



METRO

DATE: September 9, 1993
 MEETING: Metro Council
 DAY: Thursday
 TIME: 4:00 p.m.
 PLACE: Metro Council Chamber

Presented
 By

Approx.
Time*

4:00

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS
3. EXECUTIVE OFFICER COMMUNICATIONS
4. OTHER BUSINESS

Washington

4:05
 (10 minutes)

- 4.1 Review of MERC Resolution No. 226
5. CONSENT AGENDA (Action Requested: Motion to Adopt the Consent Agenda)

4:15
 (5 min.)

- 5.1 Minutes of April 22, May 13, August 13 and 25, 1993

4:20
 (5 min.)

6. ORDINANCES, FIRST READINGS
 - 6.1 Ordinance No. 93-506, For the Purpose of Amending the Regional Urban Growth Boundary for Columbia South Shore, Policy 26 Area (Action Requested: Refer to the Planning Committee)
 - 6.2 Ordinance No. 93-511, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Transferring \$62,500 from the General Fund to the Greenspaces Planning Division of the Regional Parks and Expo Fund for a Greenspaces Options Demonstration Project (Action Requested: Refer to the Finance Committee)
 - 6.3 Ordinance No. 93-512, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding the Lloyd District Local Street Improvement Assessment from the City of Portland on the Oregon Convention Center and Metro (Action Requested: Refer to the Finance Committee)

For assistance/services per the Americans with Disabilities Act (ADA), dial TDD 797-1804 or 797-1534.

* All times listed on this agenda are approximate; items may not be considered in the exact order listed.

7. ORDINANCES, SECOND READINGS

REFERRED FROM THE FINANCE COMMITTEE

- | | | | |
|-------------------|-----|--|------------|
| 4:25
(10 min.) | 7.1 | Ordinance No. 93-507 , An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Transferring \$10,000 from the General Fund Contingency for a Voluntary Contribution to Assist in the Funding of the Institute of Portland Metropolitan Studies <u>PUBLIC HEARING</u> (Action Requested: Motion to Adopt the Ordinance) | Kvistad |
| 4:35
(10 min.) | 7.2 | Ordinance No. 93-508 , An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Transferring \$11,626 from the Support Services Fund Contingency to Fund 0.42 FTE Temporary Assistance and Related Materials & Supplies in the Finance and Management Information Department <u>PUBLIC HEARING</u> (Action Requested: Motion to Adopt the Ordinance) | Buchanan |
| 4:45
(10 min.) | 7.3 | Ordinance No. 93-509 , For the Purpose of Amending the Metro Code Relating to the Collection of User Fees and Excise Taxes from Franchised and other Designated Solid Waste Facilities <u>PUBLIC HEARING</u> (Action Requested: Motion to Adopt the Ordinance) | Van Bergen |
| 4:55
(10 min.) | 7.4 | Ordinance No. 93-505 , For the Purpose of Approving the Revision of Metro Code Section 4.01.050 Revising Admission Fees at the Metro Washington Park Zoo (Action Requested: Motion to Adopt the Ordinance) | Monroe |

8. RESOLUTIONS

REFERRED FROM THE PLANNING COMMITTEE

- | | | | |
|-------------------|-----|--|---------|
| 5:05
(10 min.) | 8.1 | Resolution No. 93-1830 , For the Purpose of Making a Citizen Appointment to the Transportation Policy Alternatives Committee (TPAC) (Action Requested: Motion to Adopt the Resolution) | Gates |
| 5:15
(10 min.) | 8.2 | Resolution No. 93-1833 , A Resolution Approving an Addition of Representatives from Clark County and Vancouver, Washington to the Metro Policy Advisory Committee (Action Requested: Motion to Adopt the Resolution) | Kvistad |
| 5:25
(10 min.) | 8.3 | Resolution No. 93-1838 , For the Purpose of Extending Contracts for Environmental Work Associated with the Completion of the Hillsboro Corridor Final Environmental Impact Statement (Action Requested: Motion to Adopt the Resolution) | Moore |
| 5:35
(10 min.) | 8.4 | Resolution No. 93-1829A , For the Purpose of Endorsing the Region's Priority FY 95-97 Mitigation/Air Quality Program Projects for Submission to the Oregon Transportation Commission for Inclusion of These Projects (Action Requested: Motion to Adopt the Resolution) | Monroe |

Meeting Date: September 9, 1993
Agenda Item No. 4.1

MERC RESOLUTION NO. 226

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1835 REQUESTING THE CONTRACT REVIEW BOARD TO EXEMPT FIVE (5) FINANCIAL SYSTEM HARDWARE, SOFTWARE AND SERVICES' CONTRACTS FROM COMPETITIVE BIDDING AND AUTHORIZING THE EXECUTION OF THE REQUIRED CONTRACT DOCUMENTATION.

Date: July 27, 1993

Presented by:

Jennifer Sims
Ann Clem

FACTUAL BACKGROUND AND ANALYSIS

Section 2.04.041(c) of the Metro Code allows the Contract Review Board, where appropriate, to exempt specific contracts from the general requirement for competitive bidding, and "... direct the use of alternate contracting and purchasing practices that take account of market realities and modern innovative contracting and purchasing methods, which are consistent with the public policy of encouraging competition."

The Information Services Division has researched the following transactions and is requesting continued and expanded service and support for the A-Series mainframe computer and its financial management software from existing suppliers.

The Metro Code references ORS 279.015 as the basis for requiring that all public contract be based upon competitive bid and sets forth a process by which the following findings will permit an exemption and allow execution of a sole source contract.

The Metro Council as public Contract Review Board must find that:

- It is unlikely that the exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; and
- The award of a public contract pursuant to the exemption will result in substantial cost savings to the public contracting agency.

The transactions outlined hereinbelow meet such tests and should be pragmatically pursued as indicated in that:

- They represent specific but limited actions to accommodate current and obvious needs;
- They are with current suppliers and are a natural extension of those relationships;

- They are proposed to enhance Metro's information system and secure best value for the dollars expended;
- The cost of competitive bidding would clearly exceed any anticipated benefits to be derived;
- The fact situations are similar, all meet the prescribed tests, and are most efficiently accomplished by combined Council action through a single resolution.

The specific situations are as follows:

SCT Financial System Maintenance

SCT developed the proprietary financial software systems Metro currently uses. This vendor has supported and maintained the software since it was installed in 1988. Information Service Division would like to renew this contract for the period July 1, 1993 through June 30, 1994 in the amount of \$16,020. The \$16,020 was budgeted as part of the 1993-94 adopted budget. Software support is not available from any other source due to its proprietary nature.

Unisys Contract Addendums

Unisys is the hardware and operating software vendor for the financial management system. There are four addendums to the Unisys hardware and operating software contract to approve as a sole source.

Computer Mainframe/Peripherals Maintenance Contract:

Unisys Corporation is standardizing their maintenance contracts across their entire customer base and have requested Metro sign the new contract. The monthly amount of the replacement maintenance contract is \$2,534 and covers both the hardware and software maintenance. The annual figure of \$30,408 is part of the FY 1993-94 adopted budget.

Mainframe Tape Drive Lease:

Unisys has proposed Metro replace the five (5) year old generation tape drives with a new, more reliable table top tape drive model at no capital cost and no increased materials and services cost to Metro. The proposed lease would be paid for from material and services adopted budget for FY 1993-94 and would be an addendum to the existing Unisys contract. Ownership transfers to Metro at the end of the 18 month lease. The older model tape drives are more expensive for Unisys to maintain and the units cause an excessive load on the Uninterrupted Power System (UPS). This is being proposed as an addendum to the current Unisys contract.

Mainframe Disk Drive Acquisition:

Additional disk drive space is essential to accommodate the growth of the financial systems and is part of the package described above. Unisys has proposed we replace our five

(5) year older disk drive with newer, more reliable disk drives which have double the amount of storage space for \$19,465. Capital appropriation in the amount of \$19,465 was adopted as part of the FY 1993-94 budget. The proposed acquisition is an addendum to the current Unisys contract.

Mainframe Operating System License Renewal:

The operating system software license expires October 1, 1993 after a 5-year term. The operating system license renewal is essential to the operation of the Unisys computer and the financial system software. In light of the outstanding project to upgrade/replace the existing financial system we are proposing it be a month-to-month software license with an automatic renewal each month. The cost of the month-to-month proposal, \$1,667, was adopted in the FY 1993-94 budget.

Executive Officer's Recommendation

The Executive Officer recommends adoption of Resolution No. 93-1835.

DRAFT

REQUEST FOR PROPOSAL
OREGON CONVENTION CENTER
MINORITY AND ETHNIC MARKETING SERVICES

The Metropolitan Exposition-Recreation Commission (MERC) is seeking proposals for a promotion, sales and marketing agent for minority and ethnic marketing services. Qualifications will be due on Thursday, September 30, 1993 at 5:00 p.m., PST, at the Oregon Convention Center King Office, 777 N.E. Martin Luther King Jr. Boulevard, Portland, Oregon 97232.

BACKGROUND

MERC is charged with the promotion, marketing and operation of the Oregon Convention Center. Construction of the Oregon Convention Center resulted from a recommendation of the Regional Convention, Trade & Spectator Facilities Master Plan. This Plan was adopted by the Metro Council in May of 1986. The MERC Commission recognizes the significance of marketing the convention center to minority and ethnic groups of potential users, and recommended that a minority/ethnic marketing effort be implemented and funded at an amount not to exceed \$200,000 annually.

In 1987, Metro's Convention Center Project commissioned a marketing program study, implemented by Laventhol & Horwath. The study assessed convention center marketing approaches in 11 comparable cities, and outlined a recommended plan for the Oregon Convention Center marketing program. Based on the recommendations of that study, Metro established the first national marketing contract in the summer of 1987. Upon its formation and organization in December of 1987, MERC has followed up by renegotiating and extending the original national marketing contract annually. MERC also wishes to compliment the current effort with a specialized approach through attracting and securing minority and ethnic conventions, conferences, trade shows and meetings to Portland.

This specialized convention sales and marketing effort will be carried out in cooperation with the current national and regional sales and marketing efforts. The center's staff focuses on filling the calendar on a short-term basis with regional trade shows, state association business, consumer shows and local events and will work with the selected contractor on minority and ethnic marketing efforts. Continual cooperation is necessary between the national sales and marketing agent, the minority and ethnic marketing agent and the center's own marketing staff.

The annual marketing budget for the minority and ethnic sales and marketing program is approximately \$200,000 annually. The marketing budget is funded from hotel/motel taxes assessed by Multnomah County.

This RFP will result in a determination of the most responsive proposer who will lead this effort. Contract for these services will be for a three-year period beginning October 15, 1993 will result from this process.

CONTRACTOR QUALIFICATIONS

Successful proposer must meet all of the following criteria to be considered as a candidate for the Minority/Ethnic Marketing Contractor.

1. Minimum three (3) years experience in the convention and visitors industry, preferably at least one within the Portland Metro area.
2. Demonstrated experience in advertising, marketing, special promotions with contacts in various media and organizations, preferably in the convention and hospitality industry.
3. Ability and demonstrated experience in leading efforts to marshal community resources in support of a minority/ethnic sales and marketing approach particularly geared toward involvement from and with the diverse minority/ethnic population in Portland and surrounding region that will encourage confidence and participation from the communities.
4. Ability and experience in the coordination of sales leads, providing necessary services and referrals to visitors and conventions.
5. Demonstrated experience in successfully referring, developing and coordinating business leads and opportunities to the minority/ethnic groups and services.
6. Experience and ability in consulting and developing new service materials, information and collateral pieces of specific interest and need to the minority/ethnic groups targeted as prospective clients and then servicing those groups which have selected Portland as their destination.
7. Ability to consult, coordinate and compliment current convention sales programs with local, regional and state marketing efforts including but not limited to material, promotions of the Convention Center and the Portland Metropolitan region as it relates to the minority/ethnic target groups.
8. Demonstrated membership, contact or direct association with regional/national convention/trade show minority ethnic group. (A submittal of such affiliation will need to be sent with RFP.)

SCOPE OF WORK

Year One -- \$200,000

- 1) Develop a strong relationship with ethnic /minority businesses and broader community by creating a resource base to influence encouragement of ethnic/minority conventions, conferences and meetings.
- 2) Develop and implement a resource directory of attractions and contacts which would be of particular interest to all ethnic /minority visitors.
- 3) Create a database with identifiable diverse conventions, meeting planners and organizations throughout the country to promote Portland and the region as a destination site. This would include groups of 200-600 room nights in addition to reviewing and recommending changes to POVA current database.
- 4) Create and develop advertising and promotional materials which would attract and influence ethnic /minority convention planners to select the Oregon

Convention Center and other local areas as a destination site. Research proper publications and place ads.

