

MINUTES OF THE COUNCIL TRANSPORTATION AND PLANNING COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

June 11, 1991

Council Chamber

Committee Members Present: Jim Gardner (Chair), Richard Devlin
(Vice Chair), Susan McLain, George
Van Bergen, Lawrence Bauer

Committee Members Absent: None

Chair Gardner called the regular meeting to order at 5:33 p.m.

1. Consideration of the April 9, 1991 Minutes

Motion: Councilor Van Bergen moved to approve the April 9,
1991 minutes as written.

Vote: All those present voted aye. Councilor McLain was
absent. The vote was unanimous and the minutes
were approved.

2. Review and Discussion of Proposed RPAC Bylaws

Jessica Marlitt, Council Analyst, distributed a memorandum on
policy issues. She explained the proposed Regional Policy
Advisory Committee (RPAC) would address land use functional
planning.

The Committee then held a work session to review and revise the
bylaws. The following changes were identified for recommendation
to the full Council:

Issue number 1: The Committee supported Councilor Van Bergen's
recommendation to omit Section 2 language regarding Council
consultation with the Executive Officer on Metro representative
appointments to RPAC. Councilor Van Bergen noted RPAC was
advisory to the Council and as such, a Council function which did
not require direct Executive Officer involvement.

Issue number 2: It was recommended to have at least 3 Metro
Councilors appointed to RPAC to meet the intent of having
representation for "a broad cross-section of geographic areas."
Councilor Bauer expressed some concern about total membership and
maintaining a manageable size group with an odd total number.
Andy Cotugno, Transportation Director stated the Joint Policy
Advisory Committee on Transportation (JPACT) had 17 members,
comparable to the proposed RPAC membership.

Issue number 3: The Committee did not reach consensus on a
recommendation regarding appointing citizen members to RPAC.
Councilor Bauer felt the Council should appoint the RPAC citizen

representatives. Councilor McLain concurred with department staff concerns about ensuring citizens make citizen appointments.

Issue number 4: This issue centered on bylaws provisions which would have made Council appointment of technical advisory committees conditioned on RPAC's recommendation. New bylaws language had already been prepared to remove this condition. The Committee agreed both RPAC and the Council should be able to appoint technical advisory committees as deemed necessary.

Issue number 5: There was unanimous agreement the Council should have the ability to independently amend the RPAC bylaws. The following language was proposed as new point b. under Article VII:

b. These by-laws may be amended or repealed by a majority vote of the Metro Council without any action of RPAC. Prior to any such action, Council representatives to RPAC shall consult with RPAC members at a regularly scheduled meeting and report back to the Council prior to final Council action on the bylaws.

Issue number 6: The Committee agreed the proposed Sunset language did not pose any problems.

3. Update on Metropolitan Greenspaces Program; Work Plan Review and Discussion of Draft Ordinance No. 91-408 for Designating Functional Planning Areas

Mel Huie, Senior Regional Planner, summarized the Greenspaces Program work plan for the next 18 months. He distributed the work plan progress report. He noted phases one and two on the second page of his material had been completed and the master plan/functional plan was being written. He said the three major parts of the plan were planning, public awareness and financing. He said part of the process would include a massive public outreach. He outlined the project's Demonstration Grants. He discussed upcoming public workshops and potential future financing options.

Chair Gardner asked if the process was being completed concurrently or each step at a time. Mr. Huie said the efforts were concurrent.

Councilor Devlin noted the directive for the functional plan came out of a past Council retreat. He noted there may be some

confusion relating Greenspaces to Metro's Regional Urban Growth Goals and Objectives (RUGGOs).

Councilor Van Bergen questioned why the program logo did not include Metro on it. Mr. Huie said many different agencies were using the letterhead and they wanted it to be more generic. Councilor Van Bergen said he felt the letterhead should incorporate Metro on it in a more significant manner, particularly because of Metro's significant funding contribution.

Larry Shaw, Senior Legal Counsel, reported on Ordinance No. 91-408. He said the ordinance would amend Ordinance No. 86-207 by eliminating the word "findings" prior to the initiation of functional plans.

