

MINUTES OF THE COUNCIL INTERGOVERNMENTAL RELATIONS COMMITTEE  
OF THE METROPOLITAN SERVICE DISTRICT

June 6, 1989

Council Chamber

Committee Members Present: Jim Gardner (Chair), Tanya Collier (Vice Chair), Lawrence Bauer and Richard Devlin

Committee Members Absent: Tom DeJardin

Chair Gardner called the meeting to order at 6:29 p.m.

1. Consideration of Minutes of March 21, 1989

Motion: Councilor Collier moved for approval of the minutes.

Vote: Councilors Bauer, Collier, Devlin and Gardner voted aye. The vote was unanimous and the motion passed.

2. FY89-90 Contracts List, Worksession to Develop Recommendations to the Finance Committee for Contract Review Designations:

--Planning & Development Department

--Transportation Department

Chair Gardner referred to Council staff's report in the agenda packet. He said rather than individually consider each item, Rich Carson, Director of Planning and Development, and Andy Cotugno, Director of Transportation, could make recommendations if necessary. Mr. Carson said page 4 of Council staff's report gave the RLIS workstation an "A" designation. He said the workstation should have a "B" designation because it was an equipment purchase and located in the Transportation Department also. Councilor Collier said if the Council did not review contracts regularly, Councilors lost sight of what actually happened unless contracts were scheduled as an agenda item. Mr. Carson said it would be possible to update the Council via quarterly reports. The Committee and staff discussed A and B contract designations further. The Committee agreed even though Council reviewed contracts, it was still difficult to follow contract progress after approval.

Councilor Bauer said there was a great deal of discussion between Council and Administration on the A/B designations. He preferred not too many contracts be classified as A contracts. He said the list at this meeting was conservative. Chair Gardner noted 10 of 13 Planning and Development contracts were designated A because they were personal services contracts, and in many cases, new programs. He said the Committee had to forward its recommendations to the Finance Committee or make changes in specific designations at this meeting.

Motion to Amend: Councilor Bauer moved to change the A designation of the Purchase of RLIS Workstation to B.

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Vote on First Motion to Amend: Councilors Bauer, Collier, Devlin and Gardner voted aye. Councilor DeJardin was absent. The vote was unanimous and the motion passed.

Councilor Collier said it was difficult to look at a large amount of contracts in a short period of time. Chair Gardner agreed, but said it was the first year the contract designation process had taken place and in future years, the process would be streamlined and possibly made part of the budget process. Chair Gardner asked Mr. Carson if there were any other contracts which should receive B designations. Mr. Carson said he was satisfied with the rest of the list as recommended.

Main Motion: Councilor Bauer moved to recommend the FY89-90 Planning and Development contracts, as amended in the motion above, to the Finance Committee for consideration June 15 and recommendation to the full Council for consideration June 22, 1989.

Vote on Main Motion: Councilors Bauer, Collier, Devlin and Gardner voted aye. Councilor DeJardin was absent. The vote was unanimous and the motion passed.

The Committee and staff discussed the Transportation Department's new FY1989-90 contracts list. They discussed briefly expenditures necessary for expansion of already existing systems such as the RLIS and Masscomp systems. Mr. Cotugno discussed revenue contracts with the Oregon Department of Transportation (ODOT) and Tri-Met. The Committee and staff discussed whether revenues given by one agency to another should be approved. Don Carlson, Council Administrator, suggested General Counsel's opinion should be sought on such revenue because it was not anticipated that the contracting process would deal with non-expenditure items. Councilor Devlin agreed with Mr. Carlson and said there should be some method in which the Council could review monies received from other agencies.

Chair Gardner asked Mr. Cotugno to list all revenues and submit them to General Counsel to receive an opinion as to whether revenue received should be considered contracts, and whether the full Council should assess such revenues received on an individual basis. He said it should be decided whether such revenue contracts would receive B designations at the Finance Committee June 15. Councilor Bauer said he did not serve on the Finance Committee and suggested General Counsel review the list and recommend whether such contracts should be A or B. Councilor Bauer preferred the B designation because it was unnecessary to review them twice. Mr. Cotugno noted the Transportation Department had undefined revenue sources such as temporary help because the source of funds was unknown until a later date. The Committee and staff discussed such revenue sources further.

Councilor Collier asked how such a list originated or would originate. Mr. Cotugno noted with regard to revenue sources, there was the question of how

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they would be reviewed, and also that there was no RFP process on revenue contracts. The Committee and staff discussed the Metro Contracts Code further.

Chair Gardner said the question of such revenues related to inter-governmental agreements which did not fit into new Code language. He suggested intergovernmental agreements be filed with the Clerk of the Council and that additional Code language be drafted to cover these aspects. Chair Gardner requested Mr. Cotugno submit his list to Council staff with staff input why such items should receive B designations.

Mr. Cotugno noted Council staff recommended item Nos. 7 and 17, Household Survey and Commercial Truck Survey/Consultant, be designated as A's and noted it was odd those two items were recommended for review. Chair Gardner agreed and said the criteria for the two items was fairly general. He said it was the first year the procedure had taken place and a contract was given an A designation when there was some doubt.

First Motion to Amend: Councilor Bauer moved that Transportation Department FY1989-90 Contracts list item Nos. 7 and 17 be designated B rather than A.

Vote on First Motion to Amend: Councilors Bauer, Collier, Devlin and Gardner voted aye. Councilor DeJardin was absent. The vote was unanimous and the motion passed.