- 5) To work in conjunction and cooperation with prime contractor's sales and marketing efforts and provide needed input, suggestions and recommendations to improve visibility and credibility for the region with respect to culturally diverse decision makers.
- 6) Develop and produce basic collateral materials including bid packages that would be specifically influencing to ethnic/minority groups that may select the Oregon Convention Center and Portland as a destination site.
- 7) Be involved and participate in the planning, with prime contractor and other agencies, regarding FAM trips, trade shows, exhibits and public relations as it relates to attracting ethnic/minority prospects.
- 8) Develop and implement specific marketing and advertising approaches to attract and generate leads of targeted groups.
- 9) Follow-up and refer all leads generated that appear to be qualified prospects for conventions and meetings. Method to be developed by contractor/MERC/POVA as to what type of process will be handled.
- 10) Develop and implement referral and booking process with Oregon Convention Center, POVA and area hotels to book leads.

Year Two -- Funding to be determined.

- 1) Make direct sales calls on prospective customers via FAM Trips or sales blitz activities as well as working specific trade shows.
- 2) Develop and create a visitors and convention services referral guide which will effectively help ethnic/minority visitors with specific service needs.
- 3) Develop periodical promotions to elevate the visibility of the Oregon Convention Center with minority meeting planners both nationally and regionally.
- 4) Develop, create and implement a public relations campaign effort promoting the Oregon Convention Center, Portland and the region in a manner that would attract inquiries from ethnically diverse meeting planners and convention coordinators.
- 5) Establish contacts and create working relationship with minority associations and organizations by participating in committees, planning groups, boards and the like to encourage groups in coming to Portland.
- 6) Continue efforts from year one as it relates to updating of materials and database as well as new advertising and collateral material changes.

Year Three -- Funding to be determined.

- 1) Develop and implement a community-wide program to create a better awareness of the impact of ethnic/minority conventions to the Portland area residents, business and government agencies.
- 2) Establish and implement a local program to meet the special needs and requirements of minority and ethnic convention attendees booked throughout the region.
- 3) Develop and create a diversity training and awareness workshop for the Portland area hospitality and other business that focuses on cultural understanding of Black and other ethnic/minority visitors. This training program would help project a positive image of the region, its people and services to all visitors.
- 4) Provide comprehensive training for upward mobility within the hospitality industry through career enhancement. To include scholarships, internships, cooperative education and job-bank activities. Funding for these activities to come from city/county/federal agencies as well as local corporation sponsorships.
- 5) Continue all sales and marketing activities as developed in years one and two with appropriate changes and upgrades.

WORK PROGRAM

- a) Develop work plan that encompasses each years' activities in a comprehensive package that outlines goals, time lines, staffing levels and funding needed on an annual basis.
- b) Work plan to be submitted and approved by MERC no later than February of each year.
- c) Funding levels will be approved annually by MERC during the budget process. Payment for services rendered will be in accordance with currently approved process adopted by the MERC Commission.
- d) Contractor will closely coordinate all activities with POVA sales staff and the MERC Commission, particularly with the OCC Director. Coordination to be achieved by the following:
 - ▶ regular attendance at sales meetings
 - ▶ coordinate the follow-up leads with sales staff
 - ▶ marketing meetings at key points in development of advertising and collateral materials
 - ▶ coordinate and participate in sales efforts at national conventions and trade shows
 - ▶ any other necessary communications
- e) MERC Commission will be kept informed as to the status of projects and meetings/goals through quarterly reports and any other requested information for the term of this Agreement.

- f) Scope of Work to be included in the OCC Marketing Plan and all work will be managed by the contractor who is responsible for the completion of approved work program items.
- g) Funding levels approved by MERC for the Minority/Ethnic Marketing program will be allocated in total as approved and documented accordingly. These funds will not be spent on any other marketing efforts which do not relate to minority, ethnic or specialty groups directly related to the Oregon Convention Center.
- h) Goals will be established and evaluated annually by Contractor and MERC Commission prior to budget approval and work plan development.

CONTRACT SCHEDULE

This contract is expected to begin October 15, 1993 and will run for a period of three years, to June 30, 1996.

CONTENTS OF PROPOSAL STATEMENT

The statement of proposals should contain not more than fifteen (15) pages of written material (excluding a one-page transmittal letter, biographies and brochures, which may be included in an appendix), describing the qualifications to perform the minority and ethnic marketing work requested, as outlined above.

- ▶ **Transmittal Letter**
- ▶ **Contractor Qualifications:** Describe abilities and experience in conducting minority marketing efforts similar in scope, addressing specifically the qualification information. Evaluation will be based upon the most responsive proposal of those submitting as relates to qualifications.
- ▶ **Scope of Work:** Identify specific ideas, processes and actions that will accomplish the scope of work duties for year one and how years two and three will transition into the work program.
- ▶ **Staffing:** Identify specific personnel assigned who will carry out the tasks, their roles and experience in relation to the work required, and special qualifications they may bring to the marketing program. Distinguish personnel currently employed from those yet to be hired.
- ▶ **Costs:** Please identify potential costs associated with the specific scope of work items proposed, and staffing on an annual basis and any other efforts to be proposed.

RFP AS BASIS FOR SELECTION

This RFP represents the most definitive statement which will be made concerning the desired qualifications of a minority and ethnic marketing contractor. Any verbal information received from any source not presented in this RFP or subsequent informational mailings will not be considered in evaluating the proposals.

All questions related to the RFP or to this project must be submitted in writing. Any questions which, in the opinion of the General Manager, warrant a reply will be furnished to all parties receiving a copy of the RFP. Upon discretion of the General Manager, questions received after September 15, 1993 may not be responded to.

ROLE OF THE MARKETING AGENT

Marketing contracts will be awarded to a firm or association. The contractor ultimately selected from this process must assure responsibility for any subconsultant work and shall be responsible for the day-to-day direction and internal management of the total marketing effort for which they are selected.

GENERAL CONDITIONS

1. **Limitation and Award:** This RFP does not commit to the award of a contract, nor to pay any costs incurred in the preparation and submission of proposals or any subsequent proposals in anticipation of a contract. The right to accept or reject any or all proposal statements received as the result of this request, to negotiate with all qualified sources, or to cancel all or part of this RFP, is reserved by the Metropolitan Exposition-Recreation Commission through its General Manager.
2. **Contract Type:** A personal services contract will be executed with the selected firm or association for this project.
3. **Validity Period and Authority:** The qualifications statement shall contain the name, title, address and telephone number of an individual or individuals with authority to bind any company contacted during the period in which the qualifications statement will be evaluated.
4. **Equal Employment Opportunity:** The firm or association ultimately selected for this contract will not discriminate against any employee or applicant for employment because of race, color, religion, gender, or national origin. The firm or association will take affirmative action to assure that applicants are hired, and that employees are treated, without any regard to race, color, religion, gender, or national origin. Such action shall include, but not be limited to, the following: employment upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
5. **Compliance with MBE / WBE Program Requirements:** MERC has made a strong commitment to provide maximum opportunities to State of Oregon certified Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) in contracting activities. In the procurement of any subconsultants required in the national marketing effort, the selected minority marketing contractor will be required to meet the requirements of the Metropolitan Exposition-Recreation Commission's Disadvantaged Business Program in contracting activities. This requires maximizing opportunities for minority and women-owned business enterprises (MBE and WBE) in accordance with applicable provisions of the Metro Code.

6. **Involvement in Commission Outreach Programs:** MERC has developed a community outreach program focused on economic opportunity for employment, contracting and subcontracting in the targeted area adjacent to the convention center. Participation in this outreach effort by the selected contractor is expected.
7. **Selection:** MERC has the right to select more than one firm or association to perform all or portions of this contract.

SUBMITTAL INSTRUCTIONS

Submit 8 copies of your statement of qualifications by Thursday, September 30, 1993, by 5:00 p.m., PST, to:

Metropolitan Exposition-Recreation Commission
Attn: Jeffrey A. Blosser
Oregon Convention Center
777 N.E. Martin Luther King Jr. Boulevard
Portland, Oregon 97232
(503) 235-7575

Questions related to the RFP should be directed to Jeffrey A. Blosser at the address noted above.

REGIONAL FACILITIES COMMITTEE REPORT

REVIEW OF MERC RESOLUTIONS 226 AND 227 AND MERC'S WORK PLAN

Date: June 18, 1993

Presented by: Councilor Gardner

COMMITTEE RECOMMENDATION: At its June 16, 1993 meeting the Regional Facilities Committee voted 4-0 to recommend Council approval of MERC Resolution #226, with modifications, and approval of MERC Resolution #227.

COMMITTEE DISCUSSION/ISSUES: Council Analyst Casey Short explained that the Council had referred MERC Resolutions 226 and 227 to the Regional Facilities Committee and directed the committee to return to the Council on June 24 with a specific recommendation on what direction to give MERC on said resolutions.

MERC General Manager Pat LaCrosse discussed MERC's proposal for establishing a process to strengthen MERC's marketing for ethnic/minority conventions and groups, which proposal is contained in a June 16 memo to the Regional Facilities Committee from him and Convention Center Manager Jeff Blosser. The proposal calls for creation of a five-member committee with representation from the Metro Council, MERC, and the community, with the goal of recommending a process within 60 days for improving MERC's minority marketing efforts. It further calls for MERC to hold a public hearing on the committee's report, and outlines areas for the committee to study. Following the MERC hearing, a final report will be drafted for presentation to the Metro Council.

Councilor McFarland expressed concern about including numeric goals in the project's overall goal statement.

Councilor Washington supported deletion of the reference to numeric goals. He suggested changing the language in the "Budget" section to read, "the amount to be determined," rather than "set aside." He also asked for clarification of the 60 day time line.

Mr. LaCrosse spoke first to the issue of numeric goals. He said there should be some provision in this regard because the measure of the effectiveness of a minority marketing campaign is the number of conventions and conferences booked. Establishment of a goal will provide a means to assess the program's effectiveness. Councilor McFarland suggested substituting the word "specific" for "numeric."

Councilor Gardner cited MERC Chair Sam Brooks' statements that the program should include a plan for evaluating its effectiveness. Councilor Gardner suggested the committee's charge include development of such a plan. Following further discussion, the committee agreed to incorporate into the committee's study areas the sentence, "An extensive annual review process will be undertaken with goals set and performance evaluated." (That

sentence was already included, but at the end of the report rather than in the "study areas" section.)

Councilor Washington asked for clarification regarding the effect of Council action to approve the resolutions with modifications. It was explained that upon Council approval of the modified resolutions, the resolutions would become effective. In practical terms, this would mean that the MERC General Manger would be authorized to negotiate the marketing contract with POVA and the contract with the Oregon Tourism Alliance, and that MERC would be bound to follow the process for establishing a heightened minority marketing effort as proposed.

The committee discussed the time line for the work to be done. Following consideration of different deadlines, the committee agreed that a report would be presented to MERC before its August 11 Commission meeting, at which time there would be a public hearing on the report. MERC would present its report - including modifications that might be included as a result of the hearing - to the Regional Facilities Committee on August 18. The Regional Facilities Committee would then determine whether to forward that report to the full Council on August 26 or return it to MERC for further work. Any action to implement the plan, such as issuance of Requests for Proposals, would come after Council approval of the final work plan.

Councilor Gardner moved that the Regional Facilities Committee recommend Council approval of MERC Resolution #226, with the condition that MERC follow a process to increase minority conventions and conferences booked in Portland as outlined in the June 16 memo from Messrs. LaCrosse and Blosser, as revised by the committee. Councilor Gardner also moved that the Regional Facilities Committee recommend Council approval of MERC Resolution #227, with no conditions. The Committee voted 4-0 in favor of both motions.



METRO

DATE: June 17, 1993
TO: Metro Council
FROM: Councilor Ruth McFarland
Chair, Regional Facilities Committee
Ruth McFarland
RE: COUNCIL REGIONAL FACILITIES ACTION TAKEN JUNE 16, 1993 ON MERC
RESOLUTION NOS. 226 AND 227 AND MERC'S PROPOSED WORK PLAN

Please be advised that at the June 16 Regional Facilities Committee meeting, the Committee made the following motions:

- 1) To recommend Council approval of MERC Resolution No. 226 subject to the following condition: That MERC shall follow a process to reach the goal of increasing minority conventions and conferences booked at the Oregon Convention Center as outlined in the June 16 memorandum (attached) from Mr. LaCrosse and Mr. Blosser as amended by the Regional Facilities Committee at this meeting, and that MERC shall report to the Regional Facilities Committee on August 18 on the outcome of the committee's work (Gardner; 4/0 vote):
- 2) To recommend that the Council approve MERC Resolution No. 227 (Gardner; 4/0 vote).