Councilor Van Bergen discussed changing the language in Section 2 of the ordinance to read "to the Council" as it is more appropriate than the Committee. Rich Carson, Planning Director, suggested it read "to the appropriate Committee", in the event of future name changes.

Councilor Devlin requested a copy of Ordinance No. 86-207 language be presented prior to the Committee's formal consideration of the Ordinance.

4. FY 91-92 Budget Contract Designation

Jessica Marlitt, Council Analyst, reported on recommended contract designations for the Transportation and Planning and Development Departments in the FY 91-92 Budget. She noted there were no disagreements with the departments concerning proposed designations. She noted the \$70,000 Land Use Suitability Study would be split. Mr. Carson explained \$45,000 was recommended as a "B" contract to purchase additional computer data layers for the Regional Land Information System (RLIS) and \$25,000 was recommended as an "A" contract to assist in data analysis.

Motion: Councilor Van Bergen moved to recommend full Council approve the designations as proposed by staff.

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

5. Resolution No. 91-1449, Authorizing the Execution of a Multi-Year Contract with Tri-Met for the Transfer of \$2,000,000 to Provide a Portion of the Local Match to Federal Funds for Financing the Westside Light Rail Project ("Project")

Transportation and Planning Minutes
June 11, 1991
Page 4

Mr. Cotugno recalled Resolution No. 91-1449 was reviewed at the last meeting. He said the Regional Facilities Committee met June 11, 1991 and approved the resolution with an amendment. He said the resolution confirmed an agreement to meet a \$2 million dollar commitment to Tri-Met for the funding of the Westside Light Rail Project.

Mr. Cotugno said the money was proposed to be raised through parking fees at the Zoo. He said a study would be conducted before implementation of the fees. He said parking fees could be used to better manage parking. He said paid parking would allow control over commuters using the lot as a park and ride station.

Mr. Cotugno said the City of Portland, as the property owner, would have to approve any physical improvements to the lot. He said the Portland City Council would consider the issue at their June 26, 1991 City Council Meeting.

Mr. Cotugno distributed a copy of the amendment the Regional Facilities Committee (RFC) approved. He said the RFC requested improvements to bus service be made when the parking fees were implemented. He said the RFC also requested continued investigation into an alternative means to fund the commitment. He said RFC recommended consideration of borrowing funds from other Metro sources. Councilor Devlin questioned if borrowing was internal or through Tri-Met. Chair Gardner said consideration was being given to both alternatives. Councilor Devlin expressed some concerns about accrued interest with borrowing.

Councilor Van Bergen discussed concerns about liability in relation to the agreement with the City of Portland. He was also concerned the City of Portland would not renew the lease on the parking lot. He requested legal counsel consider these issues.

Councilor Bauer stated he had reservations about borrowing solid waste dollars for the project. He stated the Zoo stop would benefit the Zoo and so it would be appropriate for the Zoo to provide the funds.

Motion: Councilor Bauer moved to recommend Council adopt Resolution No. 91-1449 as amended by the Regional Facilities Committee.

Vote: Councilors Bauer, Devlin, McLain and Gardner voted aye. Councilor Van Bergen voted nay. The vote was 4/1 and the motion passed.

Councilor Van Bergen stated he supported approving the contract but was not in favor of promoting another financial burden on the Zoo.

8. Resolution No. 91-1469, For the Purpose of the 1,000 Friends of Oregon Western Bypass Study Land Use Alternatives Analysis Project "Making the Land Use, Transportation, Air Quality Connection," Software Elements and In-Kind Services from Metro Staff

Keith Bartholomew, Attorney, 1,000 Friends of Oregon, distributed a handout. Mr. Cotugno said Resolution No. 91-1469 recommends Metro participate in the 1,000 Friends land use alternatives study of the Western Bypass. He said the land use modeling product of the study could also be used for other Metro applications.

Mr. Cotugno said the contract proposed to pay \$40,000 for model development-related activities. He said Metro would own and maintain the model. In addition, he said \$40,000 of in-kind services would be extended, \$20,000 for staff training and \$20,000 for model runs on Metro computers. He said 1,000 Friends would then be invoiced for 1/2 cost of model runs (up to \$20,000). He said the consultants contracted by 1,000 Friends would actually be invoiced for those costs.

