

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

September 22, 1992  
Council Chamber

Committee Members Present: Richard Devlin (Chair), Susan McLain  
(Vice Chair), Roger Buchanan, Ed  
Washington

Committee Members Absent: None

Other Councilors Present: None

Chair Devlin called the regular meeting to order at 6:10 p.m.

1. Consideration of Ordinance No. 92-470, Amending the Regional  
Waste Water Management Plan and Authorizing the Executive  
Officer to Submit it for Recertification

Rosemary Furfey, Associate Management Analyst, presented the staff report. She said she was proposing two changes. She said the plan would be submitted to the Environmental Protection Agency (EPA) for recertification.

She said a waste treatment plan was required under the Clean Water Act. She gave a history of the plan. She summarized the goals of the plan. She explained the process leading to the development of the Ordinance. She said two boundary changes were reported.

She said Executive Officer Rena Cusma's letter of August 31, 1992 to Presiding Officer Jim Gardner outlined further changes, a copy of this letter is included in the record of this meeting.

She said the first amendment were boundary changes in the Tigard and Wilsonville collection system. She said the city of Wilsonville had a treatment change resulting in an amendment also.

Councilor McLain asked if the related committees favored the plan. She asked what other functions Metro had in water management. Ms. Furfey explained Metro functions as they relate to water management. She noted waste water was only a portion of the water management plan for the region.

Chair Devlin opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Motion: Councilor McLain moved to recommend Council adoption of Ordinance No. 92-470.

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

2. Consideration of Resolution No. 92-1674, Approval of Funding for Greenspaces Restoration Grants

Mel Huie, Senior Regional Planner, presented the staff report. He said this is the second year for the restoration grants. He explained the application process. He said 18 proposals were received for \$250,000 of funding.

He said interviews and site visits were made. He said total requests were \$265,000. He said ten requests were recommended to be immediately funded. He said the remaining projects would be decided upon after final issues were resolved.

Councilor McLain asked if problems existed in staggering the approval. Mr. Huie said the federal deadline for use of the funds was not until June 31, 1993.

Chair Devlin noted the ten requests were nearly complete. He said the remaining eight were requested to provide a more complete proposals.

Motion: Councilor Buchanan moved to recommend Council adoption of Resolution No. 92-1674.

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

3. Consideration of Resolution No. 92-1670, Approving an Amendment to the Unified Work Program to Provide for Transportation and Land Use Modeling Improvements

Keith Lawton, Technical Manager, presented the staff report. He said the Unified Work Program (UWP) would be amended to allow expenditure of Federally allocated funds. He said the proposed UWP amendments furthered the Region 2040 agenda streamlining the land-use/transportation model linkage. He said the software would work faster. He said the Transportation Policy Advisory Committee (TPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) approved the proposed UWP amendments. He said more alternatives would be ran and tests for consistency would be made.

Mr. Lawton said the time line for the work was to take until December to get up and then testing would occur. He said the Federal government wanted to know when to look at land use issues in planning changes. He discussed how the amendments would enhance the Region 2040 study.

Councilor McLain noted funds were made available due to federal interest in the project.

Motion: Councilor McLain moved to recommend Council adoption of Resolution No. 92-1670.

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

4. Consideration of Ordinance No. 92-450, Adopting a Final Order for Periodic Review of the Metro Urban Growth Boundary

Gail Ryder, Council Analyst, distributed a handout, a copy of which is included in the record of this meeting.

Chair Devlin noted the process of consideration of Ordinance No. 92-450. He said Council held a public hearing, Transportation and Planning Committee would discuss the Ordinance at this meeting, and final action could occur in November. He said a staff report would be available at that time.

Chair Devlin opened the meeting for public testimony. No citizens appeared to testify and the public hearing was closed.

The Committee discussed the proposed amendments offered by both Robert Liberty and the Land Conservation Development Commission (LCDC).