Metropolitan Exposition-Recreation Commission

P.O. Box 2746 • Portland, Oregon 97208 • 503/731-7800 • Fax #731-7870 • 777 NE Martin Luther King Jr. Blvd.

MEMORANDUM

TO: METRO/Regional Facilities Committee

FROM: Jeff Blosser, Director, Oregon Convention Center
Pat LaCrosse, General Manager - MERC

DATE: June 16, 1993

RE: *Follow-up From June 10th Metro Council/Portland Oregon
Visitors Association Contract Discussion on Minority
Marketing.*

As you know, the Metropolitan Exposition-Recreation Commission entered a process a few months ago to choose a Convention Marketing Contractor by competition. The result of that process was the choosing of the Portland Oregon Visitors Association as the main contractor for that service. At the time of its decision, May 12, 1993, the MERC did charge the MERC staff and POVA to work to increase minority conventions in Portland. Staff and POVA have been working since that time to carry out this charge.

Following MERC's decision on the contractor and while these discussions were ongoing, the Metro Council decided to review the MERC action. This review occurred on June 10th.

On June 9th, the MERC reviewed the situation and approved the appointment of a committee to review and recommend a method leading to more bookings of minority conventions.

Later, at the June 10th Metro Council review session, the issue was discussed in detail and was referred to the Regional Facilities meeting for a recommendation to be made to the Metro Council at its June 24 meeting.

In light of the testimony given on the 10th, the MERC Commissioners and staff have further refined their proposed committee as follows:

1. Goal: Increased Minority Conventions/Conferences for the Region including a specific goals and a process to reinforce the marketing effort.
2. Committee: 1 - Metro Councilor appointed by Presiding officer
Wyers
1 - MERC Commissioner
1 - OCC Director - Jeff Blosser
2 - Professionals in the industry from the community

3. **Study Areas:** Suggested areas of interest much of which results from June 10th review testimony include:
 - A) Identification of additional minority/ethnic organizations for presentation including women's groups.
 - B) How to better respond positively to inquiries by minority/ethnic groups interested in Portland.
 - C) How to improve coordination of services for groups who visit Portland and who select Portland as their destination.
 - D) How to establish an ongoing method designed to reinforce Portland's niche marketing effort and related local support.
 - E) How to improve coordination with POVA.
 - F) An extensive annual review process will be undertaken with goals set and performance evaluated.
4. **Time:** August 18, 1993
5. **Support:** Staff support for the committee will be provided thru OCC staff via the director who is a committee member; it is anticipated that POVA staff will also provide support as needed.
6. **Review and Contracting -** MERC will review the final report in a Public Hearing at which testimony will be invited. The method of contracting for any work resulting from the committee will be decided by MERC after public review of the report and will include consideration of direct contracting by MERC and/or POVA or some other variation.
7. **Budget -** the amount to be set aside to fund the marketing effort resulting from the committee's work will be decided by MERC at the conclusion of the committee's work and will be based upon the committee's recommendation.

These are suggestions of ways to accomplish the goal of more minority groups selecting Portland, but are by no means the only issues to be researched. The committee will determine the final work plan.

Following MERC's review of the committee's effort, a final report will be made to the Metro Council.

We recommend that the METRO Regional Facilities committee recommend this proposal to METRO at their June 24th meeting.

PLC:JAB:dp

**METRO**

DATE: June 11, 1993

TO: Councilor Ruth McFarland
Chair, Regional Facilities Committee

FROM: Paulette Allen, Clerk of the Council *pa*

RE: METRO COUNCIL RECOMMENDATION ON AGENDA ITEM NO. 8.1

Please be advised that at the June 10 Council meeting after public testimony and Council deliberation on Agenda Item No. 8.1, Review of MERC Resolution Nos. 226 and 227, the following motion was unanimously adopted (Devlin/Gates; 8-0 vote):

To refer MERC Resolution Nos. 226 and 227 to the Regional Facilities Committee, and for the Committee to return to the Council on June 24, 1993, with a specific recommendation on what direction to give MERC on said resolutions.



METRO

Date: June 8, 1993
To: Councilors Washington, Hansen, McFarland and Wyers
From: Donald E. Carlson, Council Administrator
Re: Proposed MERC Response to Council Review of MERC Resolution Nos. 226 and 227

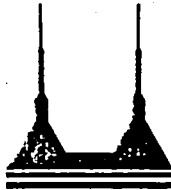
Please find attached a memo from Jeff Blosser which proposes a response by the MERC to the Councils review of the resolutions directing MERC staff to negotiate agreements with POVA and the Oregon Tourism Alliance for marketing of the Oregon Convention Center.

The "guts" of the proposal is the creation of a task force to develop an Ethnic Marketing Program within the Scope of Work for the POVA contract. The task force would recommend to the MERC the scope of the program including the dollar amount to be devoted to the effort.

Jeff asks that any suggestions or comments be forwarded to him as soon as possible. He will present this memo to the MERC on Wednesday June 9, 1993.

cc: Metro Council
Rena Cusma
Dan Cooper

MERC-Res 226 & 227.memo



**OREGON
CONVENTION
CENTER**

777 N.E. Martin Luther King Jr. Blvd.
P.O. Box 12210, Portland, Oregon 97212
(503) 235-7575

June 7, 1993

MEMORANDUM

TO: Pat LaCrosse
FROM: Jeffrey A. Blosser
SUBJECT: POVA Agreement

Per our discussion with Gary Grimmer last week, here are the items we agreed to present to the MERC Commission on Wednesday and at the Council Meeting on Thursday. They are as follows:

- ▶ POVA to present statistics, facts, figures on their minority, ethnic, niche marketing efforts and results to date.
- ▶ POVA will stress its interest in expanding these efforts with concentrated involvement by the community, MERC and business leaders.
- ▶ Suggest a task force be established with membership to be reviewed and confirmed by MERC Chairman to address current effort, what needs to be accomplished and the dollar amount to be requested to get the necessary marketing in place.
- ▶ The Ethnic Marketing Program to be considered includes:
 - a) Hospitality training for business community -- focus on minority businesses to get them more involved in convention / tourism groups coming to Portland so they can benefit by marketing their services / products to those attending;
 - b) Job training for individuals who are interested in employment in the tourism / convention business -- focus on ethnic diversity and concentrate on programs like those at Portland Community College and Mt. Hood Community College to develop qualified, trained employees; and

Pat LaCrosse
POVA Agreement
June 7, 1993
Page Two

- c) Establish an involvement program campaign to help the local minority / ethnic affiliations promote and market Portland to their national / regional groups to bring their conventions to the region. This will generate new business, both locally and convention-oriented, as well as supply the much-needed local support necessary to secure national / regional minority / ethnic conventions, meetings and trade shows.
- ▶ It is proposed that POVA contracts and manages the activities selected by the task force and approved by MERC with quarterly progress reports to MERC and Metro Regional Facilities Committee.

I have discussed this planned process with Mitzi Scott, Richard Waker and Ben Middleton and am waiting for a return phone call from Rich Ares. It is my understanding that you have talked to Sam Brooks and Cliff Carlsen on this matter. If everything meets with your approval, I will fax a copy to Gary Grimmer and contact Ed Washington, Sandi Hansen and Ruth McFarland on Monday and give them a copy, if necessary. I'll talk to Gary Grimmer after he receives this information.

Please let me know as soon as convenient as to your comments, changes, deletions, etc.

JAB/11



May 21, 1993

METRO

Sam Brooks, Chair
Metropolitan Exposition-Recreation Commission
777 NE Martin Luther King Jr. Blvd.
Portland, OR 97232

Dear Mr. Brooks:

Please be advised that Councilors McFarland, Moore and I are requesting review of MERC Resolution Nos. 226 and 227 per Metro Code Section 6.01.080(b). A copy of our request for review is attached.

Roy Jay, president, Oregon Convention Visitors Service Network, Inc., has expressed concern about the RFQ process used for Resolution No. 226 and believes there is a need to include effective marketing of the Convention Center to ethnic groups. Since Resolution Nos. 226 and 227 are closely linked, we have requested review of both to consider Mr. Jay's and other concerns. We recommend that the Council review this matter, and if the Council feels further action is needed, return the resolutions to the Commission to ensure that the Commission's marketing strategy includes a program element to approach ethnic and minority markets.

Sincerely,

Ed Washington
Ed Washington
Councilor, District 11

Terry Moore
Terry Moore
Councilor, District 13

Jon Kvistad
Jon Kvistad
Councilor, District 2

Richard Devlin
Richard Devlin
Councilor, District 4

George Van Bergen
George Van Bergen
Councilor, District 6

Rod Monroe
Rod Monroe
Councilor, District 9

Sandi Hansen
Sandi Hansen
Councilor, District 12

Ruth McFarland
Councilor, District 7

Ruth McFarland
Susan McLain
Councilor, District 1

Susan McLain
Jim Gardner
Councilor, District 3

Mike Gates
Mike Gates
Councilor, District 5

Judy Wyers
Judy Wyers
Councilor, District 8

Roger Buchanan
Roger Buchanan
Councilor, District 10

- c: MERC Commissioners
Jeff Blosser
Rena Cusma
Dan Cooper
Mark Williams
Roy Jay



METRO

DATE: May 18, 1993

TO: Paulette Allen, Clerk of the Council

FROM: Councilor Ed Washington *E.W.*
 Councilor Ruth McFarland *R.M.*
 Councilor Terry Moore *T.M.*

RE: MERC RESOLUTION NOS. 226 AND 227

Please be advised that Councilors Moore, McFarland and I are requesting review of Metropolitan Exposition-Recreation Commission Resolution Nos. 226 and 227. Per Metro Code Section 6.01.080(b), we are:

- 1) Requesting review of Resolution No. 226, "approval to contract with the Portland/Oregon Visitors Association for the national marketing effort for the Oregon Convention Center;"
- 2) Requesting review of Resolution No. 227, authorizing the general manager to contract with the Oregon Tourism Alliance for convention services pertaining to enhancement of marketing for the Oregon Convention Center;
- 3) We are requesting review of both resolutions to address concerns expressed by Roy Jay, president, Oregon Convention Visitors Service Network, Inc., who stated there was a need to include effective marketing of the Oregon Convention Center to ethnic groups. We recommend the following action: That the Council review this matter May 27, and if the Council feels further action is needed, return the resolutions to the Commission to ensure that the Commission's marketing strategy includes a program element to approach ethnic and minority markets.
- 4) Councilors Ed Washington, Ruth McFarland and Terry Moore may be contacted at 797-1700, 600 NE Grand, Portland, Oregon, 97232.

Please schedule Resolution Nos. 226 and 227 on the May 27 Council agenda for the Council's review and/or action.

c: Metro Council
 Metro ERC
 Jeff Blosser
 Rena Cusma
 Dan Cooper
 Mark Williams
 Don Carlson
 Casey Short
 Roy Jay

RECEIVED MAY 4 1993

METROPOLITAN EXPOSITION-RECREATION COMMISSION

Resolution No. 226

Approval to contract with the Portland Oregon Visitors Association for the national marketing effort for the Oregon Convention Center.

The Metropolitan Exposition-Recreation Commission finds:

1. That national marketing of the Oregon Convention Center is imperative to the success of attracting national and regional conventions and trade shows to Portland;

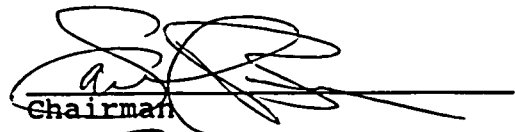
2. That the Portland Oregon Visitors Association is the only vendor qualified to render these necessary marketing efforts for the Center.

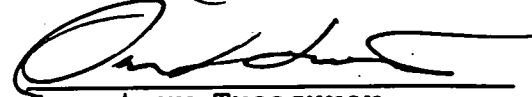
3. That an Agreement will be for a three year period with the budget and program content of the national marketing effort to be approved by the Commission during the budget process annually; and

4. That the Metropolitan Exposition-Recreation Commission has the authority to enter into such an agreement for the national and regional marketing of the Oregon Convention Center.

BE IT THEREFORE RESOLVED that the Metropolitan Exposition-Recreation Commission directs the General Manager to negotiate costs, approve program content and enter into an agreement with the Portland Oregon Visitors Association for national marketing of the Oregon Convention Center.

