

**METRO
CHARTER
COMMITTEE**

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AGENDA

DATE: October 24, 1991
MEETING: Full Committee
DAY: Thursday
TIME: 6:00 p.m.
PLACE: Metro, Room 440, 2000 SW 1st Avenue, Portland

6:00 Call meeting to order.

Correct and adopt minutes from October 10 meeting
(previously distributed).

6:10 Continue consideration and development of proposed
Charter provisions relating to urban growth.

Consideration of potential Charter provisions relating
to other powers/functions of Metro.

9:00 Adjourn meeting.

MINUTES OF THE CHARTER COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

October 24, 1991

Metro Center, Room 440

Committee Members Present: Hardy Myers (Chair), Judy Carnahan, Ron Cease, Larry Derr, Jon Egge, Charlie Hales, Frank Josselson, Ned Look, John Meek, Wes Myllenbeck, Ray Phelps, Isaac Regenstreif, Bob Shoemaker, Mary Tobias

Committee Members Absent: Matt Hennessee, Mimi Urbigkeit

Chair Myers called the regular meeting to order at 6:05 p.m.

Chair Myers passed around a sheet for Committee members to indicate which phone numbers, work or home, could be given to the public upon request.

1. Correction and adoption of minutes.

Chair Myers asked for corrections to the October 10, 1991 minutes.

Frank Josselson said that he had a concern with page 24, paragraphs six and eight. Paragraph six should read "Frank Josselson said that LCDC referred to the regional plan in one of its opinions as a patchwork quilt of 30 27 plans." The last paragraph eight needs to be reworded to accurately reflect the idea that planning should anticipate future development.

Chair Myers suggested that Frank Josselson work with Kimi Iboshi to develop a corrected statement.

John Meek said that he had a concern with page 13, paragraphs four and five. He suggested that paragraph four did not accurately reflect the point of Charlie Hales' statement. He said that paragraph five should not be a total concurrence of the statement by Charlie Hales. Rather, the concurrence should be with the portion of paragraph four which deals with zoning.

Chair Myers suggested that John Meek work with Kimi Iboshi to create the proper wording. The minutes from the October 10, 1991 meeting will be carried over until next week, October 31, 1991, when the proper amendments are made.

2. Continued consideration and development of proposed Charter provisions relating to urban growth.

Chair Myers drew the Committee's attention to the updated outline *Regional Planning Powers and Responsibilities* dated October 24, 1991. He said that he would like the Committee to work toward developing one or more outline conceptions, for the charter provisions regarding functions, in order to obtain organized public comments. He drew attention to the *Metro Functions* list, of current and allowed functions, the members received. That list will serve as the basis for discussion for the other functions of Metro. He suggested that the Committee look at the first area on the *Regional Planning Powers* outline, *Provision for adoption of a comprehensive regional plan with 50-year time lines*

consisting of: A. A regional framework plan and B. Individual local plans.

Mary Tobias distributed a document entitled *Comments on Regional Planning Powers and Responsibilities*. She said that it includes a lot of questions from the past weeks' discussions that she would like answered before moving on. She said that she wrote an outline, based on the outline presented by Jon Egge, Larry Derr, and Frank Josselson, trying to keep all the original points and without editorializing. It is her interpretation of what the original outline means and should mean. She said that she put the *Regional Comprehensive Plan* of the original outline in a broader category entitled *Description of Cooperative Regional Planning*.

Frank Josselson asked if it was Mary Tobias' purpose to restate, in her words, her understanding of the proposal.

Mary Tobias said that she looked at the original proposal and looked at how the parts fit together to make a process or a concept that would be head of the charter. She said that she did not intend to change the original meaning. She said that she needed to set out the concepts and how they were interrelated. She said that some seem to be conceptual and some seem to be proactive processes. She asked if the framework plan was a comprehensive plan or a functional plan.

Frank Josselson asked Larry Derr what the distinction is between the regional framework plan and the regional comprehensive plan.

Mary Tobias asked for the distinction between functional plans also.

Larry Derr said that the framework plan is a sub-element of the regional comprehensive plan. It would be the document consisting of whatever guidelines the regional government chose to include, within the parameters of the charter. It would probably include goals and objectives-type statements, but probably not site specific issues. The other major element of the regional comprehensive plan is the combination of the city and county plans which would build on what there is now and would change to the extent changes are needed. In the original outline, functional plans did not have a specific location. The terminology does not necessarily have to exist. In the current statutes, it is a term that describes various areas of planning that Metro can get into. Using that definition, it could easily fit into the regional framework plan.

Frank Josselson said that the way the concept came out is that Chair Myers asked about functional planning and whether the regional framework plan was a functional plan. The response to that was that it could be a set of functional plans that are integrated with one another into a single framework. The concept being that the regional framework plan is a framework and the local plans fit in.

Chair Myers said that the regional framework plan is a combination of regional goals and objectives and functional plans, putting aside the issue of local plans.

Frank Josselson agreed.

John Meek said that he had a concern with the 50 year time line. The framework plan needs to be a working document and it will be very difficult to adopt a 50 year plan as a working document. There needs to be a working document and a conceptual document to work towards. There will be difficulty integrating the plans unless you account for the distinction for the two in the plan. If you try to do long term planning and it ends up in court, it could tie up both the long term and working plans.

Chair Myers said that the issue of whether or not the charter should have a time line needs to be addressed.

John Meek said that there needs to be some delineation between the two. The framework plan will be a working document and it does not need to necessarily have a 50 year time line consisting of a framework plan and local plans. There needs to be a comprehensive plan dealing with regional framework plans and local plans and, separately, there will need to be a 50 year regional plan.

Ray Phelps asked Chair Myers if he said that a comprehensive plan is the same as a functional plan.

Chair Myers replied no. He said that he understands that the regional plan consists of goals and objectives established by Metro and functional plans. He said the term regional comprehensive plan makes him nervous and he would like to avoid use of the word in the charter if at all possible.

Ray Phelps asked if he was describing the law today.

Chair Myers replied that he was putting aside the law and is describing the concept as he understands it and what it should consist of. Individually, he would advocate for authority in a plan which consists of regional goals and objectives and functional plans.

Ray Phelps said that he agrees that it is the regional planning piece but he does not think that it is the correct portrayal of their plan.

Chair Myers said that he thought he asked if it was a correct portrayal and he thought they said yes it was.

Larry Derr said that the response was that functional plans would be a component of the framework. They would be and probably should be, but the concept is broader than simply taking what has been accepted as regional goals and objectives and putting them together with functional plans and calling it comprehensive regional planning.

Ray Phelps asked if functional planning, as it may or may not be understood today, goes away.

Larry Derr said that it does not go away. He said that it seems like the Committee is hung up on terms.

Ray Phelps said that he wants to understand how Larry Derr is using the terms. He asked for an explanation of functional planning vis-a-vis the concept's comprehensive planning.

Larry Derr said that functional plans, in the Metro statutory scheme, are components of planning directed at particular services or issues. There is no reason to believe that those services or issues should not continue to be planned for at a regional level. The concept envisions a broader scope of things that need to be planned for and perhaps better coordinated by putting them all together.

John Meek said that a Metro functional plan is meant to be carried out. It is a planning document with set guidelines and procedures to implement. There needs to be a distinction between the functional plan that gets carried out and implemented, compared to planning without that criteria. For example, a comprehensive plan that says the functional plan is not necessarily carried out. The comprehensive plan would just plan and not implement.

Charlie Hales said that the Committee is hung up on two issues. The first is comprehensive planning vs. functional planning. He said that he understood the proposal to be regional comprehensive planning as opposed to a pastiche of functional plans. He said that he would support that and thinks the Committee should specify regional comprehensive planning. If the Committee moves toward regional comprehensive planning, then functional planning drops off. Functional planning was a

limiting device created in the statute to give Metro segmental planning authority for real narrow areas. He does not know of another place it is mentioned in the state planning framework. The second issue is the time line. The charter does not need to speak to a specific time line but might give some general instructions to vary the duration of the planning cycle to fit the goal to the need that is being addressed.

Ron Cease said that he would like to produce something that has a chance of passage. If the Committee proposes a regional comprehensive plan where all the local plans and everything that is done is nicely integrated and you can look at it and say it is one plan, not local plans that are simply pasted together but rather mixed, it will fail. If you are talking about a functional plan that would allow Metro to have the responsibility to develop goals and objectives, then the functional planning can be left where it needs to be done on a regional basis, although not all needs to be done on a regional basis, some could be done on a local level. The system should provide for Metro to deal with the conflicts of two or more local governments when talking about plans. He said it would be a substantial improvement over the status quo but the same could possibly be accomplished by taking existing law and adding to it without probably drastically altering it. If more needs to be done than is being done now, however, he said that the current system needs to be built upon because the local governments and citizenry are not going to buy that concept. But a regional framework plan, where you discuss, in part, the relationship between those that have had some conflicts and problems similar to what exists between the state and local governments in reference to planning, might be more acceptable. It is still the local governments, cities and counties, who do the planning.

Charlie Hales said that the Committee should not run on the assumption that the voters will not approve the concept of regional comprehensive planning. He said that he has not seen any evidence to support that contention. He said he has seen evidence that states the contrary--the voters are ready for regional comprehensive planning.

Ron Cease said that the local governments would disagree completely.

Charlie Hales said that the corporate interests of local government will say they want that forever but the question is the citizenry.

Ron Cease said that just like any proposed initiative, people think it is great until they get down to the specifics, the campaign, and the pros and cons where they change their minds. It would be better to move further than the status quo and talk about a framework. A valid question for Jon Egge, Larry Derr, and Frank Josselson is how much further do we go with the framework. What more do they want other than the functional plans, goals and guidelines, and a vision? Besides just getting the charter approved, it still needs to be taken back to the local and regional level and the provisions done because Metro and the local governments must be involved. There is no point in putting forth a proposal which will put all the pieces at each other's throats every time you look at it.

Frank Josselson said that rather than speculate about what the voters will or will not approve, or what the cities may or may not like, it is his responsibility, as a Committee member, to propose what makes the most sense for the region. He said that he did not know the voters but he did know the planning process. The proposal is suggesting a cooperative process where regional government plans for regional functions and activities and the local government plans for local functions and activities with the recognition that the metropolitan area does not operate as 27 separate jurisdictions but as an integrated organism. To perpetuate the myth that the planning can be done by 27 units without a significant regional role is a concept that does not work. Regardless of the name of the plan, it must recognize that there are things that regional government does best and there are things that local government does best and that the region operates as a single organism.