Councilor Bauer stated he was very uncomfortable with entering into a contract with an organization which previously sued Metro. He expressed concerns about the study's impact on development of the Western Bypass.

Councilor Van Bergen asked why the contract was designated as an "A" contract. Mr. Cotugno stated it was a new contract and multi-year. Councilor Van Bergen asked if Metro would have title to the product. Mr. Cotugno said Metro would have title to the land use model. Councilor Van Bergen questioned if there would be any conflict of interest by entering into the contract. Mr. Cotugno said Metro was only participating in the land use model development. He said Metro would not be a party to the conclusions 1,000 Friends developed as a result of the study.

Councilor Devlin said he felt the former suit by 1,000 Friends did not necessarily indicate future suits would be filed. He said in the Western Bypass Alternative study a land use alternative would have to be examined.

Mr. Bartholomew gave a presentation. He explained the former suit was an appeal. He said in the action 1,000 Friends filed, they did not take an accusatory position, but requested a review. He said 1,000 Friends intent was to ascertain if Metro's

conditional support of the Western Bypass project in the 1988 Regional Transportation Plan (RTP) complied with land use planning goals. He also said they were working closely with the Oregon Department of Transportation (ODOT) and other area jurisdictions on the Western Bypass Study.

Councilors McLain, Devlin and Gardner shared their approval of the project.

Councilor Van Bergen expressed concern about the contract not being included in the FY 91-92 budget. Mr. Cotugno said the cash payment would come out of the current year budget and the balance out of some of next year's budgeted projects.

Motion: Councilor Devlin moved to recommend full Council adopt Resolution No. 91-1469 with conceptual changes to correctly bill the consultant for the model.

Vote: Councilors Devlin, McLain and Gardner voted aye. Councilors Bauer and Van Bergen voted nay. The vote was 3/2 and the motion passed.

6. Resolution No. 91-1462, Transferring Interstate Transfer Funds from McLoughlin Blvd. Project to the Hawthorne Bridge

Mr. Cotugno reported Resolution No. 91-1462 would approve the transfer of \$2 million dollars from the McLoughlin Boulevard project to the Hawthorne Bridge transition structure project. He indicated there was a verbal agreement from ODOT to replace the transferred dollars and he was awaiting written confirmation.

Mr. Cotugno said he would advise the full Council if he did not receive written confirmation. The consensus of the Committee was to recommend the resolution for adoption at full Council and if the written confirmation was not received, delay adoption.

Motion: Councilor Van Bergen moved to recommend full Council adopt Resolution No. 91-1462.

Vote: All those present voted aye. Councilor Bauer was absent. The vote was unanimous and the motion passed.

7. Resolution No. 91-1463, Approving the TIP Annual Element to Include Federal Funding for Westside LRT Project to Hillsboro

Mr. Cotugno distributed a revised Resolution No. 91-1463. He said the resolution would amend the Transportation Improvement Program (TIP) to include the Westside Light Rail Project to 185th Street.

Councilor Van Bergen expressed his concerns about the project receiving the required federal approval and questioned if it did not receive approval would the public review process start over. Neil McFarlane, Tri-Met representative, said the process would start over.

Motion: Councilor Devlin moved to recommend Resolution No. 91-1463 as revised by the Transportation Department to full Council for adoption.

Vote: All those present voted aye. Councilor Bauer was absent. The vote was unanimous and the motion passed.

9. Resolution No. 91-1470, For the Purpose of Supporting Tualatin River Discovery Day and its Goals of Recreation and Preservation

Jessica Marlitt reported Councilor DeJardin requested the Committee support Resolution No. 91-1470. She noted Metro's support would be consistent with the District's implementation of a phosphate ban to help clean up the Tualatin River.

Motion: Councilor McLain moved to recommend full Council adopt Resolution No. 91-1470.

Vote: All those present voted aye. Councilor Bauer was absent. The vote was unanimous and the motion passed.

Chair Gardner adjourned the meeting at 8:25 p.m.

Respectfully Submitted,



Susan Lee
Committee Clerk