

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

Metro Council Chambers
July 10, 1990
6:00 p.m.

Committee Members Present: Richard Devlin (V. Chair)
Jim Gardner, Ruth McFarland
Other Councilors Present: Gary Hansen
Committee Members Absent: Lawrence Bauer

Vice Chair Devlin called the meeting to order at 6:10 PM.

1. CONSIDERATION OF JUNE 26, 1990 MINUTES

MOTION: Councilor McFarland moved for approval of the minutes as written.

VOTE: Councilors Devlin, McFarland and Gardner voted aye. Councilor Bauer was absent. The minutes were unanimously approved.

2. RESOLUTION NO. 90-1296, ENDORSING A TRI-MET GRANT APPLICATION FOR A RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROJECT

Andy Cotugno, Transportation Department explained that this resolution will allow application to be made for \$54,000 in federal funds that will be matched with \$36,000 in Tri-Met funds to evaluate a computer controlled bus dispatching service that operates in West Germany. The system is a dial-a-ride, route flexible transportation service that dispatches buses on a demand basis. The evaluation would consider if this system could be integrated with elderly and handicapped services currently provided by Tri-Met, and would also examine possible applications for general public services, especially in growing suburban areas where fixed route service is difficult to provide.

Vice Chair Devlin noted the resolution does not specify if the work would be completed in this fiscal year or if it would extend into the next fiscal year. Mr. Cotugno said he would check on this.

MOTION: Councilor Gardner moved for approval of Resolution No. 90-1296.

VOTE: Councilors Devlin, McFarland and Gardner voted in favor of the motion which carried unanimously.

3. WORKSESSION ON TRANSPORTATION 2000 FINANCE RECOMMENDATIONS

The worksession can be heard on the Intergovernmental Relations Committee tape for July 10, 1990, Tape 1, Side A only. Dick Feeney, Tri-Met Government Affairs Director, participated in the worksession.

4. DISCUSSION OF TRI-MET MERGER SUBCOMMITTEE CHARGE AND TIMELINE

Councilor McFarland reported that at the June 26 IGR meeting, the issue of a Tri-Met merger was discussed and Resolution No. 90-1293

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amended to create a subcommittee with the specific charge of "developing a strategy on a merger" and not necessarily to make a positive recommendation for a merger. The subcommittee will review the benefits of maintaining METRO and Tri-Met as two separate agencies, and what public benefits would accrue if the two agencies merged besides publicly elected representation for the transit system. Councilor McFarland pointed out that a merger would greatly increase the time demands on METRO Councilors who would become involved in the governance of the transit operation. Also discussed at the meeting was the importance of multi-modal approaches to transportation planning and JPACT's impact on this. Councilor McFarland noted that no member of the public testified at the June 26 public meeting.

Vice Chair Devlin suggested it would be beneficial for the subcommittee to initially meet with the IGR committee, have a 30-day period to develop a work plan, and then meet again with the IGR committee. Future meeting dates would then be determined by the IGR chair.

Councilor McFarland pointed out that Vice Chair Devlin's perception on the goal of the subcommittee was at cross purposes with what she understood it to be. She said she does not automatically assume METRO will want to take over the operation of Tri-MET.

Vice Chair Devlin said his perception was that the subcommittee would develop "strategies for" rather than making "recommendations on" whether or not a merger should occur; at the time it was discussed, there was general consensus that if obstacles could be overcome, it would be the Committee's desire that the merger occur.

Councilor Gardner said although he did not attend the June 26 meeting, he reviewed the resolution recommended by the Committee and the accompanying Exhibit A which states the subcommittee's charge is to identify issues and develop strategies for a merger. He said both documents clearly imply the Council is supportive of a merger which would benefit the public, and that he, too, supports this direction.

Councilor McFarland said the Council should not commit itself to a course of action in advance in case after the subcommittee determines after its six months study there are overriding reasons not to merge. She stated she will not take a position on the merger until she receives a subcommittee report.

Vice Chair Devlin explained that after the subcommittee considers potential obstacles and strategies to achieve a merger, the IGR Committee would draft a formal ordinance which would be debated by both the Committee and the METRO Council.