Ron Cease said that the studies he has been involved with, which are successful, are pragmatic. That means that they go forward. The Metropolitan Service District was built on what the region had. It was evolutionary. What ever the Committee comes up with must be related to the people. He said that he would like to see something that does more than it currently does but it also should be pragmatic and determine how much can be added, what would be useful to do, and be realistic as to the possibilities. Even if Metro moves forward under the framework plan, as he thinks it should mean, there will still be more resources for Metro in order do that. There is no point to creating something that the Committee feels good about but knows the voters will not pass.

Frank Josselson said that he did not understand why Ron Cease assumes that the voters are so easily manipulated.

Ron Cease said that he has watched a lot of initiatives and city and county consolidation proposals and the public is always for them until the campaign when they seem to go down the tube.

Chair Myers said that he would like to concentrate on the effort to clarify, understand, and modify the overall outline of the conception before the Committee, in order to prepare it for public comment and discussion. It is in that context and when the members hear those comments, we can work into our own thinking as to whether a particular aspect of the plan is politically unworkable and the Committee needs to work in a different direction.

Mary Tobias asked if she was correct in her understanding that there is, in law, a definition of comprehensive plan.

Frank Josselson said she was and that he read the definition at last week's meeting.

Mary Tobias asked if the Committee says that the region has to have a comprehensive plan, would it have to meet all the statutory requirements.

Frank Josselson said that it would have to satisfy and comply with the LCDC goals, the substantive goals and procedural goals. Under the proposal, it would also have to comply and conform to, in the regional governmental body's best judgement, a future vision concept. The future vision is not just a vision for the urban area.

Mary Tobias said that the regional comprehensive plan would have to meet the statewide goals in concert with the future vision.

Frank Josselson said that is correct.

Mary Tobias asked if the comprehensive plan would be the regional equivalent of a document produced during the early 1980's in Sherwood telling about housing mixes, parks and recreation, and transportation planning.

Frank Josselson said that a better example would be the regional equivalent of the city of Pendleton's comprehensive plan. It is better than the Sherwood example because the people who live in Pendleton work and shop in Pendleton. They drive and use the sewers and water in Pendleton. The point is that the regional comprehensive plan would be the equivalent of a comprehensive plan of a city that is not part of a metropolitan area.

Mary Tobias said that the Sherwood comprehensive plan says how the water is provided and where it comes from, how the streets are served and the transportation pattern, and where to put parks and public amenities.

Charlie Hales said to take Beaverton as an example rather than Sherwood. Beaverton cannot expand the sewer system because USA controls the sewer system. Beaverton cannot expand the water system because it is run by Wolf Creek. He said that is the distinction Frank Josselson is trying to make.

Mary Tobias said that comprehensive plans have the same elements from plan to plan to plan.

Charlie Hales said that the difference is that the governing body can do something about it.

Larry Derr said that the subject matter of any comprehensive plan will have the same minimum table of contents. However, a regional comprehensive plan that has a complete table of contents does not necessarily have to reinvent all the content because most of it is already out there in the local plans. But some areas fall short because the individual planning jurisdictions do not control their own fate. At the regional level, you can get a handle on that.

Mary Tobias said that we are calling that handle right now in current planning, functional plans, transportation, and solid waste.

Larry Derr said some components of it.

Ned Look said that he would like to get back to clarifying what the proposal says. He said that he attended a meeting of the Multnomah County cities on Monday and they have no conception of what the Committee is trying to do and they are alarmed. He said that the Committee needs to be aware and care about what the local officials want. There is a great deal of turf protection out there and a certain amount of justification for it. The Committee also needs to realize that the elected officials will have a large bearing on which way their constituencies vote on the ballot. There will be scare tactics. He said that he agrees with Ron Cease and does not want to come up with an academic charter that has not got a chance to pass. If they do not understand it, it is not doable and it will be a waste of our time.

Chair Myers said that he would prefer to put aside the question of what the present reaction is to the conception and go forward to clarify it to set the stage for an orderly reception of the reactions to this conception and any alternative conception the Committee agrees to put on the table. To some extent, what the local government officials are doing is an anticipation of what the Committee wants them to do in the sense of giving us formal reactions and comment a little further down the line when there is an actual refined statement in front of them to which they have been invited to give their opinions.

Ned Look said that local government is concerned that they will not have the opportunity to respond. They are afraid that the process is being railroaded and they will not have a chance to respond. The sooner the Committee has a feeling for what their reaction is, the more constructive the comments will be. He said that the Committee will not get anywhere if it keeps belaboring definitions.

Jon Egge said that the proposal represents a lot of philosophical input and should act as a springboard. He said that it will not get the Committee anywhere to look at the proposal as the final element and begin to attack it piece by piece. If there is a substantive, alternative approach, then it should be laid on the table to enable the Committee to develop a menu of sorts which can be taken to determine which combination could be saleable. Each individual will make a decision based on that. He agrees with Ned Look that it is time to move on and belaboring the definitions will get the Committee nowhere.

Mary Tobias said that she disagreed. She said that the Committee must understand where it is going in order to determine if the plan is good. The outline and revised outline raise questions that she does not have answers to.

Ray Phelps said that he felt that the Committee was getting somewhere when Mary Tobias brought up her questions since they are from the local government points of view. He asked if he understood correctly that the proposition is that the Committee could turn out 16 different proposals and let people respond to different forms of them. He is concerned that coming out of the process, no matter how distant the Committee wishes to be from the proposal, it would appear that local officials will react, and react negatively, and will make the future of the Committee doomed. He said that he would rather get a concept that is closer to consensus of the Committee before proposing anything.

Frank Josselson said that, in the span of two days, he has been accused by a Metro official of using his position on the Committee to gain favor with cities and counties to benefit his law practice. He said that he has also been accused by cities of being anti-city. He said that, based on that feedback, he must be doing something right if both sides believe that he is favoring the other side.

Ron Cease said that the Committee is an open group and the RGC has already given proposals to counter what someone has made as a suggestion on the Committee. The Committee as a group has yet to adopt anything. Somehow, the RGC is getting the suggestion that the Committee is doing something concrete and they are responding to it. It would be useful for the Committee or the Chair to sit down with the RGC and remind them that nothing has been adopted and tell them it would be helpful if they waited to get overly distraught until the Committee comes up with a proposal that has been adopted. On the other hand, it shows how concerned local government is with what the Committee might do. It might be wise, at this point, to move in the direction of agreeing on whether the Committee wants comprehensive planning at the regional level, something less than that, or remain at the status quo. After getting a rough sense of what the regional and local responsibilities should be, the Committee could move on and then come back to it in terms of specifics.

Mary Tobias asked, in the concept of the comprehensive plan that includes the framework and local plans, if the regional comprehensive plan would have overriding authority over local plans if there is a disagreement between the two.

Larry Derr said that there would not be because the local plans would be coordinated with the regional framework plan. Currently, there is a potential of those kinds of conflicts because the RUGGO's do not apply directly to local plans and local plans are not required to comply with RUGGO's.

Mary Tobias asked if Larry Derr, Jon Egge, and Frank Josselson envisioned a process where the local governments, looking at the existing plans and thinking about the future vision, would bring their existing plans, within any changes necessary to bring them into the 21st century, together into a planning environment where they would all be working together to develop one big overriding plan. During that time, they would be taking all the individual plans and working out any disagreements.

Larry Derr said only in the areas that need to be and that are best at the regional level. They would make sure there was nothing in conflict with it in the local plans, find the things that are local issues but may impact nearby jurisdictions and need to be coordinated, and to leave in tact those things that need to be and are best at the local level.

Mary Tobias asked if the existing Metro Council becomes the body that arbitrates.

Larry Derr said that the concept is a suggestion and whoever has the power to adopt the regional plan would be the arbitrator whether it be just the governing body or the governing body with a sign-off by local governments.

Mary Tobias asked if Larry Derr envisioned getting the elected bodies from every jurisdiction together to work out the conflicts. Would the regional authority be the most likely party that would be the

leavening to the process?

Larry Derr said that it would depend on the type of adoption process chosen. In his opinion, the regional government would play the lead role because it has to adopt the document and it has to be approved by some combination of the local governments.

Chair Myers said that there are many ways to go about the process. If the Committee veers away to some other procedural approach, more time will be lost than gained. He said that he would like to work through the draft in an orderly fashion and determine what amount of additional detail, in this draft, is necessary in order to adequately inform the public of what the concept means. If there are any portions of that the Committee feels should not be submitted for discussion by the public, then the Committee could vote to delete it. If there are alternative conceptions that Committee members would like placed on the public table, for reaction, they can be identified. Following that approach, he would strike out of the outline any reference to the 50 year planning period and include a provision which makes clear that the planning period may vary according to the need being addressed. Under the *Regional Framework Plan*, there needs to be, in outline form, a description of what the elements of the regional plan are. The first point should be *Regional Goals and Objectives*.

Charlie Hales asked if Chair Myers was talking about regional plan contents rather than regional plan responsibilities.

Chair Myers responded yes, he is dealing with part I-A of the outline.

Ron Cease asked if under I-A, the pieces of the framework plan would be laid out.

Chair Myers responded yes. He said that any conception should involve a regional framework plan. The regional plan must be defined as to the elements to at least the detail of regional goals and objectives. The second element would be *Functional Plans* or an equivalent plan.

Charlie Hales said that one alternative to functional plans would be performance standards for such things as housing densities, greenspaces, and local zoning. The regional plan could set performance standards for the local comprehensive plan--the local jurisdiction will achieve an objective of X.

Chair Myers asked if performance standards were being done now.

Charlie Hales said that it was not, other than the Metropolitan Housing Rule which was adopted by LCDC. The concept exists in that document but does not exist at Metro.

Mary Tobias said it is the equivalent of the local benchmark kind of concept. She asked Charlie Hales if the charter would call out the need for performance standards.

Charlie Hales replied yes. The charter could say that Metro may or shall establish performance standards for local comprehensive plans to achieve the goals of the regional framework plan.

Janet Whitfield asked if it would be in place of function plans.