Main Motion: Councilor Devlin moved to recommend the FY89-90 Transportation contracts list, as amended in the motion above, to the Finance Committee for consideration June 15 and recommendation to the full Council for consideration June 22, 1989.

Vote on Main Motion: Councilors Bauer, Collier, Devlin and Gardner voted aye. Councilor DeJardin was absent. The vote was unanimous and the motion passed.

The Committee and staff discussed contract designations further. Chair Gardner requested the record show the Committee discussed, and would research further, the status of intergovernmental revenue contracts and capital agreements.

3. Federal Actions Required for Transit Funding, for the Purpose of Endorsing Federal Actions Required for Transit Funding

Mr. Cotugno said before the Committee was a request by the Joint Policy Advisory Committee on Transportation (JPACT) to Representative AuCoin for assistance on a number of issues related to continued federal funding on the region's transit and highway programs. He said this item was before the Committee because several of the items were not previously approved and incorporated into the Transportation Improvement Program (TIP). He said

Attachment A in the agenda packet was crucial and identified items which would significantly forward transportation and light rail issues.

Councilor Collier asked if the request displaced any existing TPACKT projects. Mr. Cotugno said it was necessary to implement all funding needs for the three corridors.

Councilor Devlin stated for the record the extension was universally supported in Washington County. He noted the extension was supported by Representative AuCoin as well. Councilor Collier expressed concern that projects slated for Clackamas County would be displaced. Councilor Collier stated she would vote affirmatively at the Committee level at this meeting, but wished to reserve on her Council vote because she wished to hear Councilors DeJardin and Van Bergen's opinions at the Council level.

Motion: Councilor Bauer moved to request JPACKT's request for congressional assistance.

Vote: Councilors Bauer, Collier, Devlin and Gardner voted aye. Councilor DeJardin was absent. The vote was unanimous and the motion passed.

#### 4. Staff Review of Southeast Corridor Study

Mr. Cotugno discussed the study briefly and reviewed the local committee recommendations. He said residents objected to an arterial to be built in the vicinity of Johnson Creek and suggested an arterial be located near the Basin area.

#### 5. Public/Private Funding Implementation Budget Progress Reports

Mr. Cotugno referred to Tri-Met's memorandum dated April 12, 1989, printed in the agenda packet and noted the match-up funding recommended would assist urban renewal of land and property assessment because property owners would realize the increase in values and should contribute, and that developers would assist in payment as well. He said the State of Oregon should provide matching funds because the State as a whole would benefit, that the region would benefit and should also pay and said the station areas would benefit and should contribute. He said lease revenues should contribute operations revenues. He said currently there was \$80,000 left in which to pursue the remaining activities. He discussed a regional policy framework versus jurisdictional agreement and noted statutory authority rested with the local government. Chair Gardner and Mr. Cotugno discussed who would have authority between Metro and Tri-Met. Mr. Cotugno said possibly Metro and Tri-Met should draw up an intergovernmental agreement to cover the issue.

6. Discussion on the Process of Appointing New Members to Technical Policy Advisory Committee (TPAC)

Mr. Cotugno noted agenda item no. 6 was not printed as an agenda item but needed Committee opinion at this time. Mr. Cotugno explained one citizen vacancy was available. The Committee and staff discussed the bylaws of TPAC and nomination of citizens who would then be confirmed by the Council. Councilor Collier suggested TPAC meet with the Intergovernmental Relations Committee and discuss the bylaws and purpose of the committee. Chair Gardner said JPACT was reviewing its own bylaws at this time also. Mr. Cotugno said that analysis might extend to TPAC. Councilor Collier suggested the Committee receive whatever decisions were reached by JPACT, especially in regard to TPAC, and then a decision could be made on the composition of the future membership of TPAC, citizens and otherwise. Chair Gardner said JPACT should continue and this Committee should decide what to do about the one vacancy on TPAC. Councilor Collier asked if terms could be extended on TPAC. Mr. Cotugno said yes and that they would have to for at least two more months. Councilor Bauer suggested since there was only vacancy, JPACT was currently reviewing its own bylaws, and could extend their review to review TPAC, as well, that the Intergovernmental Committee request the existing citizen members continue as is for the next few months until JPACT could finish their review. The Committee asked Mr. Cotugno if such a course of action would hinder the Transportation Department and Mr. Cotugno said the temporary arrangement as recommended was acceptable.

Mr. Carlson asked Mr. Cotugno if the Council should take any formal action. He asked if bylaws allowed current citizen members to serve until appointment of new members. Chair Gardner noted each member was appointed by a local jurisdiction and was removed by the appointing agency. He said citizen members served for two years and could be reappointed. He said there was no real provision in the bylaws to unofficially extend a citizen member for a short period of time. Mr. Carlson said there could be a formal process and citizen members could be reappointed for a short time, or Council could ask JPACT to review and submit a recommendation and suggested course of action and then new citizen members could be appointed. Chair Gardner said the latter recommendation was preferable. Mr. Carlson said Presiding Officer Ragsdale could send a memorandum to the chair of JPACT and communicate the consensus of the committee at this meeting and ask him to reevaluate TPAC also. Councilor Devlin suggested asking the current citizen members if they would continue to serve until the issues were clarified. Chair Gardner concurred.

Chair Gardner adjourned the meeting at 8:39 p.m.

Respectfully submitted,

*Paulette Allen*  
Paulette Allen

Committee Clerk/A:\IGR89.157