

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

February 13, 1990

Council Chamber

Committee Members Present: Mike Ragsdale (Chair), Richard Devlin (V. Chair), Jim Gardner and Ruth McFarland

Committee Members Absent: Larry Bauer

Chair Ragsdale called the regular meeting to order at 6:09 p.m.

1. Consideration of January 9, 1990 Minutes

Motion: Councilor Gardner moved for approval of the minutes.

Vote: Councilors Devlin, Gardner, McFarland and Ragsdale voted aye. Councilor Bauer was absent.

2. Staff Update on the Parks & Natural Areas Program -- Status of FY89-90 Natural Areas Inventory Contract; FY90-91 Program Options

Mel Huie, Senior Regional Planner, said Phase I of the Natural Areas Inventory Study had been completed and Phase II was in progress. He said the east side of the Willamette River had been inventoried and would be entered into the Regional Land Information System (RLIS). He said the next step would be Phase III. He said a regional corridors and trails study would be done to ascertain how the corridors and trails connected between jurisdictions. He said staff would work during FY 1990-91 with the Audubon Society on that project.

Mr. Huie discussed Phases IV and V. He said financing could be done via a regional bond levy or local levies. He said many natural areas acquisition issues related to Urban Growth Boundary (UGB) issues and that staff planned report chapters on water, acquisition, corridors and trails, management operation, and other related issues.

Richard Carson, Director of Planning & Development, said Phases IV through VI could not be accomplished without development of a regional plan and said staff would develop a regional plan in FY90-91. Councilor Devlin noted staff produced a project financing report because interested groups had asked what direction Metro planned to proceed on the study. He said staff's report demonstrated there would be an end product when necessary studies were completed. He said after Phase III and beyond, decisions had not been made and issues would be addressed by the pertinent committees formed for that purpose. He said interested parties asked if Metro would serve as a functional planning authority and were told Metro had no definitive answer but it appeared some planning authority, especially related to open spaces and natural areas, would be necessary.

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Esther Lev and Lynn Sharp, environmental consultants, briefed the Committee on the Natural Areas study. Ms. Lev said a workshop for biologists would be held to review data gathered from the east side of the Willamette River and said the west side would be surveyed next. She noted Clark County wished to participate in the study and would contract with PSU to perform the same study for them. Mr. Huie noted all of Multnomah County was included in the study. Ms. Sharp noted funds were provided for research in Multnomah County because of interest in certain areas. She said the study would obtain a good cross-section of natural areas and determine what condition they were in and how they were managed. She said aerial photography would tell what areas were woods or wetlands and what was deciduous.

Ms. Lev said once data was in Metro's Regional Land Information System (RLIS), other data such as drainage zoning and adjacent land use could be obtained and it could then be determined which areas were endangered. Ms. Lev said after the East Bay tour in January, there was a great deal of interest on the part of local elected officials and they asked Ms. Lev and the other Natural Areas project consultants to prepare a "white paper" describing recommendations for the project. Ms. Lev summarized that paper and noted a model resolution had been drafted for local jurisdictions to use to act formally in support of the Natural Areas project. Chair Ragsdale noted the study would cost more than had been allocated. Councilor Devlin noted the East Bay position paper was developed by interested groups and did not reflect any particular government entity. He said the paper made recommendations on what was possible and what should be done. He referred to the federal funding proposal he and Councilor Gardner circulated at the National Association of Regional Councils (NARC) conference in Washington, D.C. Councilor Devlin noted staff's memo referred to potential formation of a policy advisory committee.

Chair Ragsdale said the Committee would schedule an agenda item at a future meeting to discuss the issues in further detail. Ms. Lev noted the interest expressed by the Friends and Advocates of Urban Natural Areas (FAUNA) and said momentum was building.

Mike Houck, Audubon Society, testified and said he anticipated requests for additional project funding. He stated that he, FAUNA and Audubon would continue to work with Metro to obtain funding from other sources. He noted he had solicited necessary funds, along with Councilors Devlin and Gardner, in Washington, D.C. Chair Ragsdale noted Metro did not have a large General Fund to allocate for this purpose. Councilor Devlin said the Washington, D.C. meetings were with staff from Senators Hatfield and Packwood's staff and Congressmen AuCoin and Wyden's staff and they expressed positive interest. He said a proposed budget was developed for necessary tasks and federal funding was a possibility. Councilor Gardner said the East Bay tour group reached clear consensus an elected officials policy advisory committee should form and should be

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a structured steering committee. He said interested persons would meet before the FAUNA meeting February 21 to discuss formation of such a group. Chair Ragsdale requested Councilor Devlin work with all interested groups and introduce a resolution which addressed whether the committee should be a Metro-appointed advisory committee or an intergovernmental agreement package between affected agencies. He said Councilors most active on the issues should co-sponsor the resolution. Chair Ragsdale asked Mr. Carson about necessary funding. Mr. Carson said Metro's commitment this fiscal year was 1 FTE and \$100,000. Mr. Carson said he would like to expand the program with an additional FTE and raise funding to \$250,000. Chair Ragsdale said the process would be easier if funds could be leveraged from other interested groups.