Councilor McFarland thanked Vice Chair Devlin for clarifying that the resolution is only for investigative purposes and does not bind the Committee to future actions.

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Dick Feeney - Government Affairs Director of Tri-Met - stated he learned the merger issue had been discussed at the June 26 IGR meeting after reading an article in the Oregonian which stated no public testimony was given. Mr. Feeney said he would have attended the meeting to testify, but due to an oversight on the part of Tri-Met's legal staff, was not made aware of the meeting.

Mr. Feeney, speaking on behalf of Tri-Met and its board of directors, said it was his impression after hearing Councilor McFarland's report and reviewing the minutes of the meeting that the main charge of the subcommittee would be to evaluate possible benefits to the public, to METRO, and to Tri-Met if a merger occurred. Mr. Feeney said while he considers this a worthwhile objective to pursue, if a merger is presupposed prior to studying the issue, the Tri-Met board and staff would want to register concerns and hold discussions with the Council about potential problems in merging the two agencies. Mr. Feeney spoke in favor of the more expanded subcommittee membership which would include city and county jurisdictions which Tri-MET and JPACT regard as constituents with much at stake in the administration of transportation issues. Mr. Feeney said that since there are always numerous complaints from jurisdictions related to transit service, it may be of benefit to add all or some of the jurisdictions to the subcommittee membership, or, to at least maintain a continuous dialogue with them.

Mr. Feeney also suggested that certain Tri-Met administrators such as the Finance Director be included in the subcommittee membership or that he at least participate in all deliberations, particularly those related to financial expenditures and tax related matters.

Since the question of whether there should there be a METRO/Tri-Met merger has been considered on an almost annual basis, Mr. Feeney suggested the Tri-Met board should be consulted as to what they think the benefits of a merger might be.

Mr. Feeney pointed out that since the implementation of the light rail, the focus on transit and its relation to regional development and land use issues has become more important than ever.

Councilor McFarland said if all the players suggested by Mr. Feeney were seated on the subcommittee, the group would be too large and unworkable. Mr. Feeney responded that a larger, 15 member body might be better able to deal with the issues since it would break down into primary categories of interest such as finance, service, policy, etc. Mr. Feeney pointed out that as of July 1, Clackamas, Washington, and Multnomah counties as well as the City of Portland and the State of Oregon are also Tri-Met taxpayers and might be considered for the large tax payer seat on the subcommittee.

Vice Chair Hansen said the function of the subcommittee will be to obtain the best information and guidance possible in helping METRO reach a decision, and while any entity can present its concerns at

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the open public meetings, the decision is METRO's alone to make and will not be made among METRO, Tri-Met and local jurisdictions.

Councilor Gardner asked Mr. Feeney if the Tri-Met Board had an opportunity yet to discuss and take a position on this issue. Mr. Feeney responded the Tri-Met Board received a report from the General Manager reviewing the issues involved in a merger, but it has not yet discussed it or taken a position. Mr. Feeney reported that several years ago the Tri-Met Chairman of the Board appeared before a METRO Committee and raised many questions and commented at length on the possibility of a merge; he declared himself open to the idea if sufficient public benefits could be shown to result that would motivate the Tri-Met board to become an active partner. There were many other issues before the METRO Council at that time and the merger issue was put aside by the Committee. Mr. Feeney said Tri-Met recognizes that METRO can pass an ordinance calling for the takeover of Tri-Met, but it is a very difficult issue with great implications on how transportation will operate in the metro area with complex policy, service, boundary use, and financial issues that need to be understood.

Councilor Gardner acknowledged that the issue is very complex with many technical issues pertaining to bonding indebtedness, future taxing and bonding authorities, labor agreements, boundary issues, etc. need to be explored. He stated the necessity of keeping the committee small and flexible and said he had been pleased to see the committee structure reduced in size. Councilor Gardner said he hoped the subcommittee could rely on Tri-Met administration and staff for technical information, although they may not be given a formal seat on the subcommittee.

Councilor Gardner said that on a political level, a merger would be based on elected representatives being more accountable to the public for operating the transit agency than the present system has been. Mr. Feeney said Tri-Met would work with the subcommittee to try to determine if other benefits could be gained beside the primary benefit stated by Councilor Gardner.