Passed by the Commission on May 12, 1993.


Chairman


Secretary-Treasurer

Approved As To form:
Daniel B. Cooper, General Counsel

By: 
Mark B. Williams
Senior Assistant Counsel

MERC Staff Report

Agenda Items/Issue: National Marketing Agreement

Resolution No. 226

Date: May 6, 1993

Presented by Jeff Blosser

Background and Analysis: In order to provide national marketing for the Oregon Convention Center, an agreement was entered into by MERC and the Portland Oregon Visitors Association in 1988 and again through a formal RFQ process in 1990 as the only qualified respondent. This agreement expires in June of 1993 and with Commission approval, OCC staff solicited qualified responses for the national marketing of the Oregon Convention Center in April of 1993. Two responses were received for the national marketing.

Fiscal Impact: \$1,276,000

Discussion with Liaison Commission: OCC staff, consisting of Jeff Blosser and Debra Jeffery, along with Commissioner Mitzi Scott and a representative from the industry, Debbie Kennedy participated in the review of the national marketing responses. The group concluded, after much discussion, that the Portland Oregon Visitor Association was the only qualified respondent to the RFQ. It was further discussed that the specialty or niche marketing response by the Oregon Convention and Visitor Services Network, Inc. was very well received and comprehensive in concept and ideas. We encourage the successful bidder to work with this group in forming a specialty marketing approach for minority and ethnic markets.

Recommendation: Staff recommends that the Metropolitan Exposition-Recreation Commission approve the selection of Portland Oregon Visitors Association to provide national marketing services for the Oregon Convention Center for a three-year agreement commencing July 1, 1993 and terminating June 30, 1996. Program and budget amount to be approved through the MERC budgeting process on an annual basis.

Meeting Date: September 9, 1993
Agenda Item No. 5.1

MINUTES



METRO

DATE: September 3, 1993
TO: Metro Council
Executive Officer
Interested Parties
FROM: Paulette Allen, Clerk of the Council. *PA*
RE: AGENDA ITEM NO. 5.1; MINUTES

The Council minutes for April 22, May 13 and August 13, 1993, will be provided to Councilors and available Tuesday, September 7, 1993.

MINUTES OF THE METRO COUNCIL

August 25, 1993

Council Chamber

Councilors Present: Roger Buchanan (Deputy Presiding Officer), Richard Devlin, Mike Gates, Sandi Hansen, Susan McLain, Ruth McFarland, Rod Monroe, George Van Bergen, Ed Washington

Councilors Absent: Jim Gardner, Jon Kvistad

Councilors Excused: Terry Moore, Judy Wyers

Deputy Presiding Officer Buchanan called the special meeting of the Metro Council to order at 4:00 p.m.

1. Resolution No. 93-1841. A Resolution Amending Metro Resolution No. 93-1792 and Determining Certain Matters with Respect to the Issuance of Metro Waste Disposal System Refunding Revenue Bonds (Metro Central Transfer Station Project). 1993 Series A

Motion: Councilor McFarland moved to suspend the rules. Councilor Gates seconded the motion.

Vote: Councilors Devlin, Gates, Hansen, McFarland, McLain, Monroe, Van Bergen, Washington and Buchanan votes aye.

The vote was unanimous and the motion passed.

Motion: Councilor Devlin moved to adopt Resolution No. 93-1841. Councilor McFarland seconded the motion.

Craig Prosser, Financial Planning Manager, presented the staff report, and explained the proposed resolution would implement new structuring to take advantage of market conditions that existed last week.

Dan Cooper, General Counsel, responded to Councilor McFarland, and said he had been advised by Stole-Rives that the action was entirely appropriate and legal.

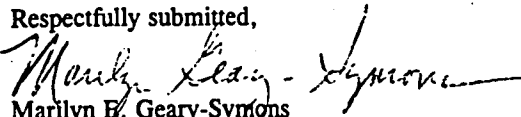
In response to Councilor Van Bergen, Mr. Prosser said the true interest cost of the new bonds was about 5.2%. Mr. Prosser said the old bonds were slightly over 6%, bringing about a savings of about 5.15% over the old bonds related to the total value of the bond sale. Mr. Prosser said the administration of the funds was done by an escrow agent, in this instance, at First Interstate Bank, and the savings included fees for those services.

Vote: Councilors Devlin, Gates, Hansen, McFarland, McLain, Monroe, Van Bergen, Washington and Buchanan votes aye.

The vote was unanimous and the motion passed.

There being no further business, the meeting adjourned at 4:42 p.m.

Respectfully submitted,


Marilyn E. Geary-Symons
Committee Recorder

Meeting Date: September 9, 1993
Agenda Item No. 6.1

ORDINANCE NO. 93-506

INTER-OFFICE MEMORANDUM

DATE: August 27, 1993

TO: Gail Ryder, Council Analyst

FROM: *AC* Andrew Cotugno, Planning Director

SUBJECT: Case 93-1 Columbia South Shore, Policy 26 UGB Amendment
Hearing Date

September 9, 1993 is scheduled to be the first reading of Ordinance No. 93-506 before the Metro Council. Staff would like to use this opportunity to set a hearing date for the proposed amendment, before a committee of the Council as required by the Metro Code.

The UGB Legislative Amendment Procedures require 45-day notice of a hearing on such an amendment. In order to expedite the process, staff would like to prepare and publish the hearing notice on September 11, 1993, in anticipation of a hearing date being set for October 26, 1993.

Staff is making two assumptions. First, that the Council refers Ordinance No. 93-506 to the Planning Committee. Second, that the Planning Committee is willing to have the hearing date set for the October 26, 1993 Planning Committee meeting. Should this not work out as proposed, staff would cancel the proposed notice on September 10th, and postpone notice until such time as a hearing date is set.

If the hearing notice is published, it should include a "time certain" date. Staff proposes to set this as 5 pm on October 26.

Please seek the concurrence of the Presiding Officer and the Chair of the Planning Committee in placing the advertisement for a hearing at 5 pm on October 26 before the Planning Committee, and inform Stuart Todd of their position.

Thanks.

AC/et
h:506-grac.mem

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-506 AMENDING THE REGIONAL URBAN GROWTH BOUNDARY FOR COLUMBIA SOUTH SHORE, POLICY 26 AREA

Date: September 9, 1993

Presented By: Stuart Todd

BACKGROUND

The Urban Growth Boundary (UGB) along the South Shore of the Columbia River on Metro's official maps appears 300 feet wide. The imprecise definition has led to loose interpretations of the boundary in the past, though today Metro interprets the UGB along the river to be the ordinary high water mark consistent with delineations for river shoreline adopted by the State.

Metro has agreed to respond to the concerns of three local jurisdictions seeking clarification and adjustment of the Urban Growth Boundary (UGB) for houseboat moorages that currently lie outside the UGB at 185th Avenue and Marine Drive. These moorages are within an area identified in the acknowledged Multnomah County Comprehensive Framework Plan, known as "Policy 26: Houseboats". The City of Gresham and the City of Portland have annexed moorage sites within this Policy 26 area and there are permits and further annexations pending this UGB adjustment. The amendment would make the regional UGB consistent with the comprehensive plans of the County and the cities. Currently, these cities are limited from serving areas outside the UGB. The amendment would be an action consistent with Metro's role in coordinating local planning. This amendment proposal is referred to as Case 93:1 Columbia South Shore, Policy 26 Area.

Process

Under the new UGB Amendment Procedures (adopted in the UGB Periodic Review order of October 1992, effective January 1993), Metro has authority to initiate a legislative amendment to the UGB. Legislative amendments allow Metro to respond to UGB issues in a way other than being petitioned for a boundary change. This action would typically arise for issues of regional need, or for issues related to regional planning or state rules, such as Periodic Review. This is the first legislative amendment initiated by the Metro Council, and though it is not as broad a use of the legislative amendment function as might have been originally intended, it does serve Metro's need to coordinate locally acknowledged comprehensive plans.

As a legislative amendment, under Metro Code 3.01.15 (Legislative Amendment Procedures), the public hearing process is handled by Metro Council and its appropriate committee. The Council committee holds the hearing, taking all necessary public testimony, and then makes a recommendation to the Council. The standards for approval of a legislative amendment are Statewide Planning Goal 14 (Urbanization) and Goal 2 (Exceptions) as interpreted in Metro Code 3.01.20 (Legislative Amendment Criteria).

A legislative amendment requires a 45-day notice of the hearing, advertised in a paper of general circulation. Staff suggests setting the hearing date at the first reading of the Ordinance, in order to expedite the process. The suggested hearing date would be the regularly scheduled Planning Committee meeting on the fourth Tuesday in October, October 26, 1993. Outlined below is the proposed schedule:

- | | |
|-----------------------|--|
| 1. September 9, 1993 | First reading of ordinance
Refer to Planning Committee
Set hearing date for October 26, 1993 |
| 2. September 11, 1993 | 45-Day Notice of hearing published |
| 3. October 26, 1993 | Hearing before the Planning Committee
Planning Committee issues recommendation |
| 4. November 11, 1993 | Second reading of ordinance by Council
Council takes additional public testimony
Council acts on ordinance |

UGB Amendment

This amendment would bring into the UGB an area of the South Channel of the Columbia River identified in Multnomah County Comprehensive Framework Plan, Policy 26, as suitable for houseboat moorages. The proposed UGB amendment would move the current UGB from ordinary high water (15.7' Columbia River datum) to mid-South Channel Columbia River between the Northwest corner of the Pullen Donation Land Claim (DLC) and the Northeast corner of the Pullen DLC (see Exhibit "A", Map 1). This includes two small areas annexed by the cities of Portland and Gresham, and two other areas remaining in Multnomah County jurisdiction.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 93-506.

BEFORE THE METRO COUNCIL

**FOR THE PURPOSE OF AMENDING THE) ORDINANCE NO. 93-506
REGIONAL URBAN GROWTH BOUNDARY FOR)
COLUMBIA SOUTH SHORE, POLICY 26 AREA) Introduced by Rena Cusma
) Executive Officer**

WHEREAS, Metro received a request from the City of Gresham dated September 14, 1992, requesting clarification of the location of the regional Urban Growth Boundary (UGB) near 185th Avenue and Marine Drive adjacent to the Columbia River; and

WHEREAS, Metro reviewed the issue of the UGB on the Columbia River South Shore with the affected governments of the cities of Gresham, Portland, Fairview and Troutdale, and Multnomah County; and

WHEREAS, Metro staff after consulting with the Regional Technical Advisory Committee determined that the scale of the acknowledged UGB line makes it approximately 300 feet wide, leaving the exact location of the UGB open to interpretation; and

WHEREAS, Houseboat moorages within Multnomah County's acknowledged Policy 26 area at 185th Avenue and Marine Drive have been approved by the Division of State Lands, Army Corps of Engineers and Multnomah County; and

WHEREAS, The existing houseboats for this Policy 26 area at 185th and Marine Drive are beyond the center point of the UGB line, but are serviced from urban uplands inside the UGB; and

WHEREAS, Lack of clarity of the UGB in this area creates a legal conflict for the cities of Gresham and Portland because their acknowledged comprehensive plan policies prohibit provision of urban services to areas outside the UGB; and

WHEREAS, The Metro Council desires to make the regional UGB consistent with the acknowledged comprehensive plans for this part of the Columbia River South Shore; and

WHEREAS, as provided for under Legislative Amendment Procedures, Metro Code 3.01.15 Metro may initiate a legislative amendment to the UGB; and

WHEREAS, A staff report and proposed findings were made available for this proposed legislative amendment as Case No. 93:1 Columbia South Shore, Policy 26 Area, prior to the hearing; and

WHEREAS, An opportunity for exceptions was extended to parties, as provided for under Hearing Notice Requirements, Metro Code 3.01.50; and

WHEREAS, On _____ Metro Planning Committee held a public hearing for UGB Case No. 93-1: Columbia South Shore, Policy 26 Area; and

WHEREAS, Based on the record of that hearing, the Planning Committee has recommended that the Metro Council accept the staff Findings and Conclusions and approve the amendment to the UGB.

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. The Metro Council hereby accepts and adopts the Findings of Fact and Conclusions attached as Exhibit "A" and incorporated herein.

Section 2. The regional UGB, as adopted by Ordinance No. 79-77, will be amended as shown in Exhibit A - Map 1 of this Ordinance, which is hereby incorporated by this reference.