3. Resolution No. 90-1220, Authorizing an Exemption to Metro Code Chapter 2.04.044 Competitive Bidding Procedures and Authorizing a Sole Source Agreement with ESRI Systems, Inc. for Purchase of Software (Public Hearing)

Mr. Carson said the resolution requested the Council approve a sole source contract for RLIS. He said funds were approved FY1989-90 for hardware for the Planning & Development (P&D) Department. He said the Transportation Department had maximized their system and staff planned to use P&D's RLIS for solid waste planning. He said the hardware had been purchased and, because of the type of system involved, only a certain program could be used. Chair Ragsdale asked how the system would be acquired. Andy Cotugno, Director of Transportation, said software licenses were tied to the size of the machine. He said software for a machine designed for eight users cost more. Mr. Carson said staff did not budget for the software, but funds were available for the purpose, and because the contract was sole source it had to be approved by the Council. Councilor Gardner noted the contractor's letter said installation was not included but the scope of work asked for it. Mr. Cotugno said the system was already installed and installation by the contractor would not be necessary. Councilor Devlin noted the station was planned for projected needs and asked whether acquisition would be cost-effective in view of future expansion. Mr. Carson said it would.

Vote: Councilor Gardner moved to recommend the full Council adopt Resolution No. 90-1220.

Motion: Councilors Devlin, Gardner, McFarland and Ragsdale voted aye. Councilor Bauer was absent. The vote was unanimous and the motion passed.

4. Resolution No. 90-1213, Providing for the Assessment of Dues to Local Governments for 1990-1991 (Public Hearing)

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Mr. Cotugno said February 8, 1990 the Council approved Resolution No. 90-1212, appointing the Joint Policy Advisory Committee on Transportation (JPACT) and the Urban Growth Policy Management (UGM) Advisory Committee as the Local Government Advisory Committee on local dues assessment. He said Mr. Carson consulted with the UGM February 7 and he consulted with JPACT February 8. He said both committees reviewed the same resolution and gave comments. He said staff's report was a generalized description of how local government dues would be spent and what programs would be emphasized with the \$.51 cent assessment rate. He said the resolution was written to notify local jurisdictions within 125 days of the date Metro would levy the dues, or by March 1. He said the split between P&D and Transportation was an extrapolation of their historic split for the last three to four years. He said the two departments' individual budgets were developed under those constraints. He said Transportation had three categories which would receive funds--Grant Match, Data Resource Center and Direct Project Costs--and discussed budget ramifications for each. Mr. Cotugno said JPACT approved the apportionment. He said it was pointed out to the committees Metro was undergoing discussion of the proposed excise tax. He said notification sent to the groups March 1 would be on the \$.51 rate assessment and said reduction of the dues was discussed if the excise tax was used in lieu of the dues. He said that option was clearly presented as a budget discussion and that the proposed excise tax issue was not yet settled. He said no promises were made the dues would be reduced.

Chair Ragsdale asked if anyone testified in opposition at JPACT. Mr. Cotugno said no. Chair Ragsdale said he wished the record to reflect there was no testimony in opposition at JPACT and the item was a noticed item.

Mr. Carson said his group did not receive comment in opposition either. He said there were a lot of questions which staff answered. Mr. Carson said the UGM Policy Advisory Committee also received from staff a description of programs to be funded and what the programs would accomplish.

Councilor Gardner noted the UGM Advisory Committee had no criticism of programs to be funded. He said there was criticism of how Metro used that group as a local government advisory committee. He said support was expressed for the process used in prior years when a specific local government advisory committee was designated instead of using existing groups. He said the rationale for the criticism was that the old group was more focused on specific tasks but currently Metro dealt with a broader policy advisory committee which had more representatives than just those from local governments. Councilor Gardner and Mr. Carson discussed the issues briefly.

Councilor Devlin noted the UGM Committee reached consensus the current practice was preferable to the prior method, although there was negative comment. Councilor Devlin discussed the composition of the groups and interaction between jurisdictions.