Charlie Hales said that it could be or could be complimented by functional plans. There is existing statutory authority for Metro to do that. It would not require statutory change. Provision 258 says that Metro may require changes in local comprehensive plans which would, in his opinion, encompass this.

Ron Cease suggested that, under I-A, reference should be made specifically to the benchmark issue. A specific time line could be referred to depending on the issue.

Mary Tobias added that the time lines could be in the performance standards themselves. For purposes of the metropolitan regional government charter, she said that the Committee should not ask for regional performance standards for local plans. It should be performance standards for the region and the regional concepts. It will then be up to the function of the region, from the time the charter is adopted, to make sure those are met which will call for a large amount of cooperation. They will be met in some areas and not in others, but over the region, they ought to be met.

Charlie Hales said that he does not think the Committee should or could draw that clean of a separation. For example, if one of the objectives is to reduce the mode split of transportation. It will feed into the framework plan in terms of a regional transportation plan, and local comprehensive plans in terms of their zoning patterns and road standards.

Mary Tobias said that it may be true but it will work itself out in the coordination of the local plans with the regional plan. It should not be called out by the governing document of the regional government to the local plan.

Charlie Hales suggested that they were not disagreeing, if the charter says that Metro may or shall establish performance standards, for its own planning process and for the local planning process, to assure the achievement of the goals or the vision document or for whatever the basic philosophical starting point is.

Ron Cease said that the standards should not be laid out. The standards will be worked out later through ordinances and in cooperation with the local governments.

Charlie Hales said that the governing body would need to be empowered to adopt those standards and be applicable as need be to either their own functional plans or to their review of local comprehensive plans.

Mary Tobias said that Bob Shoemaker was right when he said that standards are needed to achieve regional goals and objectives. The charter should be addressing that.

Larry Derr said that the charter could simply require the local plans to be coordinated with the framework plan which is built on the idea that the region needs coordinated local plans. This would say with what the local plans need to be coordinated. If performance standards are an element of the framework plan, then coordination will occur. You do not really need to know exactly how to get there, just the basic idea.

Charlie Hales said that the more he thinks about it, the more he likes the idea of having both performance standards and functional plans in the tool kit that would be available to Metro to deal with the issues down the line.

Ron Cease said that there might be a way for the regional government to provide financial assistance to the local governments to help them with the performance standards once a financing system is worked out for the regional government.

Chair Myers said that the *Regional Framework Plan* would consist of 1. *Regional Goals and Objectives*, 2. *Benchmark for Performance*, 3. *Functional Plans*.

Bob Shoemaker asked if the list of *Regional Plan Responsibilities* falls under *Goals and Objectives* or *Functional Plans* or some of both.

Chair Myers said that it could be all three. In the drafting phase, to the extent there are those which

pertain only to the functional plans, in terms of the overall assignments, that might need to be made specific in the charter.

Frank Josselson said that he would like to add under I-A, *Regional Framework Plan*, that it has to conform with LCDC Goals and the future vision concept, as do the local plans.

Bob Shoemaker asked what the future vision concept was specifically.

Chair Myers said it was another element of the total proposal.

Ron Cease asked if it should go under *Regional Framework Plan* since the future vision needs to be worked out with the framework plan.

Larry Derr said that the future vision would come before the *Regional Framework Plan* since it is more general and it exercises direction over the way the framework plan will go, as do the LCDC Goals. They both fit into the same category.

Chair Myers said that the revised outline may need to move the vision function to the head of the list to be followed by the regional comprehensive plan.

Larry Derr agreed and said it would probably be easier to grasp the concept that way.

Mary Tobias agreed and said that she found herself starting there because a vision needs to be called out early in the process, rather than late, if there is a vision.

Ron Cease said that he would feel comfortable about having the provisions of adoption of the regional plan, taking out comprehensive. Underneath that, it would be: *A. Future Vision, B. Regional Framework Plan, C. Individual Local Plans*. There will be a vision and Metro will be responsible for the pieces of the framework and there will be local plans.

Ray Phelps asked if there would be a tier in the planning process. Would it be defined?

Ron Cease said that it is first and is a larger, regional vision. Before it is complete, there probably will need to be a definition.

Ray Phelps asked if there was an interconnection among the three.

Ron Cease said yes, the region ought to have some responsibility to develop their future vision.

Ray Phelps said that the interdependence of one upon another creates a different dynamic than if there is a vision requirement as a guidepost, or than a planning process as more of a substantive interconnection. In other words, he would like to retain and bifurcate the two concepts rather than make them so interconnected to set off a dynamic where the result may not be good.

Ron Cease said that it did not matter where it is put. If it has any need, then at some point, you are talking about developing the framework, goals and objectives, and local plans with some sense of the future vision.

Ray Phelps said that if the vision was an interconnection among and within a tier of three, there could be problems when unforeseen things are changed beyond anyone's control.

Ron Cease said that he agrees but that, however it is put together, it will not remove the conflict. There will always be conflict, negotiations, cooperation to deal with. Not everything will be able to be

in the charter. It is a given that some will have to be done through ordinances and working relationships and that there will be lots of conflicts. Hopefully the cooperation will be eased so there is not just conflict.

Chair Myers suggested the Committee go back to the outline and put the description in respect to the future vision responsibilities first, then incorporate the section dealing with the adoption of a regional plan which is consistent with the statewide goals and guidelines and the future vision. They should be organized in two different matters and have a point for reference back.

Larry Derr said that he wanted to propose some language for I-B which is consistent with that. He would like to add to *Individual Local Plans* that they be "coordinated with the regional framework plan and each other." This would enable the hierarchy to continue. In outline would first address the future vision and explain what it is, then address the regional plan which has a framework element that must conform to the future vision and LCDC Goals, and finally an individual local plan element which must be coordinated with the framework element and the other local plans.

Ray Phelps asked if that was another way to say comprehensive plans.

Larry Derr said that the same purpose is being accomplished but that he was trying to avoid using the term comprehensive plans.

Ron Cease said that he does not view it as the same. He said that he thinks of comprehensive as being a way in which everything is woven together. That will not always be the case but he said that a section C. could be added to say that the region is going to develop a mechanism that will warn us to provide for coordinations of the various pieces.

Ray Phelps said that it is functional planning. What is anticipated by the term functional planning is the JPACT formula. It is very successful, and if it is applied to other aspects of the process, it will meet success.

Larry Derr said that it is a process, not content.

Chair Myers asked, in relation to defining Metro's role, whether it is essential, in defining what the regional plan consists of, to mention anything about the local plan. Can't the same objective be achieved in relation to the charter by ultimately describing how it is that the regional plan interacts with the local plans in terms of plan amendments and implementation? It is confusing to talk about the local plans as part of the overall regional plan. Why not leave them alone and set up the relationship later in terms of the implementation piece of this?

Larry Derr said that he agreed with the first part but the concept that they are part of the overall regional plan is not needed. The concept that they are linked, however, is needed.

Chair Myers said that he meant that it should address the linkage in an implementation piece which describes what Metro's authorities are later in the document. In relation to the regional goals and objectives and the regional implementing plans, it should be what Metro's responsibility and authority is with respect to local plan amendments and implementation.

Charlie Hales asked if Chair Myers was saying that, in charter language, an objective would be stated that Metro shall assure local comprehensive plans do this.

Chair Myers said that a review process would be described. The local comprehensive plans would be subject to review for consistency with the regional goals and objectives.

Charlie Hales asked if it was the local plans themselves, not just the amendments which are subject to review. If the local plan is going to be judged for coordination and conformance with the regional framework plan, then the whole local plan needs to be looked at not just the amendments. The charter might state that Metro shall create a process by which local comprehensive plans are brought into conformity with the regional framework plan.

Larry Derr said that it should also state that it has to be done prior to the adoption and completion of the local plan process.

Bob Shoemaker said that he is not sure a time line needs to be given. It is in the interest of the local jurisdictions to get the local plans in coordination with the regional plan because when they try to go forward under their comprehensive plan, they will get stopped if it is inconsistent with the regional plan. They have an incentive to bring them into conformance. On the other hand, if a deadline is imposed, it seems like it will be inviting resistance.

Larry Derr said that the purpose of having a deadline is giving the people, including the jurisdictions who deal with the plans, the ability to know what they are dealing with and if they are or are not in compliance. What you are doing then is leaving it up to a case by case basis.

Bob Shoemaker said that he remembers how much time it took for the state and this region to come up with a comprehensive plan under Senate Bill 100. It took four times as long as anticipated. It would be a shame if the whole process and structure was held up because of recalcitrant local jurisdictions who do not have the resources or do not choose to spend the resources overhauling the comprehensive plan.

Ron Cease said that it does not need to be dealt with now.

Bob Shoemaker said that the Committee could call for a process to assist local governments with coordinating their plans to the regional plans as Chair Myers suggested.

Ron Cease said that could be in the charter.

Bob Shoemaker said that it would need to go further than that to be specific.

Mary Tobias asked if the charter calls for the provision for adoption of a coordinated regional plan, where coordinated is defined as all the units of government working together to develop and it has all the elements the Committee has talked about, will that get the Committee where it wants to go. She said that she understands that the concept is trying to build a process that is partnership oriented and where everyone is working together to try to resolve it. She asked, in terms of the functions, if the Committee is only talking about a coordinated regional land use plan.

Larry Derr said that this is land use planning except that it encompasses a lot of things. He said the term he was using was cooperative not coordinated. Coordinated suggested that there are various components combined together. The coordination is between the local plans and regional plans. The regional plan itself should be adopted as a cooperative process.

Mary Tobias said that she was talking about the process but she was trying to describe the coordinated plan. She asked if it is a coordinated plan by itself. If you move "coordinated" to describe the plan, then you take out the necessity to refer directly to the local plans so it is built into that. The charter would clearly state that the coordination will be between the regional and local governments.

Larry Derr said that the only meaning he could put on the term in that context would be coordinated

with the local plans, which is the wrong message. The local plans have to be coordinated with the regional plans.

Chair Myers said that, in terms of the outline and the ultimate charter language, the word "coordinated" may not want to be attached to the regional plan. The coordination should be addressed later. In reference to describing Metro's authority, there is no need to mention local plans in the beginning definition. The outline should just describe what the regional plan will encompass which are the elements discussed earlier-- regional goals and guidelines, performance standards, and functional plans. The interaction between all of that and the local plans will be addressed later in defining the interaction between Metro and local governments, whether that is in terms of plan amendments or plan implementation.