Larry Shaw, Legal Counsel, explained the LCDC's proposed amendment. He said it changed the definition of net developable land to allow the range of calculations for the amount of roads and related facilities to be excluded from the gross developable land to reach net developable land. He said the issue related to infill policy and major amendments to the Urban Growth Boundary (UGB). He said this policy was discussed at the last hearing. He said legally, the amendment changed the figure used from 0.6 to 1.0 demonstrate range of variance. He said it required the applicant to present additional factual material. He said the amendment would allow a flexible response to a variety of situations.

Motion: Councilor McLain moved to recommend Council adoption of Ordinance No. 92-450.

Motion to Amend: Councilor McLain moved to amend Ordinance No. 92-450 to include LCDC's proposed amendment.

Chair Devlin discussed the differences between the Land Conservation Development Commission's proposed amendment and Robert Liberty's amendment. He said future discussion and figures might receive considerable testimony.

Councilor Washington asked Mr. Shaw to clarify how it related to infill. Mr. Shaw said the issue was that of defining amount of vacant land versus actual developable land.

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

Chair Devlin asked if there were further motions to amend. No Councilor requested further amendments.

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

5. Consideration of Resolution No. 92-1667, Adopting the FY 1993 to Post 1996 Transportation Improvement Program and the FY 1993 Annual Element

Mike Hogle, Transportation Planning Supervisor, distributed a handout, a copy of which is included in the record of this meeting. He said this the resolution was to post the Transportation Improvement Program (TIP) and was part of the five-year federal funding element. He said the resolution was a yearly housekeeping item. He noted a request for an exception to continue past commitments through the current program was made. He discussed new projects as outlined in staff report, a copy of which is included in the record of this meeting. He said the resolution attempted to address the new funding categories. He discussed how this related to westside light rail funding.

Mr. Hogle explained the handout should be included in the resolution.

Mr. Hogle said the TIP was in conformance with the Clean Air Act requirements and interim guidelines. He said those guidelines required that improvements not worsen air quality when compared to a no-build situation for a number of years, or against base year of 1990.

Mr. Hogle said the resolution must be adopted by October 1, 1992 to meet the federal fiscal year deadline.

Motion: Councilor Washington moved to recommend Council adoption of Resolution No. 92-1667 with the handout.

Chair Devlin said the Committee should be familiar with the document.

Councilor Buchanan referred to page 8, noting a \$43,000 transit to highway transfer mid-page and asked what affects this might have. Mr. Hogle said he did not know at this time. He said he would return an answer to the Committee at the next meeting.

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

Chair Devlin recessed the meeting at 7:45 p.m. Chair Devlin reconvened the meeting at 7:00 p.m.

6. Possible Consideration of Resolution 92-1680, For the Purpose of Endorsing Tri-Met's Financing Plan for the Westside Light Rail Projects Which Includes Advancing the Region's Hillsboro Extension Allocated Funds to the 185th Project

Dick Feney, Tri-Met, presented the staff report. Mr. Hoglund distributed a handout, a copy of which is included in the record of this meeting. Mr. Feney said \$516 million in federal funds would meet seventy five percent of the financing requirements for the entire Westside Light Rail Project. He said two-third of federal funding would be allocated to the 185th to Hillsboro extension of the project.

Mr. Feney said the Federal Transportation Administration (FTA) asked Tri-Met to provide evidence that Tri-Met could still build if the receipt of the federal funds was delayed. He said if the project did not continue as planned the schedule changes would result in increased project costs. He said Tri-Met was attempting to assemble a financing plan to ensure meeting the project construction schedule.

Mr. Feney said the proposal was to use the money the region and state allocated for 185th to Hillsboro extension as a loan in advance for the base project. He said bonds would be issued with a reasonable interest rate to be used on the base project. He said the federal government obligation of \$516 million will payback for funds forward for completion of base project and then will be turned around to be used on the 185th to Hillsboro segment.