Chair Ragsdale opened the public hearing. No one appeared to testify and the public hearing was closed.

Motion: Councilor Gardner moved to recommend the full Council adopt Resolution No. 90-1213.

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

5. Resolution No. 90-1206, Confirming Citizen Member Appointments to the Transportation Policy Alternatives Committee (TPAC)

Councilor Gardner said in December 1989 notices were sent that six TPAC terms had expired and Metro would accept applications for appointment. He said 25 applications were received. He said a subcommittee was appointed of himself, Councilor Devlin and Mr. Cotugno to review applications received and conduct interviews. He said the subcommittee applied three broad criteria to narrow down the group of applicants: 1) Achieve a balance among the six citizens of various interest groups and perspectives that existed; 2) Achieve a rough geographical balance; and 3) Choose citizens with a record of community or transportation experience.

Councilor Gardner said the subcommittee recommended three citizens: Raye Woolbright, John Godsey and Jack Lindquist. He said for consideration for the remaining three terms were five citizens: Molly O'Reilly, Nancy Ponzi, Greg Oldham, Daniel Howe and Ray Polani. He said the Committee could vote on the five recommended citizens via written ballot to determine the remaining three appointments.

Chair Ragsdale opened the public hearing. No one appeared to testify and the public hearing was closed.

Motion: Councilor McFarland moved to forward the three candidates Raye Woolbright, John Godsey and Jack Lindquist recommended to the Council for appointment to TPAC.

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

Councilor Gardner explained it had been difficult to narrow down a field of 25 excellent candidates to six and that was why the subcommittee

could determine three definite candidates only. Councilor Devlin discussed the criteria used and stated geographical location should not be the decisive factor.

Chair Ragsdale said the Committee would vote and then recess to give staff time to tabulate the results. Councilor Gardner reviewed the qualifications of the five finalists. The Committee then voted via signed ballots filed with the record of this meeting.

Chair Ragsdale called a recess at 6:25 p.m. The Committee reconvened at 6:27 p.m.

The clerk announced the results of the vote. Molly O'Reilly received four votes; Nancy Ponzi received two votes; Greg Oldham received two votes; Daniel Howe received one vote; and Ray Polani received three votes. Ms. O'Reilly and Mr. Polani were approved for recommendation to the Council for appointment to TPAC.

Chair Ragsdale announced the Committee would vote on the remaining three candidates via signed ballot: Greg Oldham received two votes and Nancy Ponzi received two votes to result in a tie vote.

Chair Ragsdale said the vote would remain 2/2 unless one of the Committee moved a citizen be selected which that Councilor had not voted for in the last ballot.

Motion: Councilor Devlin moved to forward Greg Oldham to the Council for appointment to TPAC.

Vote: Councilors Devlin, Gardner, and Ragsdale voted aye. Councilor McFarland voted nay. Councilor Bauer was absent. The motion passed.

The six citizens recommended to the Council for appointment to TPAC were Raye Woolbright, John Godsey, Jack Lindquist, Molly O'Reilly, Ray Polani and Greg Oldham.

6. Resolution No. 90-1189, Providing for the Adoption of Bylaws for the Joint Policy Advisory Committee on Transportation (JPACT)

Mr. Cotugno said adoption of the resolution by JPACT and the Council would establish bylaws for JPACT which would define roles, responsibilities, membership and other operating procedures. He said the proposed bylaws would codify existing procedure.

Councilor McFarland asked if the City of Gresham would receive representation. Chair Ragsdale said he chaired the subcommittee which drafted the resolution and said Gresham representation was discussed but JPACT did not think a Gresham representative was necessary. Councilor

McFarland asked how JPACT members were selected. Chair Ragsdale referred to page 3 of staff's report and explained the appointment process. Councilor McFarland said she heard criticism that voting procedures were set up by those members who had more influence than those who did not. She said it was difficult to understand why the City of Troutdale had representation and Gresham, with a large population, did not. Chair Ragsdale said his statements at JPACT meetings were on record that he was unhappy about the lack of Gresham representation. Councilor McFarland said JPACT had a great deal of influence with the Council and said JPACT should truly represent all constituents.

Councilor Gardner said a proposed amendment JPACT did not consider was to make the Mayor of Gresham an alternate. He said that amendment could be made at this meeting. Councilor Devlin expressed surprise JPACT forwarded the resolution and noted JPACT had never had bylaws. He said there was no consensus for a Gresham representative. He said Councilor Gardner's proposed amendment to allow the largest city of each county be a member or an alternate was a good option. He noted the issue received debate at the county level.