Section 3. This Ordinance is the final decision of Metro on this legislative UGB amendment. Parties of record may appeal this Ordinance under ORS Chapter 197.

ADOPTED by the Metro Council on this _____ day of _____ 1993.

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

Staff Report and Proposed Findings
Urban Growth Boundary Amendment
Case 93:1 - Columbia South Shore, Policy 26
8/11/93

DRAFT (v.5)

History

This UGB Amendment proposal stems from the City of Gresham's request dated September 14, 1992 for clarification on the location of the UGB and if necessary, for an amendment to address urban service delivery to houseboat moorages at 185th Ave. and Marine Drive. Looking at the broader UGB issues along the river, Metro convened a meetings in November and January with Gresham, Portland, Fairview, Troutdale, and Multnomah County. The issue of extending urban jurisdiction to areas beyond the UGB (located at mean high water mark on the Columbia River) were brought up for reasons of development, public safety, and governmental coordination. The crux of the issue was houseboat moorage needs: sewer, water, public safety, planning and zoning.

The urban service agreements between Multnomah County and Portland and Gresham are limited to areas within the metropolitan urban growth boundary (UGB)¹. For the area along the Columbia River, this has meant the "South Shore Columbia River" - the written designation on Metro's acknowledged UGB maps (see Map 2).

Because of the scale of Metro's current official UGB map, which for this area is at scale 1"= 4000' (as opposed to section map documentation for the rest of the boundary), the literal indication of the boundary appears 300 feet wide (see Map 3). As a result, the exact location of the UGB has been open to interpretation. A review of Columbia Region Association of Government's intent suggests the exact line is the center point of any mapped line, and the State's definition of 'shoreline' is the ordinary high-water mark².

1 Multnomah County Comprehensive Framework Plan 1989 Supplemental Findings - Urban Service Boundary Agreements with Portland and Gresham.

2 See CRAG document: Land Use Framework Element of the CRAG Regional Plan, Revised December 1977, November 1978, Published by the Metropolitan Service District. Article II Boundary Interpretation (a) ... "where a Type 1 boundary is located along a geographic feature such as a road or river, the boundary shall be the center of that feature."

Also see, Oregon Statewide Planning Goals "Definitions", Shoreline - "measured...on non-tidal waterways at the ordinary high-water mark".

The existing houseboats on the water are beyond the urban growth boundary and are serviced via urban uplands which are within the UGB. This creates a legal conflict for cities who wish to annex the moorages or extend urban services beyond the UGB to these moorages. Two annexations of this area have occurred. Multnomah County Comprehensive Framework Plan Policy 26 acknowledged by LCDC and reviewed by local governments, provides for houseboats on the Columbia River, Oregon Slough, and Multnomah Channel. For the Columbia River, this site is between the NW corner of Pullen Donation Land Claim (DLC) and the NE corner of the Pullen DLC, along Marine Dr. at approximately 185th Avenue. Policy 26 was adopted in 1977 and updated in 1983. The area was zoned Urban Future, zoning which anticipates an urban level of development, but does not allow urban services at the time of zoning.

The moorages at the 185th/Marine Drive site differ from other Policy 26 sites. The moorages in the proposed UGB amendment area are characterized by multiple pier fingers extending perpendicular to the bank, not one single parallel pier as is common in rural areas. This extended capacity for the site was well established in this area prior to the Policy 26 adoption. This site also differs from the rural sites because it directly adjoins urban uplands which are characterized by a dyked or filled river bank rather than a sensitive environmental embankment. The increased houseboat densities here are largely a by-product of the urban uplands which provide urban access and have indirectly encouraged urban style development at these moorages.

Authority for development in the river is with multiple agencies. Multnomah County controls the planning, zoning, and public safety. The Oregon's Division of State Lands (DSL) has leased the submerged lands to owners of property in the Policy 26 area for houseboat moorages. These leases extend out varying distances from the shoreline. The Army Corps of Engineers oversees dredge and fill work in the river. Local governments have annexed the river areas beyond the UGB (Portland, Gresham, and Fairview) to establish jurisdiction beyond the shoreline for such reasons as public safety on beaches and the river. The City of Gresham annexed the one moorage and other river uplands in 1985, and Portland annexed the western end of this Policy 26 area in January of 1993. The City of Portland has been annexing large sections of the Columbia River beyond the UGB for some time. (Gresham's annexation was in theory a violation of its own code which prevents it from servicing areas beyond the UGB.) The Local Area Boundary Commission has overseen the river annexations to mid-channel. These annexations were done for the purpose of continuity and consolidation of services (there is no current statutory basis to prevent such annexations beyond the UGB). This mix of jurisdictional controls has been one reason Gresham, Portland and Multnomah County have asked Metro to

adjust the UGB either administratively or legislatively.

The Regional Technical Advisory Committee (RTAC) considered the question of a legislative UGB amendment along the Columbia South Shore during two of its meetings, January 28th and March 24, 1993. Metro staff presented the problems associated with the Policy 26 area, as well as the urbanized nature of the Columbia River as a whole between the Willamette and Sandy Rivers. The river is largely urbanized (on both sides - Oregon and Washington) with city boundaries that extend to mid-river or mid-south channel. There are industrial, residential, airport, and marina uses up and down the Columbia. This multi-use urban frontage argues for the logical extension of the UGB to mid-river/mid-South Channel common to state lines or city limits along this entire Columbia River reach.

RTAC suggested the long term study of amending the entire Columbia River UGB, thereby avoiding many similar UGB amendments in the future along the river. In the short term, they recommended a legislative amendment for the Policy 26 area to assure a timely response to local government and property owner requests.

UGB Amendment

Metro has agreed to coordinate the UGB amendment for the following reasons. 1.) Multnomah County has an acknowledged comprehensive plan policy encouraging houseboat moorages and it has requested consolidation of urban services for the houseboat moorages at 185th & Marine Drive. 2.) The City of Portland and the City of Gresham have already annexed areas beyond the UGB in the Policy 26 area at 185th/Marine Dr., with the intent of providing the level of service other houseboat moorages in this area receive. 3.) The requests stem in part from loose interpretations of the UGB along the river in the past, attributable to the original mapping of the boundary, which did not clearly articulate the exact boundary line. This resulted in approvals of annexations and moorage expansions inconsistent with the current rural designation.

Metro Ordinance No. 93-506 proposes a legislative amendment to the UGB. It is sponsored by Metro in cooperation with the City of Gresham, the City of Portland, and Multnomah County. The proposed UGB amendment would move the current UGB from the ordinary high water line (15.7' Columbia River datum) to mid-South Channel Columbia River between the Northwest corner of the Pullen Donation Land Claim (DLC) and the Northeast corner of the Pullen DLC. (See Map 1 for proposed UGB amendment.)

Proposed Findings

Applicable Standards

Metro Code 3.01.15 Legislative Amendment Procedures require findings "explaining why the UGB amendment complies with applicable statewide goals as interpreted by 3.01.20 and subsequent appellate decisions". Goal 14 (Urbanization) and Goal 2 (Exceptions) considerations are addressed through the Metro Legislative Amendment Criteria. In addition, Goal 5 (Natural Resources) and Goal 10 (Housing) are also relevant in this case. In meeting the statewide goals, administrative rules must also be considered.

Summary of Findings:

Metro Code 3.01.20(b) Goal 14

The proposed UGB amendment, complies with Metro Code 3.01.20(b)(1)-(7), the seven factors of Statewide Planning Goal 14 (Urbanization) and its exceptions process. Land supply "need" is shown not as a new need, but by an existing need supported by an existing comprehensive plan provision. The acknowledged comprehensive plan provision is "Policy 26: Houseboats" in Multnomah County's Comprehensive Framework Plan. The houseboat moorages here are increasingly identified as urban in nature, and this change requires better coordination and provision of related urban services. Policy 26 has allowed for the orderly and economic provision of public facilities and services in this location. The river area has been annexed in part by two jurisdictions (Gresham and Portland) which serve the urban uplands. Policy 26 is consistent with adjacent local public facility plans, regional policies, and the statewide planning goal for urbanization and its attendant consequences. Because this amendment deals with an extension of the boundary over submerged lands and a water area adjacent to urban uplands, agricultural land retention or compatibility factors of Goal 14 are not applicable.

Metro Code 3.01.20(c) Goal 2

Goal 2 standards are met because there are no alternate sites inside the current UGB to accommodate the existing uses at 185th/Marine Drive. The current County comprehensive plan

allows for the limited development of houseboats in this Policy 26 area, subject to review. The existing houseboats have been in place and can be considered compatible with existing upland uses. Keeping the houseboats at this location would be no more adverse than locating them elsewhere within the existing UGB.

Goal 5

Goal 5 standards, applicable because of the river location of this amendment, are met in part by the internal consistency of the acknowledged Multnomah County Comprehensive Framework Plan. Policy 26 designates houseboat moorage locations consistent with environmental and natural area considerations for this section of the river consistent with State and Federal policies. The "SEC" zoning (significant environmental consideration) used as an overlay for this area of the County requires design and development review of all applications, which further addresses the impact of the houseboats on this river area. The moorage location at 185th Ave. and Marine Dr. adjoins a filled or dyked river bank, and is adjacent to industrial land. Urban services will allow needed sanitary sewer treatment for this site on the river which is inadequately served at present.

Findings

Metro Code 3.01.20 Legislative Amendment Criteria

3.01.20(b)(1) Goal 14, Factor 1

Factor 1 requires Metro to address land supply need in the regional context. Showing "need" is the primary requirement for a legislative or major amendment to the boundary (normally changes greater than 20 acres - this amendment is approximately 61 acres of river area). A legislative amendment is one means of changing the regional UGB, often in conjunction with Periodic Review findings. Need in such cases must show why the population/employment forecasts cannot be met by the existing land supply within the UGB.

In this case, Multnomah County's acknowledged Policy 26 has created a unique housing opportunity in the region on water rather than land for three specific and limited locations (on the Multnomah Channel, Oregon Slough, and Columbia River). The rural designation for this

segment of the river at 185th/Marine Dr. is inconsistent with river houseboat moorages here which have urban service needs, including sewer and public safety provisions. Furthermore, the densities of the moorages are not rural in nature, they are urban (at 2.5 - 5 dwelling units per gross acre), and require a full range of coordinated municipal services. The Multnomah County zoning of Urban Future anticipated urban designation for this Policy 26 site. Metro recognizes Policy 26 and the existing houseboat moorage area at 185th/Marine Dr. as a demonstration of the Goal 14 Factor 1 "need" requirements as called for in Metro Code 3.01.30(b)(1)(A) - (E).

3.01.20(b)(2)(A) Goal 14, Factor 2

Factor 2 requires, in this case, that Metro show an unmet housing need in accordance with Goal 10 and its associated administrative rules. Goal 10 is: "to provide for the housing needs of citizens of the state". The Metropolitan Housing Rule defines needed housing (referring to cities larger than 2500 people) as: "housing that includes, but is not limited to attached and detached single family housing and multi-family housing for both owner and renter occupancy and manufactured homes;" (660-070-005)(2)(a)(A). This definition shows houseboats are "needed housing", although Multnomah County considers the houseboats as a "housing option" for the river location.

Metro's interpretation of the UGB at the shoreline, now prevents upgrading services or adding new development above and beyond the County standards for this Policy 26 area. This includes sewer, public safety and planning and zoning requirements. Existing moorages and newly annexed properties in the Policy 26 area are not allowed to realize urban level development or redevelopment potential without a UGB amendment. The annexation by Gresham is a violation of its own code and the Portland annexation is presently ineffective. This condition withholds potential urban houseboat moorages from the planned housing stock. The Statewide Planning Goals explicitly state UGB changes consider "availability of sufficient land for the various uses to insure choices in the marketplace" (Goal 14). Areas of this urbanized stretch of the Columbia River in the middle of a metropolitan area need to be formally acknowledged as being in the urban domain and therefore managed according to State planning goals and guidelines by the municipalities therein.

Houseboat locations are increasingly constrained. The Portland International Airport has limited the housing along large parts of the Columbia River because of noise. Much of the Willamette

is not suitable because of a predominance of recreational and environmental allowances, industrial uses, and public facilities serving Portland. There are limited houseboat sites within the UGB - on the Oregon Slough, along the south side of Tomahawk Island. Policy 26 itself enumerates other Comprehensive Plan policies that are binding and limit the location of houseboat moorages anywhere else.