Mr. Feney said JPACT was discussing obtaining assurance that the use of the Intermodal Surface Transportation Efficiency Act (ISTEA) money in base project would not cancel the statutory and disallow funding sought for the Hillsboro extension project. He said the Hillsboro project was a one-third funding project. He noted Tri-Met was asked to give evidence assuring the funding allocations. He stated Senator Hatfield sent a letter to Brian Climer that expressed concern about the Environmental Impact Statement (EIS). He discussed the report attached to the letter, a copy of which is included in the record of this meeting. He said the letter was to be signed by Thursday, September 24, 1992.

Mr. Feney said the expectation was not to allow Tri-Met to attach the letter to the funding plan until JPACT approved the content of the letter. He said the Committee was asked to approve resolution with understanding that it would not be used by Tri-Met until the signed letter was received. He expressed concern that if the project did not go forward at this time, the new administration might not act on it.

Chair Devlin summarized Mr. Feney's statements. Chair Devlin noted full funding was close to approval.

Mr. Feney said Hillsboro was recognized as the next project and that funding borrowed for the base project would be paid back. He said the letter would recognize the funding situation for the Hillsboro extension. He said the letter would grant an exemption to the starting criteria for the Hillsboro project. He said the EIS for the Hillsboro extension needed to go forward. Chair Devlin asked if the assurances would be enforceable. Mr. Feney said that was a hard question to address. He said there may be contractual problems with the National Environmental Protection Agency (NEPA).

Chair Devlin noted a phone vote of JPACT would occur to approve the contents of the letter. He said the vote by the Committee tonight would be subject to JPACT approval.

Councilor McLain said she had an uneasiness about the enforceability of the letter. She questioned the desirability of developing policy based on contents of letters not yet received. She said she favored forwarding the resolution without recommendation to allow time for JPACT's review of the documents. She noted Metro was liable to the citizens of the region.

Mr. Feney noted Tri-Met was concerned about timing. He said the resolution needed to be approved by the November 24, 1992 Council.

Councilor McLain expressed concerns about project overruns. Mr. Feney said overruns were built into the project. He said the costs of the project were reasonable at this time.

Councilor Washington asked if same problems occurred on Eastside Light Rail project. Mr. Feney said problems were common to all the projects.

Councilor McLain again expressed uneasiness about making policy on potential receipt of a letter.

Chair Devlin said light rail development was a number one priority. He said approval was sought only if JPACT approved the letter. He said Senator Hatfield and Congressman AuCoin were responsible for pushing the project through the process in a timely manner.

Motion: Councilor Buchanan moved to recommend Council adoption of the Resolution pending JPACT and Council approval of the contents of the letter.

Councilor Washington expressed concern about the possibility of a new administration coming in and changing the priority of the light rail project.

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

7. Region 2040 - Next Steps

Mark Turpel, Senior Regional Planner, discussed the work plan for public involvement for the Region 2040 Study. He explained the Region 2040 study addressed ways to accommodate expected growth in the region. He said the study would ask the public what they thought of the concepts. He said the public would be asked for input on ways to improve and/or changes to program. He distributed a draft copy of a mailer to be sent to 15,000 of the region's citizens, a copy of which is included in the record of this meeting.

Councilor Washington expressed a desire to scheduled meetings in the North/Northeast neighborhoods. He noted some of the scheduled meeting times might not be conducive to high turnouts. Mr. Turpel noted that the open houses are structured so that people may come and go as it fits their schedule.

Chair Devlin asked if additional concepts to be considered would be a combination of several alternatives. Mr. Turpel said the result might be a variety of combinations of alternatives.

8. Status Report on Governor's Task Force on Vehicle Emissions in the Portland Area

Mr. Hoglund presented the staff report. He said 1991 House Bill (HB) 2175 legislated a report on vehicle emission in the Portland Area. He said fees for industrial and vehicular pollution resulted. He noted a current Court decision was pending to allow spending of those funds on highway related projects. He said currently fees collected must be spent on pollution reduction related expenses.