Motion: Councilor McFarland moved to send Resolution No. 90-1189 back to JPACT to resolve the Gresham representation issue.

Chair Ragsdale said Resolution No. 90-1189 was a good package and preferred JPACT resolve the representation issue separately. Councilor McFarland said if JPACT could consider the Gresham representation issue without referring the whole package back she would withdraw her motion.

Withdrawal of Motion: Councilor McFarland withdrew her previous motion.

Chair Ragsdale said an appropriate action for Councilor McFarland would be to make a motion requesting JPACT at its next meeting review and take action on the Gresham representation issue. Chair Ragsdale noted that in his capacity as JPACT chair, he would make sure the proposed bylaws amendment would receive full, formal consideration.

Motion: Councilor McFarland moved to petition JPACT to adopt the bylaws amendment addressing the concept the largest city in a county should either be a member or alternate to JPACT.

Councilor McFarland stated the resolution in its current state was not satisfactory.

Councilor Gardner noted after Council adoption of the JPACT bylaws, as outlined in the resolution, JPACT amendments would require a two thirds vote. He said the resolution could be considered by the Council March 8 rather than February 22 and JPACT could consider the Intergovernmental Relations Committee's specific request their meeting March 8 before

Council adoption took place. Chair Ragsdale said he would request Presiding Officer Collier place the resolution on the March 8 Council agenda.

Vote: Councilors Devlin, Gardner, McFarland and Ragsdale voted aye on Councilor McFarland's motion. Councilor Bauer was absent. The vote was unanimous and the motion passed.

Councilor Devlin noted one minor amendment made at JPACT which was not included in the resolution before the Committee. He said there was discussion at a previous Intergovernmental Relations Committee meeting to amend Article IV, Section 2, subparagraph e. He said the amendment would have permitted the Presiding Officer to appoint more than one alternate to JPACT. He said as stated now language simply stated "alternate" which was Metro's past practice. He said the Committee discussed the amendment previously because JPACT attempted to achieve geographical equity which was difficult to do. He requested the resolution not be on the Consent Agenda and that Chair Ragsdale present the resolution to the Council to brief them on the pertinent issues.

Main Motion: Councilor Gardner moved to recommend the full Council adopt Resolution No. 90-1189.

Vote on Main Motion: Councilors Devlin, Gardner and Ragsdale voted aye. Councilor McFarland voted nay. Councilor Bauer was absent. The motion passed.

Mr. Cotugno noted there would be one more amendment by JPACT related to lack of quorum procedures to allow telephone voting. He said that would be a stand-alone amendment and would not affect this legislation. He said he would check with General Counsel on appropriate language and legal compliance. Chair Ragsdale said legislation could be introduced as emergency legislation if necessary.

7. Resolution No. 90-1218, Amending the Region's Highway Improvement Plan for Inclusion in the 1991-96 Oregon Department of Transportation Six-Year Highway Program (Public Hearing)

Mr. Cotugno said the resolution would amend Resolution No. 89-1134A which adopted the region's priorities for inclusion in the Oregon Department of Transportation's (ODOT) Six-Year Program update. The City of Portland and Multnomah County requested amendments for inclusion of Terwilliger Bridge and Sandy Boulevard improvement projects. JPACT recommended adding the Terwilliger Bridge Project which was previously included as a regional priority and included for funding by ODOT. The Sandy Boulevard amendments were not recommended for inclusion because none of the four projects met threshold ranking scores to qualify as regional priorities.



Motion: Councilor Devlin moved to recommend the full Council adopt Resolution No. 90-1218.

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

8. Staff Update on the Surface Transportation Act

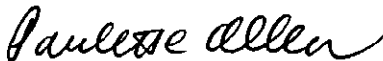
Mr. Cotugno referred to "Surface Transportation Act Update JPACT Policy Position Major Principles" and said it laid out the top layer of Metro positions and priorities. Councilor McFarland asked if any funds were left from the Mt. Hood Freeway fund. Mr. Cotugno said \$40 million remained and had been allocated. The Committee and staff discussed the Surface Transportation Act further.

9. Ordinance No. 90-322, Amending Metro Code Chapter 2.01 Relating to an Appointment to Fill a Vacancy on the Council

Chair Ragsdale said Councilor Knowles, who drafted the ordinance, was unable to attend this meeting and deferred consideration of the ordinance. The Committee discussed the ordinance briefly.

Chair Ragsdale adjourned the meeting at 8:36 p.m.

Respectfully submitted,



Paulette Allen  
Committee Clerk  
IGR90.044