

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

December 19, 1989

Council Chamber

Committee Members Present: Jim Gardner (Chair), Tanya Collier (V. Chair), Larry Bauer, Tom DeJardin and Richard Devlin

Committee Members Absent: None

Chair Gardner called the meeting to order at 5:30 p.m.

1. Consideration of Minutes of December 5, 1989

Motion: Councilor Devlin moved for approval of the minutes.

Vote: All Councilors were present and voted aye. The vote was unanimous and the minutes were approved.

2. Ordinance No. 89-327, Amending Ordinance No. 89-294A Revising the FY 1989-90 Budget and Appropriations Schedule for the Purposes of Recognizing New Transportation Planning Grants and Expenditures, Adding Four Positions to the Transportation Department and Increased Capital Computer Needs within the Transportation and Planning & Development Departments (Public Hearing)

Andy Cotugno, Director of Transportation, and Richard Carson, Director of Planning & Development, discussed their departmental needs.

Mr. Carson said staff's request was tied to the stand alone portion of the Regional Land Information System (RLIS) computer budgeted for solid waste system design. He said staff proposed to upgrade the stand alone system to not overload Transportation's central files and memory. He said staff requested a \$9,000 fund transfer from Materials & Services to Capital for that purpose. The Materials & Services funds would come from Professional Services which would have been used to contract for solid waste system design work. Mr. Carson explained with the upgraded RLIS station, Planning & Development would be able to perform the work in-house and would not need to contract out for services.

Councilor Devlin asked Mr. Cotugno how many FTEs would be added to the Transportation Department. Mr. Cotugno said four staff persons would be added and said the request was for fractions of FTEs because they would be mid-year hires. Councilor Bauer asked what revenue source would be used to fund the four additional employees. Mr. Cotugno said Metro had a pending grant due January 1990 for Hillsboro DEIS analysis and said the funds were meant to be spent over a period of 12 to 14 months. He said Metro would not hire personnel until the grant funds were received.

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Jessica Marlitt, Council Analyst, asked if positions would end if the grant funds received were for a definite time period. Mr. Cotugno said the positions would end if there was no work activity to fulfill. He anticipated work on I-5 in the future and said that work would be more difficult than the Milwaukie Corridor.

Councilor Collier asked what would result if Metro did not receive the expected funds. Mr. Cotugno said Metro would not hire those personnel. Chair Gardner and Mr. Cotugno discussed coordination activities.

Chair Gardner opened the public hearing. No one present appeared to testify on the ordinance and the public hearing was closed.

Motion: Councilor DeJardin moved to recommend Council adoption of Ordinance No. 89-327 (to be considered by the full Council as Ordinance No. 90-327).

Vote: All Councilors were present and voted aye. The vote was unanimous and the motion passed.

Chair Gardner noted Agenda Item Nos. 3 and 4 would be deferred because JPACT had not acted on them. Ms. Marlitt noted the next JPACT meeting would be January 11, 1990, and the agenda items would be considered at the Council Intergovernmental Relations Committee meeting scheduled following that date. Councilor Bauer noted there were possible problems because of close scheduling. The Committee and staff discussed when the full Council would consider the deferred agenda items. Councilor Devlin noted his concern about JPACT bylaws. He said JPACT agreed to adopt bylaws which included current practice. He also discussed the need for alternates to serve. Mr. Cotugno said items could be referred first to TPAC, JPACT and then IGR. Chair Gardner said the sequence of events thus far had worked well. The Committee and staff discussed an amendment related to members and alternates to be introduced at the next JPACT meeting.

3. Resolution No. 89-1177, Amending the Transportation Policy Alternatives Committee (TPAC) Bylaws

Deferred. See discussion above. After January 1, 1990, will be considered as Resolution No. 90-1177.

4. Resolution No. 90-1189, Adopting the Joint Policy Advisory Committee on Transportation (JPACT) Bylaws

Deferred. See discussion above.

5. Resolution No. 90-1196, Endorsing a Contract with Portland General Electric (PGE) for Exchange of Digital Information

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Dick Bolen, Regional Planning Supervisor, explained the resolution would approve a data exchange agreement in which Metro would gain access to PGE's digital land parcel maps for inclusion in RLIS on the condition that RLIS data, added as layers onto PGE base maps, would be available at no cost to PGE for internal company purposes for the duration of the four-year contract. He said the resolution also endorsed certain user restrictions, third party licensing capabilities, and provided for the return of licensing royalties. Metro would agree to return to PGE at least \$25,000 in royalties over the four years of the agreement. He said if the full amount was not returned at the end of four years, the remaining amount would be applied as credit toward Metro products and services. Mr. Bolen explained the agreement would provide significant benefits for RLIS development and that access to PGE's system would save funds and time for Metro.