Mary Tobias asked if she understood correctly that it would read, under I-A, provision for adoption of a regional framework plan consisting of *A. Regional Goals and Objectives*, *B. Performance Benchmarks*, and *C. Functional Plans*.

Chair Myers said that was correct.

Charlie Hales said that the Committee may be doing with semantics what Chair Myers said needed to be done with substance later. The Committee needs to decide at some point whether there is a regional plan that is judged by LCDC to be "the plan" for the area or whether to acknowledge the primacy of the local plan which is acknowledged by LCDC. If it is called a regional framework plan and does not talk about local plans, the Committee may have to go back and restructure. The issue must be faced if the regional plan is primary in the eyes of LCDC for the management of this region or if local plans will be primary in the eyes of LCDC and the regional plan is transparent to the goals and state review.

Larry Derr said that, in a more pragmatic context, an issue that needs to be discussed is if each city and county continues to go through an acknowledgement process for its local plan or will there be one acknowledgement process.

Chair Myers said that they are all issues, in relation to an outline for discussion by the public and to the ultimate charter drafting and provisions, that have to be addressed. In describing what Metro's planning responsibilities will be and what the components of that plan are, he suggested that the Committee does not need to talk about local plans. The Committee could address the primacy and interaction between Metro's plans and local plans later as a separate implementation piece.

Charlie Hales said that it would work procedurally but the Committee members should remember that the issue is still out there.

Ron Cease said that it is very likely that the Committee will have to go back and talk about changes in the statutes.

Frank Josselson asked what Chair Myers meant by "later".

Chair Myers said that it will be addressed in a later section.

Ned Look said that Chair Myers' suggestion makes a lot of sense because it will give cities a chance to see what the objectives are and it will, psychologically, put them in a better frame of mind and then see how the cities relate to the master plan for the region.

Chair Myers said it makes it easier to organize the thinking of the Committee, the public, and those

reacting. One area of legitimate inquiry is what will the elements of the plan be and what do they comprise. The second question is how will it be carried out in relation to local governments.

Ned Look said that it will put the local governments in a better frame of mind because it works into the regional and local responsibilities gradually and the cities will not get defensive.

Mary Tobias asked if the starting description would also include compliance with LCDC statewide goals.

Chair Myers replied yes. He suggested the Committee move on to *Regional Plan Responsibilities*.

Ray Phelps asked if there was anything on the list that authority for Metro is not provided for in the statutes.

Charlie Hales said that some of it is permitted but not assumed.

Janet Whitfield said that only the land use planning provisions are "shall" in the statutes. All other functions are "may" or "may" with voter approval. She drew attention to the list distributed at the October 10, 1991 meeting entitled Metro Powers which breaks down the statutory functions into "shall", "may", and "may" with voter approval categories.

Ron Cease said to keep in mind that many of the statutes are in reference to the "metropolitan aspects of".

Chair Myers suggested, if the Committee starts with *Regional Urban Growth Boundary*, to break it down into a couple of subcomponents to be a little more descriptive. For example, subcomponents could be adoption and amendment. This would get a little further in determining the assignment that the outline is proposing to make to Metro.

Ron Cease said that it would be helpful to remove the word "regional" because there is only one UGB in this area.

Charlie Hales said that is not true, depending on the conception. Metro would not have responsibility for the satellite UGB unless it is given broad authorities.

Bob Shoemaker asked if there were two different UGB within Metro's boundary.

Charlie Hales said that the regional UGB that encircles most of the jurisdictions in the metro area as one organism has a couple of areas that are within the Metro boundary--Wilsonville, Forest Grove and Cornelius--but are not contiguous with that line.

Jon Egge said that they were part of the same UGB even though it is not contiguous.

Charlie Hales agreed. The Metro UGB is described as three circles.

Ray Phelps asked if Wilsonville's UGB was inside of Metro's UGB.

Charlie Hales said yes. Wilsonville cannot, on their own, vote for changes in the UGB.

Chair Myers asked if *Regional Urban Growth Boundary* is the description that stands.

Charlie Hales said that the words should stand for now until there is some legal reason to change them.

Mary Tobias said that management must be added too because it could be quite different from amendment. Amendment is a specific process. There is a whole dynamic that goes with the management of the boundary.

Ron Cease said that the Committee should not worry about going into great detail because it is not essential.

Isaac Regenstreif said that he has a concern over how *II. Regional Plan Responsibilities* relates to *III. Local Plan Responsibilities*. The list looks fine now but 15 years ago, urban reserves would have been a local responsibility. In 15 years from now, what sorts of things that are under *Local Plan Responsibilities* will be subject to regional discussion and planning. He said that he would prefer to have fewer specifics laid out and spend more time on *VI. Definition of Standards for "Regional Significance"* rather than specific delineations. It would make the charter more applicable in 15 or 20 years.

Ray Phelps asked if the definition would help evaluate the *Regional Plan Responsibilities*.

Isaac Regenstreif said that what he likes about the current statutes is the notion of metropolitan significance. The definition of what it means and some of the criteria is weak. We ought not think in terms of how the existing charter tries to define some of the things, which is that there may be something that is both, but there may be some regional components, based on some criteria, that should be subject to a regional plan.

Jon Egge said that there is a real risk of the local planning responsibilities being too broad if they are not laid out for the local governments. He suggested setting out these and, under the *Regional Plan Responsibilities*, list and add the regional aspects of the unspecified responsibilities. The *Unspecified Areas* was added for that reason--to try and include the regional aspects and not make the *Regional Plan Responsibilities* and the *Local Plan Responsibilities* the sole criteria for deciding what fell where. He said that he has gotten the impression from local governments that they want to see on paper where they stand. They do not like the floating goal post approach.

Mary Tobias said that she thinks it is true that local governments want to see where they stand on paper. There is a corollary to that, however, and that is they want to be part of the process that puts them on paper. She said that she concurs with Isaac Regenstreif. She said that she is amazed at how much concurrence there is with the local governments, that being specific in the documents of governance causes problems when times change. It is better to be general so that it can be changed when things ebb and flow without having to go back to the charter and amending the charter. The local governments would like surety but they want it to be able to evolve with need. The Committee does not know exactly who will be performing the functions in 15 to 20 years because we do not know where the money will flow from. The financing draws many of the functions. She said that she has a problem sorting out the functions and the services.

Jon Egge said the concept is just talking about planning.

Chair Myers summarized the discussion by stating that there are at least two functions that do not come under "metropolitan aspects of". Those are the assignments, in the charter, of the *Regional Urban Growth Boundary* and *Urban Reserves*. The designation and regulation of urban reserves would be an outright grant of authority rather than the metropolitan aspects of. Those two ought to move to the head of the list. The others on the list, about which there is not concern in terms of qualifying the authority in regard to metropolitan aspects of, ought to move to the head of the list and be treated separately.

Jon Egge said that 208 planning is mandated and should be in the same category as *Regional Urban Growth Boundary* and *Urban Reserves*.

Charlie Hales asked if the provisions of 208 planning apply to the local government as well. Are there local and metropolitan aspects of 208? He said that he thinks there are.

Jon Egge said it is Metro's mandate to come up with the plan.

Charlie Hales said that if and when the outline is translated into charter language, the other way to do it would be the assignment of the verb. For example, assignment of the UGB planning for the domestic water, management of a regional transportation system, etc. Assignment of the verb would be another way to proceed rather than segregate them into Metro mandates, etc.

Chair Myers said that the segregation he was trying to work on was the segregation between items about which there could be an issue as to whether it is to be described as the metropolitan aspect of it. Pull out those elements of which there is no issue of that and put them separately. That would be an outright grant of authority. He asked Isaac Regenstreif, in respect to those matters in terms of describing regional responsibility for which the responsibility pertains to the metropolitan aspect of them, if he was suggesting that the outline should list *The Metropolitan Aspects of*, and then list subject areas.

Isaac Regenstreif said that another way to do it would be the way that Larry Derr, Frank Josselson and Jon Egge had it and that is to identify them through VI. *Definition of standards for "Regional Significance"*.

Ron Cease said that it would help to do both. It would be helpful to lay out, under *Regional Plan Responsibilities*, A. *Outright Planning Responsibilities of the Regional Government* which would be things that no one else would do. The second point would be B. *Metropolitan Significance* of which could include a definition of regional significance and a list of those elements that are of regional significance. For example, the nodes of development with metropolitan significance. It would be helpful to stay with the terms that are in the statutes. There are two different areas which need to be laid out.

Mary Tobias said that the Committee has defined that the charter will call out a regional framework plan and that plan will have regional goals and objectives, regional benchmarks, and regional functional plans- all of which will have to comply with LCDC. The charter would call for the region to be responsible for the UGB, urban reserves, and probably regional responsibilities. It is unlikely that any jurisdiction will give and take regional facilities. Beyond that, the document of governance ought to call for a process that is clearly defined to allow the region to move functions in and out of regional significance. At that point, there needs to be a definition of regional significance. Many things could happen to put more or less things into the regional column. If the document of governance provides the process for the region to work together to accomplish those ebbs and flows, then there will be a living document which is what a charter ought to be.

Ron Cease said that part of it could be taken care of through a periodic review process.

Frank Josselson said that is what has been provided for in the outline--an identification of regional planning functions, local planning functions, and those which are unspecified and left to a process which is identified. The easy way to relieve the uncomfortable feeling with items being declared as local planning responsibilities would be to take them off of that list and put them on the unspecified list.

Ned Look said that it is clarified by putting them into different groupings.

Frank Josselson said that it will be put in a later in the document which the Committee finds to be a more acceptable place.

Chair Myers said that he is dealing with the issue in the same place in the document but just reorganizing it. Listed first would be those functions which are outright grants of authority not qualified by any considerations of metropolitan significance. The rest would be listed in terms of the regional planning responsibility in respect to the "metropolitan aspects of". This list would be a specific listing of items.

Larry Derr said that *II. Regional Planning Responsibilities* would have two areas under it. The first area would be those things which do not have to be qualified because, by their nature, they are regional. The second area would be those things which would have to be qualified by saying the "metropolitan aspects of". *III. Local Plan Responsibilities* would be things, as seen now, are clearly local and should be set out. Then *IV. Unspecified Areas* would not even have to list subjects because it is the point that recognizes the process for adding and subtracting from the list based on the definition of metropolitan significance as interpreted from time to time.

