Rock Creek multi-use trail south of Highway 26, made the MTIP first-cut list. However, this project will do little to appease the commuters traveling to employment to the south caught in the bottleneck created at Highway 26, *commuters to Hillsboro & Portland.*

The next cycle for MTIP project selection is to begin soon.

Will it be too late for Bethany to be considered for project selection for the 2010-2013 cycle?

Updates to the RTP needs to be synchronized with the UGB expansions.

I understand that Metro's criteria for identifying transportation priorities are weighted in favor of areas with an industrial or commercial zoning. Urban unincorporated areas such as Bethany have seen population growth, but have been zoned without an industrial or commercial base and do not seem to measure up to other projects in the region. We understand the importance of industry and commerce to the region, but are concerned that the transportation needs of our area may be overlooked in your formulas.

Things aren't any better in Washington County

Because planning for North Bethany has not moved forward, the Washington County Transportation Plan has not been updated. In Washington County the MSTIP dollars are currently being allocated for 2009-2012. Any transportation needs identified in the planning for North Bethany will not qualify for MSTIP dollars until after the year 2012—over 8 years away.

Without an update to the transportation plan, major road connections to North Bethany in the few remaining undeveloped areas of existing Bethany will not be identified in time to require these road connections be planned or constructed.

Schools—Capacity at our schools is in crisis. In Beaverton School District no uncommitted dollars remain from the last capital bond measure. All high schools within the district will be over or near capacity in the fall. The School district does not own a school site large enough to accommodate construction of a high school. It is unlikely that a bond measure could be passed until fall of 2006. Occupancy of a new school could not be expected until fall 2008. Double shifting and year round school will be a reality even before development of north Bethany. For the future of our children, we ask for your support in requesting a state requirement for consideration of school capacity in future UGB expansions and help with Grants to address this issue.

Parks and natural areas—Until master planning is completed or your Goal 5 work is completed, the natural resource protection of areas in North Bethany is inadequate. With North Bethany there is ample need and opportunity for preservation of open space. Our park provider, THPRD, is now requiring collection of the SDCs for parks. We enthusiastically support your efforts to oppose legislation to impose a cap on park SDCs. But even with SDCs THPRD will need help providing adequate park space. Perhaps the time has come to think about another open space bond measure.

Thank you for asking about our concerns.

Thank you for listening to our concerns.

And we are hopeful we can also say THANK YOU for seeking solutions to ensure that CPO-7 will have adequate infrastructure at the time of development of North Bethany.

021005c-02

CPO 8
26185 NW Evergreen Road
Hillsboro, OR 97124
February 10, 2005

Metro Council

Respected Councilors:

The following comments were compiled from several CPO 8 meetings for presentation at this evening's meeting:

Resident Disenfranchisement:

Metro's actions affect residents far beyond the jurisdictional boundaries that define its voter eligibility. Residents outside of those defining boundaries have no vote in their district councilors and they have no access to the powers of initiative and referendum that are described in Metro's charter. This results in more apathy about citizen involvement. What can be done about this?

Land Use Planning:

The decades old land use planning tools that we use are long overdue for a major overhaul. Here are suggestions:

Reassess the old Future Vision findings against the current economic, social and cultural conditions in the region.

Stabilize the land use planning process by adding: much more sophisticated forecasting tools to reflect global events and a much longer planning horizon tool such as a revised urban reserves concept to lend certainty to development of the region.

Build a better tool kit to deal with today's world including: more flexibility in allowing potential uses for UGB expansions and more sophisticated analytical tools for weighing multiple criteria in land use decisions.

Economic Prosperity vs. "The Commons".

When we think of the concept of the Commons, we may first think of the protection of air and water quality, then we may think of the physical environment as in wetlands and finally we may think of our cultural commons. Senate Bill 100 drove a stake that established farmland preservation as a critical element of our commons yet 30 years later Measure 37 reasserted private property rights as equally important in our commons. Now we are recognizing that economic prosperity is also a critical part of our commons. And so we go, from pillar to post, or so it seems. We ask this:

1. Preserve and protect the balance for all stakeholders in the Commons.
2. Work with the longest possible view.
3. Provide bold leadership unafraid to challenge conventional boundaries.

A Last Request

Finally, I would be remiss not to take this opportunity to ask for your support in protecting and restoring the quiet of our commons. Whether it's truck, aviation, factory or residential, noise is a growing and region wide issue that does not stop at city and county lines. Strong leadership is needed to provide effective solutions and we ask for that leadership.

Thank you,

Henry Oberhelman
Chair, CPO 8