The Committee and staff discussed copyright laws and payment obligations. Mr. Cotugno emphasized the \$25,000 in question was a credit to PGE, not an actual exchange of funds. Councilor Bauer asked how Metro's copyright would be protected. Mr. Bolen explained it would be protected through a licensing agreement modelled after the State of Washington's Department of Natural Resources form. Councilor Bauer said Metro should consider making available an atlas of RLIS data. He said the revenues from an atlas would help to pay for the RLIS system. Councilor Devlin noted such information was free to Metro dues-paying organizations and asked how Metro could protect its copyright in that case. Mr. Cotugno explained copyrights protected the valuable digital form of data but that hard copy reproductions were not problematic. Mr. Cotugno noted he had further details to discuss on this and related issues. Chair Gardner said it would be a good topic to schedule as a future discussion item. Mr. Cotugno distributed an updated time schedule for the agreement with PGE. He said PGE wanted an approximate time on when they would begin to receive data. Councilor Bauer discussed a possible future work session on RLIS and said he would like to see a whole meeting scheduled for that purpose. Chair Gardner said he anticipated such a meeting in January.

**Motion:** Councilor DeJardin moved to recommend the full Council adopt Resolution No. 90-1196 as amended (the amendment and the updated time schedule from staff's report printed in the agenda packet).

**Vote:** All Councilors present voted aye. The vote was unanimous and the motion passed.

6. Resolution No. 89-1182, Approving an Intergovernmental Agreement with the Intergovernmental Resource Center for Bi-State Policy Advisory Committee Staff

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7. Ordinance No. 89-323, Amending Ordinance No. 89-294A Revising the FY1989-90 Budget and Appropriations Schedule for the Purpose of Providing Staff Services to the Bi-State Policy Advisory Committee

Ms. Marlitt distributed information updated since the agenda packet was printed--separate Intergovernmental Resource Center (IRC) and Council staff revisions to "Bi-State Coordinator Position Funding Expenditures." Ms. Marlitt noted Rod Orlando and Ingrid Lantz were present and available to answer the Committee's questions if necessary.

Councilor Bauer noted the Finance Committee expressed concern about the basis of expenditures and the agreement's timeframe. He said there was concern about commitment from existing Council staff. He noted the Council revisions showed a revenue reduction. Councilor Collier said the primary reason the Finance Committee set over Resolution No. 89-1182 was because of questions about numbers and not amounts. She noted the Committee moved approval of Resolution No. 89-1182 and Ordinance No. 89-323.

Motion: Councilor Collier moved to recommend the full Council adopt Resolution No. 89-1182 and Ordinance No. 89-323.

Councilor Devlin discussed employee benefits and said Metro should not be billed for non-productive hours.

Mr. Orlando explained the IRC numbers which reflected a higher fringe benefit rate when originally presented. He said fringe was included in the hourly rate and charged to the project and the new rate reflected actual costs. The Committee and staff discussed Resolution No. 89-1182 and Ordinance No. 89-323 further.

Motion to Amend: Councilor Devlin moved to incorporate the IRC numbers and replace all numbers which would change numbers in the agreement as currently written.

Vote: All Councilors were present and voted aye on Resolution No. 89-1182 (to be considered as Resolution No. 90-1182); and Ordinance No. 89-323 (to be considered as Ordinance No. 90-323); and the motion to amend the agreement. The vote was unanimous and the motion passed.

8. Resolution No. 89-1183, Approving Bi-State Policy Advisory Committee Bylaws

Councilor Bauer said the bylaws were straightforward and said the reason they were necessary was to provide a basic understanding of how the committee functioned.

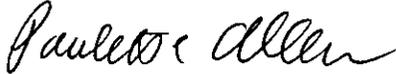
Motion: Councilor Collier moved to recommend the full Council adopt Resolution No. 89-1183.

Councilor Devlin said Section 2, subsection (e) which referred to the Speaker of the House and of the Senate, needed to be more specific with regard to titles, since titles varied from state to state legislature. He noted Section 8, subsection (b) implied the Metro Council would approve bylaws amendments but could not introduce amendments or act to change the bylaws without Bi-State action as well. Chair Gardner directed Council staff to clarify language as noted.

Vote: All Councilors were present and voted aye on Resolution No. 89-1183 (to be considered as Resolution No. 90-1183). The vote was unanimous and the motion passed.

Chair Gardner adjourned the meeting at 7:15 p.m.

Respectfully submitted,



Paulette Allen  
Committee Clerk  
IGR12-19.89