Mr. Hoglund noted Portland was in non-attainment for Carbon Monoxide. He said a task force was formed and staffed by the Department of Environmental Quality (DEQ) and Metro. He said they had been working for the last six months to develop a plan to reach air quality control by the year 2010. He said the target reduction was forty-four percent in hydrocarbons and twenty-five percent in nitrogen oxides. He said the task force was examining strategies to attain the goal. He said tail pipe standards, Transportation Demand Management (TDM), and land use planning were being considered in the strategies to attain the goal.

Mr. Hoglund referred to tables included in the record of this meeting. He described the tables and the formulas used in establishing the figures.

Mr. Hogle said final recommendations were being made at the State level. He explained the proposed recommendations. He said lawn and garden equipment and off-road vehicles would have new emissions standards. He noted cars older than 20 years would be required to meet DEQ inspections prior to licensure. He explained a vehicle mile tax (VMT) was proposed to tax cars based on odometer readings and pollution rate of the vehicle. He stated the average cost initially would be \$50, increasing to \$200 annually. He said the attainment goal would be changed to the year 2007. He said contingency measures were included and would be implemented as necessary.

Mr. Hogle said the next step was referral of the recommendations to the Senate. He said the recommendations would be referred to committee and a final report would be prepared. He said the final report would be approved by Metro. He noted the public input process would occur at the Legislature.

Chair Devlin asked about Vancouver, WA coordinating efforts. He noted the Vancouver, WA area shared the same air shed. Mr. Hogle said some discussion occurred related to reinstating Bi-State Air Quality Committee to address those concerns.

9. Five Year Planning Process, Phase I - Planning Department

Chair Devlin removed item nine from the agenda.

10. Consideration of Resolution No. 92-1640, Approving an Intergovernmental Agreement Between Metro and Tri-Met to Conduct a Work Plan Related to a Metro/Tri-Met Merger

Chair Devlin reported on the history of the Resolution. He said the efforts to work towards a joint agreement between Tri-Met and Metro on the study content and composition were made. He noted the Council discussed the issue at a retreat. He said the meetings between Tri-Met and Metro had been held. He noted the meetings were amicable and frank discussion occurred. He explained issues existed that no mutual agreement could be made on.

Chair Devlin summarized the conclusion of the meeting. He said issues of timing and costs were flexible and an agreement might have been forthcoming. He stated on the issue of projects, Metro did not feel they should be a key criteria regarding merger while Tri-Met felt they should be a key criteria. He felt some agreement might have been reached. He said the determination of who decides on a merger could not be agreed upon. He said Tri-Met felt the merger should have been a joint decision. He said the general consensus of the Council was that the Metro Council should decide with the participation of Tri-Met in determining if the merger should occur. He said the Council would not agree that Tri-Met must be in agreement prior to the occurrence of a merger.



Chair Devlin said he told Tom Walsh that he would recommend Metro drop the Resolution. He said a new Resolution would be drafted to state that the entities agree to disagree. He noted when it was appropriate, Metro would proceed with a study of its own. He said a draft resolution would be examined at the next meeting with a vote at the following meeting if the draft were satisfactory.

Councilor Buchanan agreed with Chair Devlin's the representation of the Council.

Mr. Fenev stated Chair Devlin presented a fair representation of the events. He said the statement was accurate as he understood it. He said the disagreement was a resigned viewpoint by Tri-Met that a merger was a cooperative venture. He stated Tri-Met recognizes Metro had the right to take-over Tri-Met. He noted a take-over would not require cooperation or agreement from Tri-Met. He discussed the benefits of a mutual study and indicated if a merger was good for the public then Tri-Met would agree to merge. He said the community would be more likely to favor a decision made jointly between Metro and Tri-Met on a merger.

The consensus of the Committee was to proceed as stated above by Chair Devlin.

With no further business before the Committee, Chair Devlin adjourned the meeting at 7:40 p.m.

Respectfully Submitted,



Susan Lee  
Committee Clerk