Metro Code 3.01.20(b)(2)(A) also requires consideration of adjacent comprehensive plans. The Policy 26 area currently borders on the City of Gresham and the City of Portland, both cities would allow residential river uses. Gresham and Portland have already annexed portions of the Policy 26 area to mid-South Channel Columbia River, and are responding to property owner's petitions for annexation of most if not all of this Policy 26 area. The City of Gresham's zoning in the adjacent area is Heavy Industrial (HI), but the city's code allows houseboat moorages as a conditional use in any river zone. The City of Portland's zoning to the west is RFcs/sec - a low density residential area with environmental and noise overlays (in recognition of both the river and the airport further west), but the site is within the South Shore Plan District, a commercial district allowing relatively high residential densities. Portland will permit houseboat moorages in the Policy 26 area since it is outside the airport 65 ldn (average noise level contour) and it is consistent with the County designation for the area. Both jurisdictions have pending applications for serving the houseboats in the non-incorporated Policy 26 area³, a UGB amendment will assure approval of those applications.

The Metropolitan Housing Rule (OAR 660-7-000 (2)) requires regional coordination: "Metro shall ensure that needed housing is provided for on a regional basis through coordinated comprehensive planning". By adopting this UGB amendment, Metro would be exercising its responsibility to coordinate an existing housing opportunity stipulated in the Multnomah County Comprehensive Framework Plan with the comprehensive plans of the City of Portland and the City of Gresham. Gresham supplies sewer and water to two existing moorages via urban uplands on the river. Other moorages need one or more urban services. The service agreements are in place for Gresham and Portland to serve all areas of Multnomah County within the UGB. It is Metro's obligation to seek a consolidation agreement consistent with local, regional, and

³ The City of Portland is considering permits for the Donnerberg Property, the westerly most portion of the Policy 26 area on NE Marine Dr., pending UGB amendment (the city has already annexed the property). The City of Gresham serves (contrary to city code) the Islands Moorage, and is prepared to hold hearings on annexation of the remaining unincorporated properties in the easterly portion of this Policy 26 area, pending UGB amendment.

state planning guidelines.

The amendment must also show consistency with Metro's own policies on urban growth management, transportation, housing, solid waste, and water quality management. Bringing the Policy 26 area into the UGB and coordinating local comprehensive plans, furthers numerous Metro goals and policies. Metro's Regional Urban Growth Goals and Objectives (RUGGO) address urban growth policy in Objective 15 Urban Rural Transition, and Objective 16 Developed Urban Land. Objective 15 states the UGB boundary features should be located using among other things "historic patterns of land use or settlement", consistent with the perimeter of the existing moorages and/or the city annexation boundaries (mid-channel) for the Policy 26 area at 185th and Marine Dr. Objective 16 requires redevelopment and infill consideration in any expansion of the UGB; consistent in spirit is the full utilization of this moorage area using infill and redevelopment.

RUGGO Objective 11 (Housing) requires Metro ensure a choice of diverse housing types, consistent with this amendment. Regional transportation policies (RUGGO Objective 13 and the Regional Transportation Plan) are oriented toward multi-modal and energy efficient uses. Amending the UGB along the river may increase auto usage to the area (without transit alternatives). But, trip reduction efficiencies may be found in the proximity of this river housing to Portland's developing Columbia South Shore industrial district, which may eventually have bus service. Metro's standards for efficient development (UGB policies and RUGGO Objective 15) are met since existing sewer and water facilities could be utilized in the improvement of these moorages. This UGB amendment seeks to efficiently utilize these basic urban services (consistent with Objective 7 - Water Quality). The surrounding industrial uses in the area are consistent with the capacity to serve the additional load of these moorages.

Metro Code 3.01.20(b)(3)-(7) Goal 14, Factors 3 - 7

The UGB legislative amendment criteria ask that the "recommended site is better than alternative sites, balancing Factors 3 through 7". Clearly, the site restrictions for houseboat moorages, as identified in Policy 26, favor the efficient development of the existing site at Marine Dr. and 185th Ave. rather than an alternative site.

In accordance with Factor 3, public facilities and services could be orderly and economically provided using existing capacity and service providers. Urban service contracts with the City

of Gresham and the City of Portland are in place for providing water and sewer to the existing moorage area. Existing facilities could be extended to serve the moorages.

Regarding Factor 4, there will be a maximum efficiency of land uses - in this case housing - in the Policy 26 area. One measurement of land use efficiency for housing is density. Urban housing density standards (Metropolitan Housing Rule) specify average densities between six and ten units a net acre (approximately 3.5 - 7 units a gross acre). The current densities are 2.5-5 units/gross acre (zoned actually at up to 3.6 units/50' water frontage by Multnomah County). Portland zoning in the South Shore Plan District allows densities limited only by height and setback requirements. Expected conversion of boathouses to combos (living and storage facilities) or to houseboats could bring the moorage densities close to 5 units a gross acre on average for this Policy 26 site, consistent with urban standards.

In accordance with Factor 5, Policy 26 has evaluated the environmental, energy, economic, and social consequences of urban densities in this area as required by the Metro code (3.01.20 (b)(5)(A-C)). There are no special protection requirements or impacts that have not been considered here-to-fore in the Multnomah County Framework Comprehensive Plan process (see Policy 26 (A) Applicable Policies) or the subsequent development approval process. The long term impacts would be no more adverse than efficiently utilizing a partially urbanized or developed area elsewhere in the region. Therefore, the UGB amendment at this site is more efficient and useful given the limitations on houseboat moorage sites and the existing investment in infrastructure, improvements and potential service extensions at this site.

Finally, the proposed UGB expansion site has no impact on agricultural land or its activities, and factors 6 & 7 of Goal 14 are not applicable for this amendment.

The favorable balance of factors 3 - 7 has been demonstrated. Service extensions make economic sense for this area, efficient development patterns would result, the planning has been in place for development of this site for over 15 years, and there is municipal support for assuming responsibility for a full range of urban services. This is underscored by the State's acknowledgement of the Multnomah Comprehensive Framework Plan and its Policy 26.

Metro Code 3.01.20(c) Goal 2

Metro Code 3.01.20(c) addresses Goal 2 requirements by showing compliance with Goal 14

factors and the related exceptions process for boundary changes contained in Goal 2. The code requires demonstrating why the proposed uses cannot be sited elsewhere, why the identified amendment accommodates the need at the site, that the uses are compatible with surrounding uses, that any adverse impacts are not more at the proposed location than elsewhere. This information has been largely addressed through the Goal 14 criteria, by: demonstrating need, showing pre-existing use, demonstrating the creation of more efficient housing development, and showing why coordination of local government planning is needed.

Furthermore, the Policy 26 area in the vicinity of 185th Ave. and Marine Dr. is outside the UGB and there are no alternative locations for houseboats inside the current UGB. The UGB amendment is a necessary and efficient expansion of the boundary for the houseboat moorages which are more urban than rural in nature and need municipal services⁴. Furthermore, the houseboat moorages are adjacent to and compatible with the comprehensive plans of the surrounding jurisdictions as was shown above (Goal 14).

As required in the Metro Code regarding Goal 2 (3.01.20 (c)(3)), the amendment at this location would prove less adverse than attempting to site new houseboat moorages within the UGB, since other locations are non-existent in a practical sense. In addition, the pre-existing development and planning at the current locations create efficiencies that far outweigh the adverse impacts and incompatibility of relocating on a waterway currently inside the UGB.

Metro Code 3.01.20(e) Other Goals

The Metro UGB Amendment Procedures require an amendment to address any other applicable goals. Statewide Planning Goal 5 (Open Space, Scenic and Historic Areas, and Natural Resources) is applicable here because of the river location and the natural resource implications of the UGB amendment.

The State's acknowledgement of Multnomah County's Policy 26 largely pre-disposes consideration of the Goal 5 implications since they have been reviewed previously as part of the Comprehensive Framework Plan. Policy 26 contains criteria for locating the houseboat sites which include consideration of environmental and natural area consequences. The internal

⁴ Multnomah County, Houseboat and Marina Report, 2/19/92. Page 9: " 3.) The McGuire Island marinas have direct access to urban uplands and the associated urban services. The area is already committed to urban scaled marina development."

consistency of the Multnomah County Comprehensive Framework Plan, its accordance with federal, state and local policies, and its criteria in regard to the natural and physical limitations of constructing and operating houseboat moorages, provide binding limitations for locating houseboat moorages in the County.

The above mentioned Policy 26 criteria limited the number of houseboat moorage sites in the County. These sites met criteria which struck a balance between public interests and needs, environmental effects, recreation and scenic values, natural area values, service efficiencies, long range urban service provision, and more. The river is a limited resource which many metropolitan uses compete for, including ports and shipping, passive recreation uses, natural scenic area management, and housing. The site proposed for inclusion in the UGB at 185th Ave. and Marine Drive has met the Goal 5 review standards in the County's comprehensive plan acknowledgement process and design review and development standards for the site.

The increased houseboat densities at these moorage sites do warrant urban service provision, especially sewer hook-ups. Replacing septic systems that release effluent into the river at some moorages would improve water quality in this area of the river.

Policy 26 does not itself limit the river encroachment from the shoreline. Policy 26 has relied on DSL leases (which vary from 105' to 548' into the river) to determine the distance houseboat moorages extend into the river. This amendment sets a maximum distance for the area's urban designation using today's annexation standards (mid-channel - approximately 550'), but defers to the State and local government for actual leases and permits. (This would not prevent the Division of State Lands from enforcing shorter lease distances from shore, as currently proposed in the agency's rule making process - 25% of channel distance, approximately 225' - 300' in this area). Furthermore, construction in the river is subject to federal agency regulation (Army Corps of Engineers). The presence of existing structures and the pending permits show the Corps' standards are being met for this location on the river, and that there would be no inconsistent effects of build out in this Policy 26 area.

In conclusion, the Goal 5 issues have been mitigated in the larger context of the Multnomah County Comprehensive Framework Plan, its policies, and its implementation process. For the Policy 26 area, the existing moorages and property are a contained segment of development along a dyked river bank. The moorages do not pose a conflict with any significant sensitive land or river resource issues in this urban area of the river. Urban services would improve the

environmental controls of the moorages. The sub-merged land leases, State and Federal policy, and local development standards will continue to affect the extent of development permitting on the river.

Conclusion

Having met the Metro criteria for a legislative amendment to the urban growth boundary (Metro Code 3.01.20), including Statewide Planning Goals and administrative rules, and having considered other relevant Metro and local government policies, an amendment of the UGB for the Policy 26 area described is in accordance with Metro's regional planning responsibilities and approval by the Metro Council is recommended.

List of Exhibits for the Record

Map 1 Existing and Proposed UGB

Map 2 UGB map adopted in 1979, describing UGB along Columbia River

Map 3 Current UGB map in use at Metro for Columbia South Shore

City of Gresham letter, 9/92

Multnomah County Comprehensive Framework Plan, Policy 26

Gresham zoning map for adjacent shore property

Portland zoning maps for area along Columbia River

Multnomah County report: "Houseboat Densities and Related Marina Issues", 2/19/92

Multnomah County transmittal letter of DSL report on leases in Policy 26 area

DEQ letter 8/93



R L I S

Regional Land Information System

MAP 1
Existing and Proposed UGB
Case 93:1 Columbia South Shore,
Policy 26 Area

----- Urban Growth Boundary
 Proposed Urban Growth Boundary Amendment, Policy 26 Area


Recent River Annexations:

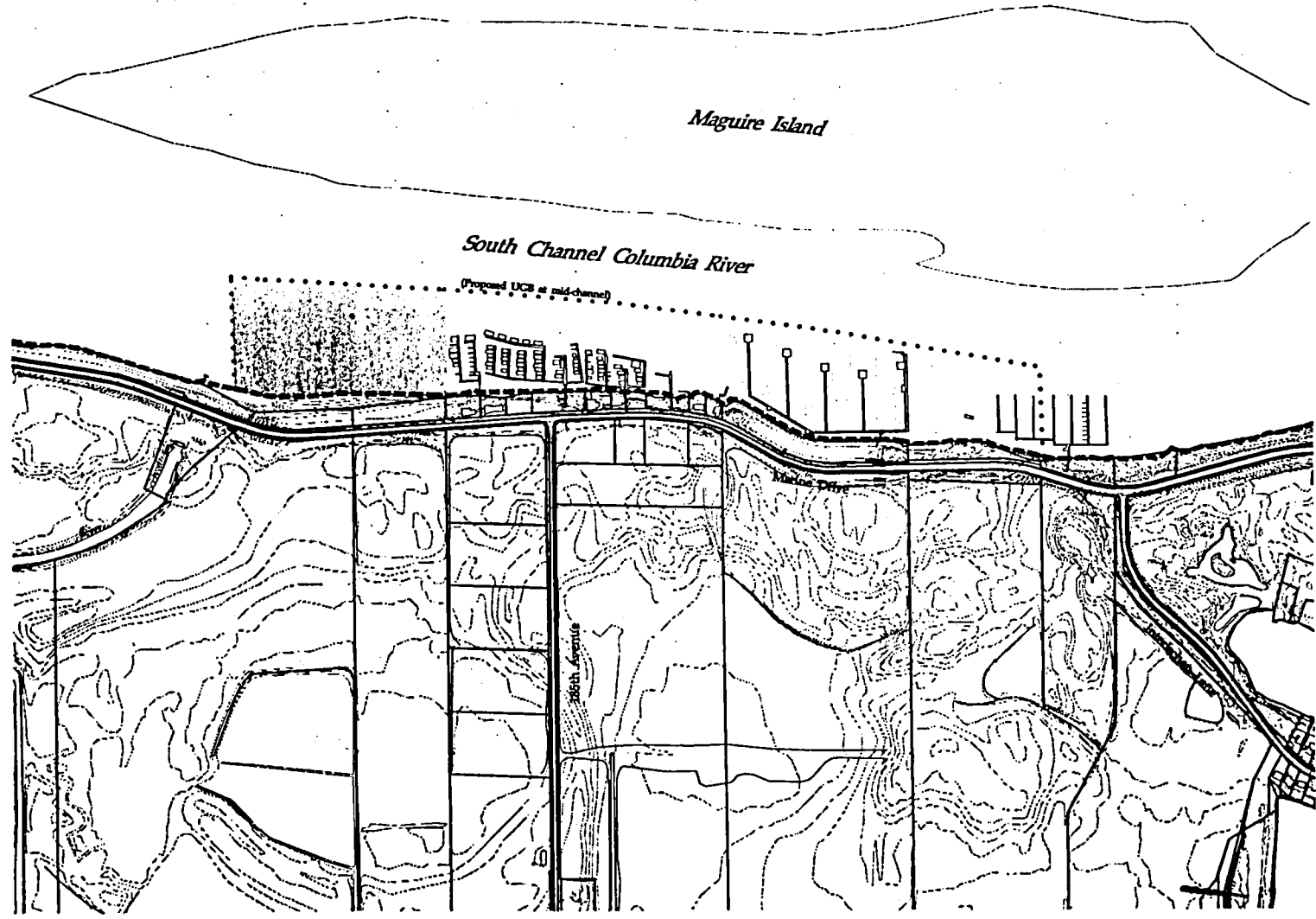
 City of Portland, 1993
 City of Gresham, 1985

Scale approximately 1 inch = 600 feet

Note: Incomplete representation of marinas and moorage structures on this map.

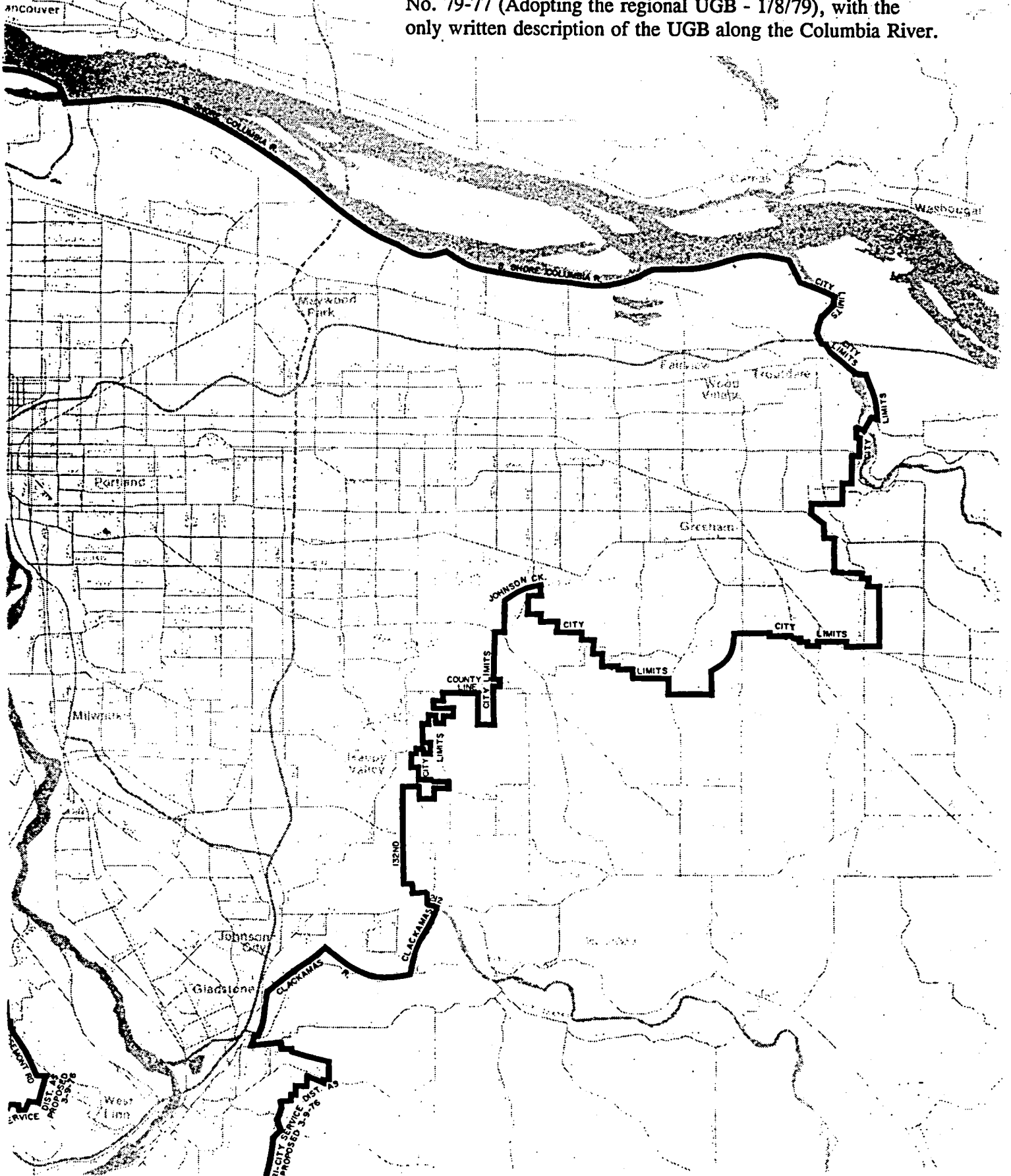
609 NE Grand Ave
 Portland, OR 97233-2736
 (503) 797-1700


 METRO



Map 2

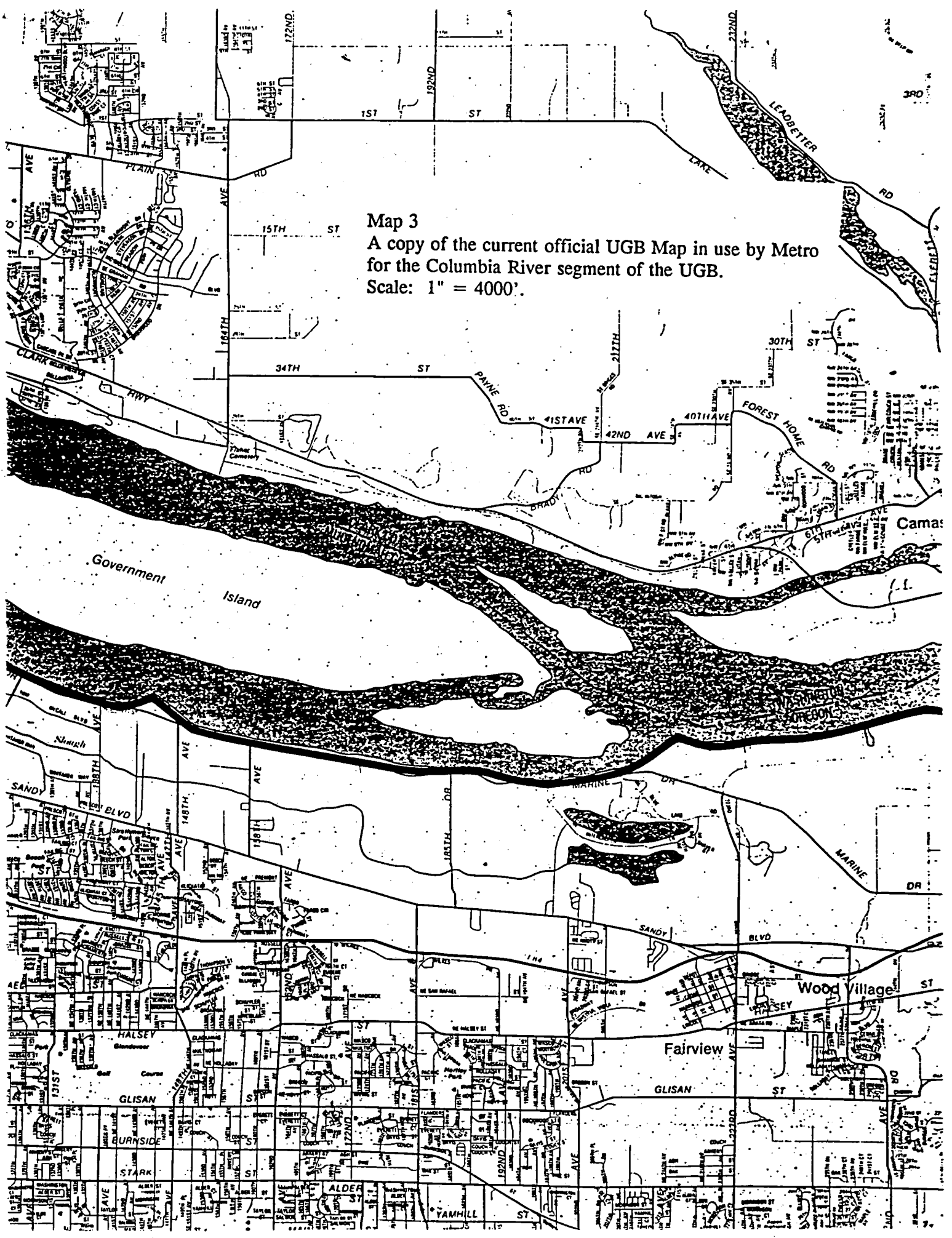
A copy of the reduced original map incorporated in Ordinance No. 79-77 (Adopting the regional UGB - 1/8/79), with the only written description of the UGB along the Columbia River.



Map 3

A copy of the current official UGB Map in use by Metro for the Columbia River segment of the UGB.

Scale: 1" = 4000'.



Multnomah County Comprehensive Framework Plan, Policy 26: Houseboats

POLICY 26: HOUSEBOATS

INTRODUCTION

Houseboats have been a housing option in Multnomah County for nearly a hundred years. Once little more than floating shacks, houseboats today are often substantial structures with all the amenities of traditional houses, and are home to middle and upper income citizens.

Moorage sites are limited in the County, and demand for moorage space is high. Local moorages are all at or near capacity. However, demand for houseboat space should not be equated with need. Houseboats were not considered in Multnomah County's housing needs inventory, nor are they required to fulfill the County's housing obligation. Projected housing demand to the year 2000 can be met with lands already zoned for residential development. Therefore, houseboats may be considered a desired housing choice, but not a needed one.

The demand for houseboat space conflicts with other legitimate demands on the finite amount of available public waterways in the County. A houseboat location policy must attempt to reconcile the conflicting interests of houseboat owners, recreational boaters, conservationists, industrial developers, and the general public. It must ensure the protection of houseboat residents from the inherent hazards of waterway life and also provide for protection of the general public from possible negative impacts of houseboat development.