Charlie Hales said that there is a distinction between the framework laid out by Larry Derr and the suggestion Mary Tobias made. The distinction is that, in his opinion, this approach should be taken, but the charter will say the regional plan shall contain those things which are inherently regional, which will be followed by a list, and the regional plan shall also contain the metropolitan aspects of a list of certain items. That is different from saying "we can do it, if we feel like it, and we can all agree later as to what the plan will contain". He said that the charter should instruct Metro to address, in the plan, a list of specific items and create a process for doing everything else.

Mary Tobias said that Charlie Hales built in a mechanism in the description of what the plan will contain, to make sure it happens, by saying that it will have goals and objectives, and they will have to be met.

Charlie Hales said that in *Provisions for adoption of a regional framework plan*, the rooms in the house have been described. There is a goals and objectives room, and a benchmark room, etc. Now it is time to say what furniture goes into those rooms. There is the UGB, Urban Reserves, 208 planning, etc.

Mary Tobias said that the Committee has built the house in *Provisions for Adoption of a Regional Framework Plan*. In *Regional Plan Responsibilities*, the Committee is saying there is one room which will always stay the same. After that, the rooms in the house can be used as they are needed with the changing times. If a mechanism is created, it can say that it has to be done because there are benchmarks to achieve it, and you have called for functional plans. The region will be empowered. Anything else takes away from the region and sets up a division.

Larry Derr said that the outline accommodates that. He suggested that the Committee be more specific and asked if there is anything under *Regional Plan Responsibilities* that belongs under *Unspecified Areas*.

Mary Tobias said that everything except for *Regional Transportation and Mass Transit Systems* under *Regional Plan Responsibilities* should be under the *Unspecified Areas*. They need to move and flow with time.

Bob Shoemaker asked how the planners are to decide in the next two years what their responsibilities are. There will not be much change in the next two years.

Mary Tobias said that, for the next two years, they will use what is on the ground. The regional goals and objectives which say what it will look like, the benchmarks which say how they get there, and the functional plans take care of all these things.

Chair Myers said that, at the start, there will be an investment of outright authority in respect to certain areas and an investment of authority in respect to the metropolitan aspects of certain areas. That could be a judicial issue as well as a political issue. The process is really a process by which matters are not initially committed by outright authority that can be brought under Metro. The charter could empower the region by vote to assign Metro some authority which is not tied to regional significance.

Mary Tobias said that she understood the value of addressing the "metropolitan aspects of" but that she would also like to see a laundry list.

Charlie Hales said that there are some things on the list that ought to be changed or removed. For example, *Resolution of Interjurisdictional Disagreements* should not be on the list because it is a process issue not a planning issue. *Regional Facilities, Nodes of Significant Development* and *Locations for Commercial/Industrial Development* need to be clarified. *Solid Waste* needs to be explained.

Larry Derr said that *Guidelines for Zoning* may also need to be clarified.

Mary Tobias asked if it would be better to state Metropolitan Aspects of Planning Functions that assume a Regional Significance through the actions of the Federal and State Government and other jurisdictions within the region. If the forces at work in the region are defined, they will, in time, define the Metropolitan Aspects.

Charlie Hales said that he thinks the Committee is getting tied in knots needlessly over that because the primacy of the plan, whether it is local or state, has not been resolved. Many of the Statewide Goals are incorporated into the *Regional Plan Responsibilities*. The question is will LCDC look at the regional plan in light of the goals and say that the region has complied with the goals or will it look through the framework to look at the local plans for compliance.

Larry Derr said that another option would be to ask the legislature to take it out of the review completely.

Ron Cease said that the Committee should keep in mind, regarding the metropolitan aspect issue, that it is in the statutes now and has not been an issue. Metro has not taken on any function in the recent past that has metropolitan significance. There are two aspects in the current statutes. The first deals with "metropolitan significance" and is the ability for Metro to take over a function legally. The second is the taking over a function with voters' approval. It is not currently defined and it may not need to be defined.

Larry Derr said that this is not the list of recommended Metro functions. It is a list of things for Metro to plan for and Metro may or may not perform a functional role.

Ned Look asked if it was covered under IV-D, *Procedure by which responsibilities not initially assigned by Charter to regional plan and not reserved to local plans can be brought into regional plan*.

Larry Derr said that was really all that IV, *Unspecified Areas*, needs.

Ned Look said that if you want to raise a red flag, a laundry list could be included.

Bob Shoemaker asked why Metro should not be told what areas it should plan for. Why put it in a process which they will have to go through when the Committee is going through the process currently? The Committee could spell it out and have a process for changing it, short of an amendment. He said that people will be better served if Metro knows all its responsibilities and if it does not need to go to the voters every time there is a change.

Chair Myers said that, for purposes of the revisions, the Committee could organize, with further clarifications, and have a listing which follows an overarching reference to metropolitan significance.

Charlie Hales suggested that *Solid Waste* read *Solid Waste Disposal* and that *Regional Facilities* read *Regional Exposition, Recreation, and Convention Facilities*.

Janet Whitfield said that the statute also includes cultural.

Bob Shoemaker asked if education should also be included in the title. For example, if a new community college was needed in the region, it would be helpful for the plan to indicate where it would be.

There was discussion regarding different facilities and whether or not they would or could ever fall under Metro's authority in an order to determine if cultural and education be added to the title.

Chair Myers suggested the title be *Regional Exposition, Recreation, Cultural, and Convention Facilities* for purposes of discussion and feedback.

Ray Phelps asked for the list of items under II-A, *Outright Regional Responsibility*.

Chair Myers said they were *Regional Urban Growth Boundary and Designation of Urban Reserves*.

Ray Phelps suggested adding 208 planning.

Chair Myers said that it needs to be more generically worded.

Jon Egge suggested federally and state mandated functions.

Bob Shoemaker suggested the title of *Locations for Commercial/Industrial Development* read *Locations for Commercial and Industrial Facilities of Metropolitan Significance*.

Chair Myers said that if the Committee could agree on the basic, categorical arrangements, then the wording could be cleared up in consultation with some of the members for the final run through of the outline. He said that, for purposes of input and feedback, the outline would have first, a grouping of functions which are assigned outright.

Charlie Hales said that even though transportation has been covered by saying, under II-A, *Urban Growth Boundary, Urban Reserves, and Other Areas Mandated*, transportation should be broken out in the next section, *Metropolitan Aspects of Certain Areas*, so that the outline will be clear.

Larry Derr said that the regional aspects of transportation may be broader than certain precedence dictated by the Federal government.

Ron Cease asked if, when talking about metropolitan aspects, it still is an open ended question whether

or not they will do that or not in respect to planning.

Chair Myers said that it could become a separate issue.

Ray Phelps asked if the transportation issue was a distinction without making one. Why wouldn't it be in the metropolitan category? He suggested making *Regional Transportation and Mass Transit Systems* a separate category than *Federal and State Mandated Functions* rather than dropping transportation to a lower level.

Ron Cease said that it would be two divisions. One would be a particular function area that Metro would do and the second category would be metropolitan aspects which means that Metro will plan for them. He said that some of the things listed under the Metropolitan Aspects are things that Metro is not doing or planning for at all.

Ray Phelps agreed and said 208 planning is one.

Ron Cease said that what the outline will say here are the metropolitan aspects of some functions that it shall plan for. In most cases, it isn't. There needs to be a note at the top of the outline stating that this is the planning part of Metro's responsibility and not the actual operation.

Chair Myers said that it may be able to be done by a special note or a rewording of the heading.

Ron Cease asked if, under the heading of metropolitan aspect, in this document, it would be the intent that Metro should do the planning of the function rather than it may.

Chair Myers said that was his understanding that it shall.

Mary Tobias asked if she understood correctly that the Committee is agreed that it does not preclude, in fact the way the concept of cooperation in the whole document is presented calls out for those aspects to be done in concert, so everyone is working at the same time together to achieve the regional goals and objectives.

Larry Derr said that is the adoption process which has to assure that it is a cooperative process in some fashion.

Mary Tobias said that it seems like II-A should be *Outright Regional Responsibilities*, and II-B would be *Metropolitan Aspects of*. Subareas under II-B would be: *Domestic Water Sources of Supply, Regional Transportation and Mass Transit Systems, Housing Densities, Urban Greenspaces, Nodes of Significant Development, Location for Commercial/Industrial Development, Section 208 of the federal Clean Water Act, Solid Waste, and Regional Facilities*.

Janet Whitfield said that *Section 208 of the federal Clean Water Act* is part of the outright responsibilities under the generic heading of *Federal and State Mandated Functions*.

Mary Tobias said that if it is part of the outright responsibilities, then doesn't the metropolitan aspects part also have to point to those functions mandated by federal and state. There could be a federal mandate that only the metropolitan aspects of something be addressed by a larger government.

Chair Myers said that it is in the mandates and would fall under *Federal and State Mandated Functions*.

Mary Tobias disagreed and said that part one is for the outright authority and part two is for the

"metropolitan aspects of".

Chair Myers said that there should be three separate demarcations. *Federal and State Mandated Functions* will become the second part and the *Metropolitan Aspects of* will become the third part.

Chair Myers suggested the Committee move onto III. *Local Plan Responsibilities*. He asked Isaac Regenstreif if he was suggesting that there should be no enumeration of local plan responsibilities.

Isaac Regenstreif said that some Committee members think, in terms of acceptability to local government and citizens, that specific things may need to be laid out. If that is done, then there should be a procedure, such as in IV-D *Procedure by which responsibilities not initially assigned by Charter to regional plan and not reserved to local plans can be brought into regional plan*, for those things under *Local Plan Responsibilities* because we could be in a situation in 20 years when the whole region believes that fire safety planning ought to be done on a regional level. He said that, personally, he would eliminate III. *Local Plan Responsibilities* completely. If there is a need for local government to have assurance of specific services, then there should at least be a procedure to remove or add to the local responsibilities without amending the charter.

Mary Tobias asked if it made sense that if a planning function was not specified in the *Regional Planning Responsibilities*, then it would be a *Local Plan Responsibility* until it is assigned to the regional government.