Councilor Hansen said it would be helpful to compare future transit visions of the appointed Tri-Met board and the METRO Council.

Felicia Trader - Director of Transportation for the City of Portland and Representing Commissioner Blumenhauer - commented on the public notice process and said her jurisdiction is not receiving regular notification of METRO meetings. Ms. Marlitt said all meeting notices are sent to each city commissioner, the city auditors office, the clerk of the board for each jurisdiction, and to specific individuals requesting the notice.

Ms. Trader said Councilor McFarland's comments as to the purpose of the subcommittee conflict with the Committee's discussion. She said if the subcommittee is to identify obstacles to a merger, the membership structure is correct, but if its charge is to review the benefits of continuing to operate the two agencies separately or

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merging them, the City of Portland, as a stakeholder in the issue, would like to be included in the discussions. Ms. Trader noted the City of Portland's air quality, neighborhood livability, traffic congestion, parking management, and economic and comprehensive land use plans depend on Tri-Met's ability to deliver - or will depend on METRO if that is the decision. She also stated there has been ongoing dialogue between the City and Tri-Met related to economic development, downtown parking lids, and incentives and constraints on downtown development. As the City of Portland is a key investor and stakeholder in Tri-Met, to disallow participation in developing a recommendation would be short-sighted. Ms. Trader said the issue of governance of the transit service by elected officials is an important one, yet only two of the nine subcommittee members would be elected officials; she commented the membership as originally proposed was more representative of elected officials.

Vice Chair Devlin said the merger issue has been discussed previously by the Council. He said that there is a limit as to how many task forces and policy advisory committees METRO should create and pointed out city and county commissioners already appear on many committees which require them to attend many meetings in a month. Councilor Devlin said METRO should not always have to rely on advisory committees to get information or to obtain positive recommendations before the Council can make a decision. He pointed out legislation has existed for over ten years enabling METRO to call for a merger and that decision will rest with the Council - not with the collective wisdom of the regional jurisdictions.

Councilor Gardner concurred with Vice Chair Devlin and said Ms. Trader's comment that the City of Portland would be "disallowed input" is incorrect as numerous opportunities will be provided to comment and respond to the issues. He noted the resolution creates a subcommittee as the forum for collecting information and it would not be feasible for every local jurisdiction and government agency with interests in regional transit service to have a seat on the subcommittee. Councilor Gardner stated he does not feel narrowing the scope of the investigative subcommittee will by any means disallow input from affected parties.

Ms. Trader said testifying is different than participating on the subcommittee and, as this is a major policy issue, she requested one representative from her jurisdiction be seated on the subcommittee; she also asked, for purposes of reporting back to the Portland City Council, for clarification as to the charge of the subcommittee.

Vice Chair Devlin said while the subcommittee will consider benefits of a merger, that is not its primary charge since the resolution already states a merger would result in benefits of accountability, representation, economies of scale, etc. Vice Chair Devlin pointed out the Council may or may not agree with the IGR recommendations and may decide to include other members on the subcommittee at the July 12 Council meeting.

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Councilor Hansen said a merger is a decision only METRO is charged with making; the City of Portland will have to work with its # elected district councilors to insure the City's interests are articulated.

Councilor McFarland said she found herself to be in a minority and agrees with comments made by Ms. Trader and Mr. Feeney that certain major players are not being allowed an opportunity to participate on the subcommittee. She suggested either the subcommittee be eliminated and testimony taken from all interested parties including those on the current subcommittee membership, or the subcommittee be expanded to include all major players. Councilor McFarland stated at this point she is not sure METRO should take over Tri-Met, but if it does decide to, it will need information and the cooperation from all the major impacted parties. She agreed with Mr. Feeney's suggestion to include the Tri-Met Finance Officer on the subcommittee. Although she voted in favor of the resolution, Councilor McFarland stated she now feels uncomfortable with it and asked that another Committee member carry the resolution at the July 12 Council meeting as she does not favor it in its current form.

Vice Chair Devlin granted Councilor McFarland's request and appointed Councilor Gardner to present the report.

Having concluded all of the agenda matters and there being no further business before the IGR Committee, Vice Chair Devlin adjourned the meeting at 8:15 PM.

Respectfully,

FREEDOM CHILD