Isaac Regenstreif said that he thinks that having *Regional Planning Responsibilities* and the procedure discussed in IV-D to make things regional would be sufficient to cover any eventuality. If local government feels there needs to be specific delineation of planning functions, then maybe it should be done.

Ned Look said that *Unspecified Areas* could be taken and replace *Local Plan Responsibilities* so there is a certain continuity to what is being done. Let local responsibility be at the end of the list of planning functions.

Ron Cease said that III could be the areas of questions. It would include the areas which the Committee is not sure about. IV could be that everything else is local. A new V could talk about a need for a process by which, over time, Metro could take over functions at the regional level.

Ned Look said that the procedure for assigning additional planning authority to the regional government needs to be in there.

Ron Cease said that it seems like the current IV has two different issues under it. First, a couple of specific planning functions that the Committee does not know if they are regional or local. Second, a process by which you can add planning functions. He said that he would put the planning functions separate.

Larry Derr said that points A,B, and C, which are specific planning functions, are nothing more than illustrations because the results have to be dictated by the process.

Chair Myers said that it seems as if the Committee is moving to delete those.

Larry Derr said that he would suggest that. The examples are in the outline for explanatory purposes more than anything and should probably not be in the charter. They do not tell the local governments whether or not they should be planning for them or not.

Chair Myers said that the procedure description, for the purposes of the outline and public review, needs to refer to the process by which matters originally assigned to local plan responsibility could be brought into the regional plan. He asked if the wording is too narrow.

Frank Josselson said that in terms of city paranoia, that is a particularly dangerous position. The cities have to get the security and confidence that what has historically been municipal functions will remain municipal out of the charter. He said that he would be inclined to put those planning responsibilities listed in a more immutable category.

Larry Derr said that there was merit to having flexibility short of a charter change. He said that there may be some way to call it out and let the public know that the Committee is particularly interested in comments on this areas. Specifically, are they more comfortable with a laundry list which is off-base without a charter amendment or the adoption and amendment process which would allow things to be brought into the regional plan.

Ron Cease said that the cities will probably want to see something listed. He said if *Local Plan Responsibility* was left the way it is, but add another point stating other functions not listed under the *Regional Planning Responsibilities*, then the *Unspecified Areas* section would refer only to the process by which there will be changes.

Frank Josselson said that is a good suggestion.

Mary Tobias disagreed. Cities and special districts are talking about regionalization for planning or service delivery functions in a subregional authority. For example, libraries were not talking about consolidation 10 years ago but now they are coordinated. She said that cities will recognize it as a document of governance for the regional government with a list of what the regional government is doing. The tone of the Committee over the last couple of weeks was that the charter will call for continued cooperation and coordination among all governing bodies in the region. If all of that is there, then she said she would agree with Isaac Regenstreif that the *Local Plan Responsibility* section is not needed but a process is needed. She said that the RGC document of October 10, 1991 says that.

Bob Shoemaker said that he is troubled if there is not a specific reservation of local responsibility--that the Committee will be allowing Metro to take over public safety, for instance. When the charter is being considered for approval, someone will make the point that although it does not look like Metro is intruding into local affairs, it could.

Chair Myers said that it would be only by virtue of a procedure that would be politically acceptable. This would only deal with planning not with services.

Frank Josselson said that there are a variety of ways in which to encourage local and regional cooperation in the planning process. One way is to assign specific functions to the region and the locals. If specific functions are not assigned to the local governments, then that will eliminate one of the protections built into the outline for the cooperative process. Locals have already signed off on RUGGO's to give Metro the power to plan for public safety, fire protection and prevention, and all other public facilities and services. He said that he thinks it is important to restore those functions to the cities to ensure that the planning processes are truly cooperative and the cities plan for those things that they do best.

Mary Tobias said that she has been amazed at how much more visionary the regional governments and special districts have been than this committee. The Committee is not taking it away but is saying that because it is not here, it is not a regional function which makes it local.

Ron Cease said that the discussion is only about listing the responsibilities or not. He suggested, when the outline is brought before the Committee, that there be two versions--one with a list and one without.

Charlie Hales said that a reserve clause is needed to say planning and service provision functions, including but not limited to public safety, fire protection, local streets, siting of developments, local zoning, etc., are provided by local governments and are reserved to local governments. It would need to be made clear that IV-D, the procedure clause, is referring to intergovernmental agreements. In other words, traditional local functions are reserved to traditional local governments but if they want to execute an intergovernmental agreement and elevate it to Metro, they can.

Ray Phelps said that it is already in the general provisions about intergovernment agreements. Why would it need to be in the charter?

Charlie Hales said that it would provide editorial value.

Ned Look said that if the responsibilities are listed, it should be clear that they do not belong to local governments forever and a day.

Chair Myers said that two alternate outlines, one with lists and one without, will be drafted for further consideration as to which one will be presented to the public for the next meeting.

Ron Cease said that the charter also should include a provision which clearly says that Metro and the local governments can contract to do various things. Although it can be done now, a provision is probably needed. The other provision is to provide that there will be a procedure by which the planning pieces can change from time to time.

Charlie Hales said that the charter should include the statute provisions that Metro is required to follow. For example, section 208 of the Clean Water Act.

Chair Myers agreed and said the charter ought to be a self-contained document.

Charlie Hales said that Metro should not be dependent on both the statutes and the charter.

Chair Myers suggested the Committee move to section V. *Adoption and Review*. He said that B. *Sanctions for Non-performance* should read *Sanctions for failure to adopt*.

Ron Cease said that it is talking about sanctions for both the regional and local governments. He asked what the sanctions would be if the regional government does not do something. The resources are available for sanctions against the local governments but not against the regional government.

Frank Josselson said that one way is to cut off the local contributions to Metro.

Mary Tobias said that it is only 39 cents per capita which is not enough money.

Frank Josselson suggested solid waste funds.

Ray Phelps said that it would not work because the solid waste funds are tied up and are obligated.

Mary Tobias asked if the adoption and review process applies to the regional framework plan with the regional goals and objectives and the benchmarks and functional plans.

Chair Myers said yes.

Mary Tobias said that the plan would be drafted by the regional government. She asked if the existing local plans would be scrapped or if the local plans would be carried forward in the beginning of the new structure of governance. There is a large price tag attached to writing the local comprehensive plans over. She said that the local governments do not have the funds. They could move on from periodic review and work together to iron out areas where they do not conform.

Chair Myers said that he understands the process to be that there would not be a wholesale effort to revise local comprehensive plans. A relationship between local plans and the regional plan would be developed through the review process for consistency in respect to amendments and implementation.

Mary Tobias said that Larry Derr said that the local plans would have to be coordinated with the regional plan. She asked if all that will be called out to do is build the regional plan.

Larry Derr said it would be together with any local amendments that would be required to achieve coordination.

Ron Cease said that there really isn't anything under *Adoption and Review* that talks about review per se. He suggested calling it *Adoption Process* and have subcategories, *A. Time frame* and *B. Steps to Provide for Non-performance*. The *Approval Options* would remain the same. That is really all that is needed because what is there now does not really refer to the review process.

Larry Derr said that he agrees with everything except the review. Everything does deal with the review because the options deal with the review.

Charlie Hales said that there is the mechanical issue that Mary Tobias raised. He said that Metro adopts the framework plan and reviews it every two years. Meanwhile, there are 27 local plans on different periodic review cycles. For example, between year two and year four, a bunch of local plans go through the process and are adjusted to the plan and the same will happen between year four and year six. It would basically be a six year process, most jurisdictions are currently on roughly a five year review process schedule, in which the plans are merged more in the direction with the framework plan. No one will be required within the first two year process of Metro adoption of its own framework plan to fix the local plan. The framework plan will get better over time since it has an interactive process with the local plans. It will be a gradual process of merging the local and regional documents.

Larry Derr said that is not what they had envisioned when writing the outline. The task, under their outline, was sterner. He said the outline was calling for the adoption of the regional plan and the coordination to occur in one process.

Jon Egge said that Charlie Hales' option was not in the original thought process but it may provide for a better starting point for the regional framework plan than the way the outline had envisioned it. He said that they did not want to put too great a burden on the local governments to change their comprehensive plan completely, all at once. He said there is some merit to Charlie Hales' idea.

Ned Look said that one of the concerns of local government that he heard at the Multnomah County Cities meeting was the idea of the 30 month time period and 2/3rds acceptance. He said that he understands the same concerns were brought up at the RGC meeting. If the Committee members would read the minutes from both meetings, it would help provide an understanding of the kind of resistance that the Committee is running into.

Ron Cease said that, under the third *Adoption Option*, it could say that local governments have some authority to vote on the plan rather than say that *local government units have some numerical authority in voting on the plan, e.g., approval required by 2/3 of counties and 2/3 of cities*. The Committee could figure out later exactly what the numbers would be. The questions surrounding the 2/3rds issue are also eliminated.

Frank Josselson said that he agrees that 2/3rds is not the formula to use. The concept was to have a local sign-off of some kind. The regional plan should not be held hostage to the sign-off process. There is a danger of having Senate Bill 100 occur again and having it take 10 years to approve a plan. The suggestion is to have a time period for development. A provision for local sign-off would give local governments the substance and the appearance of involvement. It would also force them to become involved in the operation and development of the plan. The final component would be that if the regional government or the local governments do not perform, then there is a price to pay.

Ron Cease said that all the outline does is indicate the approval option. Presumably, people will be asked to comment on the document.

Chair Myers said that the issue is if a reference is needed for a specific formula for an example of local governmental approval or is it sufficient to describe it more generically.

Frank Josselson said that it does not matter to him. He said that one alternative is the time frame, local sign-off, and sanctions.

Chair Myers said that he envisions that there would only be one option in the charter.

Ned Look said that the concern centers around what the local governments want. They should be asked which option satisfies them.

Chair Myers said that the local governments should recognize it as a proposal that the Committee is asking for feedback on.

Mary Tobias said she understands that the outline is asking for adoption, approval, and review of the regional framework plan. The only approval of the regional framework plan, if the charter language calls for the development of the plan through the interaction of all the authorities, is the approval of the regional body.

Chair Myers said that is one option. The Committee is only looking at the options. He said that he envisions inviting the public to look at all the options to provide reaction.

Mary Tobias said that the Committee is at the point to discuss who approves the regional framework plan. She said the regional government should because it is their plan.

Chair Myers said that Mary Tobias is arguing the merits of the option. The Committee can resolve whether it ultimately wants to send out more than one option or if it wants to decide which one is the best and then ask for comment.

Jon Egge said that it would be helpful to do both. The list of seven options is too big but there are two or three that would survive for public comment if the Committee were to go through the list. It is also possible another option would be suggested.

Chair Myers said that it is up to the Committee how many options the public comments on.

Ron Cease said there is another issue. In section V, the issue is the adoption and review of the regional framework plan, nothing else. Another piece of that could be how the local plans fit in once the framework is adopted. Until there is a framework plan, there is not even an issue.

Mary Tobias said that Charlie Hales called out the best process because it is the most cooperative process and uses the existing world without creating a whole new world. The advantage to Charlie Hales' plan is that over a cycle of periodic review, everyone will be brought into conformity. Metro will not be asked for extraordinary efforts in any time frame to accomplish something that they may or may not be able to do.

Ron Cease said that he is suggesting that *Adoption and Review* should read *Adoption and Review of the Regional Framework Plan*. That would avoid the local government fuss with the time frame because it talks about the regional plan, not the framework plan. There would need to be another section that makes reference to how the local plans fit into the regional plan.

Mary Tobias said that sanctions would not be needed because, set up in the framework plan, there are performance benchmarks.

Chair Myers said that he understood sanctions to be associated with the vote of the local governments.

Frank Josselson said that it is a package. The one option consists of three components--time period, local sign-off, and sanctions. It would be an option to be taken to the public for feedback.

Chair Myers said that the question is should the charter contain a time frame for the adoption of the plan regardless of local government approval.

Larry Derr said that, under *Adoption and Review*, points A and B, *30-month time frame and Sanctions for non-performance*, should be moved down and attached with V-C,3, *Local government units have some numerical authority in voting on the plan*.

Chair Myers said that there would not be a time frame unless there was local governmental approval. That is the issue he was raising. A deadline for completion of the plan could be pertinent regardless of whether there is local authority.

Charlie Hales said that *Sanctions for non-performance* should be the only point connected to *Local government units have some numerical authority in voting on the plan*.

Bob Shoemaker said that a time frame would be good, regardless of the organization, for the adoption of the regional framework plan by the Metro Council.

Chair Myers said that some time frame has integrity regardless of the approval. The Committee can ask the Metro Council if 30 months is an adequate time period. He asked about the need for sanctions separate from the local government vote.

Ron Cease said that if this section is only talking about the adoption of the regional framework plan, sanctions do not fit in. If the situation were to occur that either Metro does not do it within the allotted time period or Metro does do it and the locals, over time, do not comply with it, then there will be a problem. If the sanctions are only related to the adoption, then it does not fit in.

Larry Derr said that if you are talking about a regional framework plan that has no relevance to local governments, that is fine.

Bob Shoemaker said that even if there are no sanctions for Metro failing to develop a plan, if you call upon Metro to do it within a certain time period, the Council will be accountable to the voters for not doing it. After Metro has adopted the plan, and assuming it is sent to local jurisdictions for approval, then there is another time period in which the local jurisdictions have to sign-off. If they fail, then there could be some kind of sanctions against them for failing to deal with the issue within the time period.

Ray Phelps said that there are long standing procedures to force public officials to do their job.

Larry Derr said that the Committee is losing site of what the concept was. The concept was to be a cooperative process not a sequential one. The concept was to have the local governments and the regional government work together and come to a conclusion. Because the process was cooperative, leading to one conclusion, there had to be a way to keep one player from holding up the process. If the Committee chooses a different concept, then the sanctions may not be applicable.

Ron Cease said that the concept makes sense but, as it goes through the mechanics, it does not work. Metro will do the plan itself and then 2/3rds of the local governments will approve or veto it. If Metro and the local governments are to work together, they need to truly work together so that by the time the framework is adopted, there is some agreement. At that point, it gets implemented and you do not worry about the veto of the local governments.

Chair Myers said that it is a refinement of the second option, *Charter Mandates Local Government Involvement, Short of Giving Them a Vote on the Plan*.

Charlie Hales said that the Committee seems to be in danger of making an important decision, to start reviewing a document that has options, by default. He said that this question should be decided next week. He said that the question of whether to blend the periodic review process into the relationship between local plans and regional plans needs to be resolved.

Chair Myers said that there was consensus in favor of that suggestion.

Charlie Hales said that, at next week's meeting, the Committee should choose an approval methodology and perhaps have a companion page that lists options so that, when people review the draft, they realize that there are other options. He said that the Committee should have a single path rather than send anything out for review that has options in it which might confuse people.

Chair Myers asked that the Committee be thinking about the options for the next meeting in order to resolve which option the Committee favors.

Ron Cease said that, for the options, he suggested giving the options of *Charter Mandates Local Government Involvement, Short of Giving Them a Vote on the Plan* and *Local Government Units Have Some Numerical Authority in Voting on the Plan*.

Charlie Hales said that the Committee could address sequentially the issue of whether the Committee will send out a document, which in any of its sections, has options. The issue of options in the document for public comment is an issue that needs to be discussed. Secondly, the Committee needs to choose one of the options for the draft. The third issue, that is mixed in with the options, is the question of LCDC review. He said that is not an approval option but a "what is it when it is done" question.

Larry Derr said that the outline does not say anything about review. There ought to be another subsection, V-D, which is review. He suggested the document be reviewable for compliance with

LCDC goals by appeal to the Court of Appeals. It would address the question of how it is reviewable.

Bob Shoemaker said that, as the Committee moves on, issues should be resolved. If an issue can be resolved by a fair consensus, then the Committee should move forward with it. If an issue is not resolved and there is a division among the members, then the Committee should move on and come back to it at a later point, before public comment, after accumulating more information and knowledge.

Chair Myers said that he would not mind sending out a couple of options for public discussion. Six or seven are too many but a couple would be reasonable.

Bob Shoemaker said that the Committee should really try to agree.

Chair Myers agreed and said that his sense is that the Committee is willing to try.

3. Additional Business

Janet Whitfield distributed RGC information regarding Land Transportation Issues.

Chair Myers adjourned the meeting at 9:25 p.m.

Respectfully Submitted,



Kimi Iboshi
Committee Clerk

Reviewed by,



Janet Whitfield
Committee Administrator

Materials following this page represent
Attachments to the Public Record

**INFORMATION FROM REGIONAL GOVERNANCE COMMITTEE
TO CHARTER COMMITTEE
REGARDING LAND TRANSPORTATION ISSUES**

October 24, 1991

The Regional Governance Committee (RGC) appreciates the opportunity to offer the following thoughts regarding land transportation issues for the consideration of the Charter Committee.

HIGHLIGHTS OF INFORMATION AND RECOMMENDATIONS

This document includes the following key points:

- The existing planning and service delivery system for land transportation functions well.
- J-PACT is an excellent example of cooperative decision-making between local governments and regional interests and should be continued as the primary planning and decision-making entity for land transportation issues in the region.
- The new state transportation rule is a new and powerful tool which will affect future transportation and land use planning in this region. The transportation elements of the regional response to the rule's requirements can be effectively handled by J-PACT through the currently planned update to the Regional Transportation Plan (RTP).
- To meet the transportation rule's requirements for vehicle miles travelled (VMT) effectively and at the least cost possible it will be necessary to set performance standards where regional interests are identifiable. These performance standards may in some cases affect planning for local arterials, collectors, streets, bike routes and demand management programs. This is appropriate so long as the regional performance standards are clear, identified in advance, and local governments retain the flexibility to determine how best to meet those standards through local development regulations. This flexibility is important in order to be responsive to unique local conditions and to retain community diversity and identity.
- The current separation of planning and service delivery functions for the transit system should continue.

SUMMARY OF RGC PROCESS

As you know, for each major functional issue the Charter Committee addresses the RGC is using two matrices to organize and summarize our information. The first matrix simply describes the current system as we understand it. We tried to describe the current system as the law requires it; common practice is sometimes different. The second matrix describes our current thinking on what the future system should be.

Horizontal Axis/ Major Transportation Systems: Along the horizontal axis we have organized the two land transportation matrices according to the major types of transportation systems: 1) major highway corridors; 2) major arterials and minor arterials of regional significance; 3)

public transit (bus and light rail) 4) local minor arterials and collectors; 5) local streets; 6) bicycle routes; and 7) demand management techniques.

Vertical Axis/functions: Along the vertical axis we have identified a number of types of functions, from "approval authority" to "service delivery". A category for primary funding sources has been added because funding is such a major issue in transportation planning. "Approval authority" means the body or bodies who must approve a plan before it can be implemented. "Planning lead" means the entity responsible for preparing a long-range plan for approval. "Coordination lead" means the entity responsible for pulling together all of the parties who must prepare a plan. "Information gathering, analysis and support" means the entity responsible for conducting staff functions to support the planning process (e.g. research studies, computer modeling). "Service delivery" means the entity responsible to execute the plan. In the transportation field to date this usually has meant building something (roads, light rail lines). It could also mean implementing a demand management program such as ride sharing.

Partnership Sought: As with all other elements of the RGC's process at this time we are proceeding on the assumption that the governance structure included in the Charter will successfully implement a true partnership between Metro and local governments. The partnership we are after can not be captured in a simple matrix identifying the lead agency, but it is fundamental to our support for a strong regional role in certain planning areas. Certainly J-PACT (Joint Policy Advisory Committee on Transportation), which is constituted from a group of local government and regional interests, is an excellent working example of that partnership. The official designation by the Federal Government of J-PACT as the Metropolitan Planning Organisation (MPO) for the region institutionalizes this cooperative partnership.

RECOMMENDATIONS: BUILD ON STRENGTH OF EXISTING SYSTEM

The highlights of matrix B describing the recommended future system are briefly described below. We would be happy to provide additional detail or verbal testimony if the opportunity can be provided.

Power of Existing Planning Tools/Regional Transportation Plan (RTP) and State Transportation Rule (Goal 12): We have organized the land transportation matrices according to major types of transportation systems (arterials, public transit, etc.) instead of planning tools (RTP, Transportation Rule). However, the process of developing and implementing the RTP has an overriding impact on the existing transportation system in the region; and we believe that implementation of the new Transportation Rule for state land use goal 12 will have a major impact as well. The RTP is currently scheduled for a major update to respond to the new transportation rule.

Continue to Make Better Use of Existing Tools: The transportation field is an excellent case study for other functions, because the current system is functioning quite well. With some enhancements to the existing planning processes the region will have an effective system for dealing with the transportation elements of growth management.

Transportation planning and service delivery are complex, in part because of the confusing multi-layered system of funding transportation system improvements. J-PACT has done a good job of stitching regional planning together in a manner which has allowed the region to continue to benefit from federal and state funding for major portions of the regional

transportation system. Any major changes to this system might threaten such funding relationships, and should be avoided.

While there are many benefits to the current planning process, the current planning documents will need to be updated to meet future needs. The implementation of the new state transportation rule will provide a large part of the motivation for these changes. That rule requires the creation of new state, regional and local plans which are consistent with each other. The primary purposes of those plans will be to: 1) better integrate land use and transportation planning; and 2) reduce vehicle miles travelled per capita (VMT) substantially (20%) over the next 30 years. Will believe that the effective functioning of a regional planning entity will be important if this region is to achieve these two primary purposes of the transportation rule.

The primary enhancements to the existing transportation plans need to be made in the following areas: 1) creation of a true long-range transit plan for the region (we do not believe one currently exists); 2) better identification of the impacts that local decisions regarding the local arterial and collector system and local streets have on goal 12 issues; and 3) more attention to the regional aspects of demand management as a tool for reducing VMT.

Need for Both Regional Perspective and Local Identify: New authorities or rearrangements of existing relationships are not necessary to make the needed enhancements to the existing system. What is needed is a more pro-active role at the regional level, working in partnership with local governments, to develop the clear standards to be met as local decisions are made regarding arterials, collectors, streets, bike routes and demand management programs. Local governments have many of the tools necessary to integrate land use and transportation and reduce VMT. However, as in the RGC's position on land use issues, we appreciate the importance of the regional aspect of these transportation issues. That is why Metro is listed as having a role in the "Analysis, Information Gathering and Support" column for these issues in our second matrix. Cost savings through economies of scale and valuable, additional perspective are gained through regional analysis. New authorities are not needed, just additional support.

While it is important to know ahead of time through the functional transportation plan what regional standards affect local governments, it is equally important that the local governments retain the flexibility to determine how best to meet those standards for their communities. This approach makes it possible to simultaneously serve the regional interest as well as preserve community identity and diversity.

Retain Current Transit Planning and Service Delivery System

We believe the existing relationship which splits planning and service delivery functions for public transit between Metro and Tri-Met should continue.

Transportation Functional Plan and State Planning Goals: The RGC expressed concern in its position on land use issues that functional plans currently did not require acknowledgement by the State as consistent with statewide planning goals. Our concern regarding this issue continues for the RTP, which is a functional plan. In this case, the existing RTP states that it should not require any actions at the local level which are inconsistent with state planning goals, and provides a procedure for reconciling such potential conflicts after the fact. However, no state finding before the fact that the RTP is consistent with state planning goals is required. We believe this creates the potential for long-range problems, and that the new transportation rule makes it even more important for state involvement before rather than after the fact.

We appreciate the opportunity to provide these comments.

LAND TRANSPORTATION

MATRIX A: SUMMARY OF CURRENT SYSTEM

	FUNDING	APPROVAL AUTHORITY	PLANNING LEAD	COORDINATION LEAD	ANALYSIS, INFO. GATHER., SUPPORT	SERVICE DEL. LEAD
MAJOR HIGHWAY CORRIDORS <ul style="list-style-type: none"> • Federal Interstate • State 	Federal, State Fed, State, Local	Fed, St, J-PACT State, J-PACT	State State/J-PACT	J-PACT/State State	State/Metro State/Metro	State State
MAJOR ARTERIALS/MINOR ARTERIALS OF REG. SIGN.	Fed, State, Local	J-PACT/Local	J-PACT/State/ Local*	J-PACT/State/ Local*	Metro/State/ Local*	State/Local Govt.
PUBLIC TRANSIT <ul style="list-style-type: none"> • Bus 	Fed/St/Local/ Tri-Met	J-PACT	J-PACT/Tri-Met	Tri-Met	Tri-Met	Tri-Met
<ul style="list-style-type: none"> • Light Rail Transit 	Fed/St/Local/ Tri-Met	J-PACT/Tri-Met	J-Pact/Tri-Met Local (Portland)	J-PACT/Tri-Met	Metro/Tri-Met State/Local	Tri-Met
LOCAL MINOR ARTERIALS AND COLLECTOR SYSTEM	Local/St/Fed	Local	Local	Local	Local	Local
LOCAL STREETS	Local/Federal	Local	Local	Local	Local	Local
BICYCLE ROUTES	State/Local	State/J-Pact/ Local	State/J-PACT/ Local	St/J-PACT/ Local	St/Metro/ Local	St/Local
DEMAND MANAGEMENT	Fed/St/ J-Pact/Local	Local	Local	Local	Local	Local/Tri-Met

*Note: Local governments involved in active partnership throughout decision-making process.

Key: Fed = Federal Government J-Pact = Joint Policy Advisory Committee on Trans. Tri-Met = Tri-Met
 St = State Government Local = Local Governments Metro = Metro staff

LAND TRANSPORTATION

MATRIX B: SUMMARY OF PREFERRED FUTURE SYSTEM

	FUNDING	APPROVAL AUTHORITY	PLANNING LEAD	COORDINATION LEAD	ANALYSIS, INFO. GATHER, SUPPORT	SERVICE DEL. LEAD
MAJOR HIGHWAY CORRIDORS <ul style="list-style-type: none"> • Federal Interstate • State 	Federal, State Fed, State, Local	Fed, St, J-PACT State, J-PACT	State State/J-PACT	J-PACT/State State	State/Metro State/Metro	State State
MAJOR ARTERIALS/MINOR ARTERIALS OF REG. SIGN.	Fed, State, Local	J-PACT/Local	J-PACT/State/ Local*	J-PACT/State/ Local*	Metro/State/ Local*	State/Local Govt.
PUBLIC TRANSIT <ul style="list-style-type: none"> • Bus 	Fed/St/Local/ Tri-Met	J-PACT	J-PACT/Tri-Met	Tri-Met	Tri-Met	Tri-Met
<ul style="list-style-type: none"> • Light Rail Transit 	Fed/St/Local/ Tri-Met	J-PACT/Tri-Met	J-Pact/Tri-Met	J-PACT/Tri-Met	Metro/Tri-Met State/Local	Tri-Met
LOCAL MINOR ARTERIALS AND COLLECTOR SYSTEM	Local/St/Fed	Local	Local	Local	Local/Metro	Local
LOCAL STREETS	Local/Federal	Local	Local	Local	Local/Metro	Local
BICYCLE ROUTES	State/Local	State/J-Pact/ Local	State/J-PACT/ Local	St/J-PACT/ Local	St/Metro/ Local	St/Local
DEMAND MANAGEMENT	Fed/St/ J-Pact/Local	Local	Local	Local	Local/Metro	Local/Tri-Met

*Note: Local Governments should continue active partnership.

Key: Fed = Federal Government

St = State Government

J-Pact = Joint Policy Advisory Committee for Trans.

Local = Local Governments

Tri-Met = Tri-Met

Metro = Metro staff



METRO

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Councilman Devlin requested
that copies of this letter be
distributed to Committee
members. *gd*

November 29, 1991

Mr. Mike McKeever
McKeever/Morris Inc.
722 SW 2nd Ave.
Suite 400
Portland, OR 97204

Dear Mr. McKeever:

I am writing to apprise you of errors in the October 24, 1991 document entitled, "Information from Regional Governance Committee to Charter Committee Regarding Land Transportation Issues." The document's "Matrix A: Summary of Current System" consistently omits Metro's role as approval authority, planning lead, and coordination lead.

The first page of the document defines the three categories listed above as follows:

"Approval authority" means the body or bodies who must approve a plan before it can be implemented.

"Planning lead" means the entity responsible for preparing a long-range plan for approval.

"Coordination lead" means the entity responsible for pulling together all of the parties who must prepare a plan.

Matrix A inaccurately lists the "approval authority" for major highway corridors and major arterials to include JPACT without including the required approval of the Metro Council. Article III, Section 1b of the JPACT bylaws (enclosed) states the purpose of JPACT is, in part, "[t]o provide recommendations to the Metro Council under state land use requirements for the purpose of adopting and enforcing the Regional Transportation Plan." Section 2 of Article III lists eight duties of JPACT, six of which begin "[t]o approve and submit to the Metro Council for adoption. . . ." JPACT does not have independent authority; it is a critical and invaluable part of the region's transportation planning system, but it exists only as a component of the Metropolitan Planning Organization, which is the Metropolitan Service District. In short, the "approval authority" column should list Metro or Metro/JPACT instead of just JPACT. To do otherwise is misleading.

I have similar concerns regarding the "planning lead" and "coordination lead" columns in your matrix. Metro staff

Executive Officer
Rena Cusma
Metro Council

Tanya Collier
Presiding Officer
District 9

Jim Gardner
Deputy Presiding
Officer
District 3

Susan McLain
District 1

Lawrence Bauer
District 2

Richard Devlin
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Ruth McFarland
District 7

Judy Wyers
District 8

Roger Buchanan
District 10

David Knowles
District 11

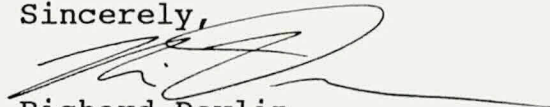
Sandi Hansen
District 12

Mr. McKeever
November 29, 1991
Page Two

prepares the Regional Transportation Plan, which is both a federal plan and the functional plan under state planning law. Metro staff also staffs JPACT, which implicitly establishes Metro as the coordinating agency.

I am somewhat distressed that your position paper makes no attempt to clarify, or even recognize, the complex relationship inherent in the establishment of the MPO. That relationship weds Metro and JPACT in order to further the interests of the entire region. Both are necessary to meet federal MPO requirements and to qualify for receipt of federal transportation funds. It is, at best, an oversimplification to consider JPACT to be an independent authority; it does not exist as part of the MPO without Metro.

Sincerely,



Richard Devlin
Councilor, District 4

cc: Hardy Myers
Metro Council