POLICY 26

THE COUNTY, IN ORDER TO PROVIDE A BROAD RANGE OF HOUSING OPPORTUNITIES FOR ITS CITIZENS, RECOGNIZES HOUSEBOATS AS A HOUSING OPTION. THEREFORE, IT IS THE COUNTY'S POLICY TO PROVIDE FOR THE LOCATION OF HOUSEBOATS IN A MANNER WHICH ACCORDS WITH:

- A. THE APPLICABLE POLICIES IN THIS PLAN, INCLUDING POLICIES 2 (OFF-SITE EFFECTS), 13 (AIR, WATER, NOISE), 15 (SIGNIFICANT ENVIRONMENTAL CONCERN), 16 (NATURAL RESOURCE), 21 (HOUSING CHOICE), 24 (HOUSING LOCATION), 32 (CAPITAL IMPROVEMENTS), 34 (TRAFFICWAYS), 36 (TRANSPORTATION SYSTEM DEVELOPMENT), 37 (UTILITIES), and 38 (FACILITIES).
- B. ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL POLICIES THAT REGULATE WATERWAY AREA DEVELOPMENT.
- C. THE FOLLOWING CRITERIA FOR LOCATING OR EXPANDING A HOUSEBOAT MOORAGE:
 1. THE MEAN LOW WATER LINE EXCEEDS FIVE FEET;
 2. THE MOORAGE AREA SHOULD BE PROTECTED FROM SILTATION PROBLEMS WHICH MIGHT REQUIRE COSTLY DREDGING TO ACHIEVE THE PROPER WATER DEPTH;

3. THE MOORAGE IS ADEQUATELY PROTECTED FROM THE ADVERSE EFFECTS OF WIND, WAVE ACTION, ICY CONDITIONS, AND OTHER HAZARDS;
4. ADEQUATE LAND AREA EXISTS TO ACCOMMODATE PARKING AND ANY ACCESSORY BUILDING REQUIREMENTS;
5. THE PROPER MAINTENANCE AND OPERATION OF DIKES, AS DETERMINED BY THE ARMY CORPS OF ENGINEERS, IS NOT ADVERSELY AFFECTED BY THE MOORAGE;
6. THE UPLAND AREA ADJACENT TO THE MOORAGE DOES NOT HAVE UNIQUE RECREATIONAL, ECOLOGICAL, OR WILDLIFE HABITAT VALUE; AND
7. THE UPLAND AREA ADJACENT TO THE MOORAGE IS NOT ZONED FOR EXCLUSIVE AGRICULTURAL USE.

THE FOLLOWING AREAS ARE DESIGNATED AS SUITABLE FOR HOUSEBOATS:

1. MULTNOMAH CHANNEL (WEST SIDE).
 - (A) FROM ROCKY POINT MOORAGE, OR FROM AN AREA 1650 FEET NORTH OF THE SOUTHERN BOUNDARY OF SECTION 36, T3N, R2W, KNOWN AS ROCKY POINT, NORTH TO THE COLUMBIA COUNTY BOUNDARY.
 - (B) FROM THE CITY OF PORTLAND CORPORATE LIMITS NORTH TO 1/2 MILE NORTH OF THE SAUVIE ISLAND BRIDGE.
2. OREGON SLOUGH.
 - (A) THE SOUTH SHORE OF TOMAHAWK ISLAND.
 - (B) ANY OTHER AREAS IDENTIFIED AS SUITABLE FOR HOUSEBOATS BY THE HAYDEN ISLAND PLAN.
3. COLUMBIA RIVER (NEAR 185TH AVENUE).
 - (A) FROM THE NORTHWEST CORNER, GEORGE B. PULLEN D.L.C., TO THE NORTHEAST CORNER, PULLEN D.L.C.

HOUSEBOATS AND MOORAGES EXISTING OUTSIDE THESE AREAS SHALL BE LIMITED TO EXISTING SITES AND LEVELS OF DEVELOPMENT.

NO HOUSEBOATS SHALL BE LOCATED ON THE COLUMBIA RIVER EAST OF THE SANDY RIVER, OR IN VIOLATION OF FEDERAL AVIATION ADMINISTRATION CLEAR ZONE STANDARDS, OR IN VIOLATION OF ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL STANDARDS.

STRATEGIES

- A. As part of the continuing planning program, the County should consider the provision of commercial accessories and/or community service uses as a condition of moorage development, in order to mitigate the impacts of moorage populations.

B. The Zoning Ordinance should be amended to:

1. Allow for the location and expansion of houseboat moorages within designated areas.
2. Include safety and fire protection standards to provide a safe living environment for houseboat dwellers.
3. Provide standards which minimize the adverse effects of houseboat development on surrounding areas.



Meeting Date: September 9, 1993
Agenda Item No. 6.2

ORDINANCE NO. 93-511

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-511 AMENDING ORDINANCE NO. 93-487A REVISING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF APPROPRIATING FUNDS FOR A GREENSPACES OPTIONS DEMONSTRATION PROJECT

Date: August 31, 1993

Presented by: Pat Lee

PROPOSED ACTION

This Ordinance would amend the FY 1993-94 Budget to appropriate \$62,500 from General Fund Contingency to begin a "Greenspaces Options/Acquisition Demonstration Project." Options would be sought from willing sellers to purchase their land (fee simple or conservation easement) for immediate protection as part of the Metro Parks and Greenspaces system. Conservation easements and right-of-way purchases for the Regional Trails System in the Greenspaces Master Plan may also be sought from willing sellers. Funds will be needed for consideration (e.g., cost of buying the option), appraisals, title search, environmental and hazardous wastes inspections, and real estate research and advice. To the extent possible, 18-month options will be sought for which consideration (i.e., money) can be credited to the final purchase price.

Attached is companion Resolution No. 93-1832 exploring the options demonstration projects. It is scheduled for hearing before the Council Planning Committee on September 14, 1993, and the full Council on September 23, 1993.

FACTUAL BACKGROUND AND ANALYSIS

The Greenspaces Master Plan details 57 sites of regional significance and 34 trails/greenway corridors of regional significance as priorities to be protected, preserved and/or acquired as public open space. Acquisition funds could come from revenues derived from regional or local bond measures; municipal tax revenues, capital funds and trust funds; state and federal grants; private foundations, land trusts and nonprofit conservation organizations; and private donations.

Implementation of the Master Plan will require acquisitions of specific sites, easements and/or right-of-ways. This proposed demonstration project would begin this process.

The rationale for a demonstration project, project goals, project description, guidelines for pursuing options, initial list of sites to explore, option potential, staff and contract needs of this demonstration project are detailed in Resolution No. 93-1832.

The Metropolitan Greenspaces Technical Advisory Committee unanimously recommended adoption of Resolution No. 93-1832 and initiation of the options project at their August 20, 1993, meeting. The Greenspaces Policy Advisory Committee unanimously recommended adoption of the resolution and initiation of the program at their August 25, 1993, meeting.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer has no recommendation on this Ordinance at this time.

STAFF REPORT

**CONSIDERATION OF RESOLUTION NO 93-1832 FOR THE PURPOSE OF
ESTABLISHING A GREENSPACES OPTIONS DEMONSTRATION PROJECT**

Date: September 1, 1993

Presented By: Pat Lee

PROPOSED ACTION

This Resolution would direct Metro staff to begin implementation of a "Greenspaces Options/Acquisition Demonstration Project." Options would be sought from willing sellers to purchase their land (fee simple or conservation easement) for immediate protection as part of the Metro Parks and Greenspaces system. Conservation easements and right-of-way purchases for the Regional Trails System in the Greenspaces Master Plan may also be sought from willing sellers.

The demonstration project is described in Exhibit A of the Resolution.

While this resolution does not request funds for obtaining the options, Metro will need to provide funds to cover the costs of negotiating and purchasing the options. Funds will be needed for consideration (e.g., cost of buying the option), appraisals, title search, environmental and hazardous wastes inspections, and real estate research and advice. To the extent possible, 18-month options will be sought for which consideration (i.e., money) can be credited to the final purchase price.

If this Resolution is approved, a funding request would be forwarded to the Council. Funds, currently estimated at \$62,500, are proposed to come from the General Fund contingency budget. This would require a budget amendment adopted by an ordinance.

FACTUAL BACKGROUND AND ANALYSIS

The Greenspaces Master Plan details 57 sites of regional significance and 34 trails/greenway corridors of regional significance as priorities to be protected, preserved and/or acquired as public open space. Acquisition funds could come from revenues derived from regional or local bond measures; municipal tax revenues, capital funds and trust funds; state and federal grants; private foundations, land trusts and nonprofit conservation organizations; and private donations.

Implementation of these goals in the Master Plan will require acquisitions of specific sites, easements and/or right-of-ways. This proposed demonstration project would begin this process. Attachment B to the Resolution is a Memorandum of Understanding with the Trust for Public Land to coordinate parallel option efforts, and demonstrating Metro's ability to effectively use existing resources to pursue acquisitions.

The rationale for a demonstration project, project goals, project description, guidelines for pursuing options, initial list of sites to explore, option potential, staff and contract needs of this demonstration project are detailed in Exhibit A.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer has no recommendation on Resolution No. 93-1832 at this time.

PL/srb
e:\pd\res&ord\93-1832

BEFORE THE METRO COUNCIL

**FOR THE PURPOSE OF ESTABLISHING A) RESOLUTION NO. 93-1832
GREENSPACES OPTIONS DEMONSTRATION)
PROJECT) Introduced by Richard Devlin
) Metro Council, District 4**

WHEREAS, Metro adopted the Metropolitan Greenspaces Master Plan by Resolution No. 92-1637 on July 23, 1992; and

WHEREAS, The Master Plan "articulates a desired system of large natural areas recommended for protection and interconnected with greenways and trails" for the Metro region (page 1); and

WHEREAS, The Greenspaces Master Plan outlines evaluation factors and policies that led to mapping 57 regionally-significant large natural areas and a regional trail system (Part Two, Section One); and

WHEREAS, Acquisition is one essential strategy in developing a regional system of Greenspaces (page 67); and

WHEREAS, Greenspaces Master Plan Policy 1.18 states that acquisition by purchase or gift will be pursued through any appropriate local, regional, state, federal, foundation and private funding; and

WHEREAS, Greenspaces Master Plan Policy 2.23 states that Metro will support development of new funding resources for the Greenspaces Program and encourage, facilitate, and coordinate donations of land and easements; and

WHEREAS, A large source of local revenue is not currently available to fund land assembly and acquisition of Greenspaces land; and

WHEREAS, There are indications that numerous and diverse privately-owned portions of the 57 regionally-significant natural areas and the regional trail system may be currently available from willing sellers; and

WHEREAS, Greenspaces Master Plan Policy 1.20 states that Metro will negotiate acquisition of natural areas with willing sellers to the extent possible; and

WHEREAS, The Metro Council desires to move forward currently with the implementation of the Greenspaces Master Plan to the extent that is feasible without a large source of local revenue; and

WHEREAS, All appropriate acquisition strategies need to continue to be explored as part of Greenspaces implementation; and

WHEREAS, An acquisition demonstration project which identifies a regionally diverse set of current willing sellers may attract public or private funding for acquisition of Greenspaces; and

WHEREAS, Review of the experience of Trust for Public Lands, the city of Gresham, Multnomah County, North Clackamas Park and Recreation District, and Lake Oswego indicates that commitments prior to actual purchase to sales terms, possibly including actual price or a binding appraisal, are often obtained from willing sellers by negotiating option agreements; and

WHEREAS, Trust for Public Land has indicated a willingness to coordinate its activities in the Metro region with Metro; now, therefore,

BE IT RESOLVED,

1. That the demonstration project to seek options to purchase properties consistent with the Greenspaces Master Plan's 57 large regional sites and regional trails system described in Exhibit "A" shall proceed to the extent possible with current staff.

2. That upon approval of an appropriate budget ordinance, negotiations to obtain a set of regionally diverse options to purchase Greenspaces lands shall be completed for Council approval.

3. That the cooperative agreement with Trust for Public Land attached as Exhibit "B" is supported by this Council for immediate identification and commitment of willing sellers consistent with the demonstration project in Exhibit "A."

ADOPTED by the Metro Council this _____ day of September 1993.

Judy Wyers, Presiding Officer

PL/erb
e:\pd\res&ord\93-1832

Exhibit A

GREENSPACES ACQUISITION DEMONSTRATION PROJECT

A. Goals

1. Demonstrate Application of Master Plan "Willing Seller" Policy
2. Demonstrate that a Regionally Diverse Supply of Private Lands Are Available for Purchase Immediately
3. Demonstrate Metro's Ability to Use a Business Approach Toward Acquisition
 - a. Demonstrate ability to use existing non-profit resources (Trust for Public Land (TPL))
 - b. Demonstrate Metro ability to use the Option Technique
4. Demonstrate that Acquisition is a Priority Even in the Absence of General Obligation Bond Proceeds
5. Demonstrate that Metro is Still Committed to Implementation of the Master Plan
6. Demonstrate Examples of Operation and Maintenance Solutions
7. Demonstrate an Approach to Purchase at Fair Market Value

B. Project Description

1. Greenspaces Master Plan Policies Base

Existing Greenspaces Master Plan Policies 1.18 and 2.23 state that Metro will support development of new funding resources and seek acquisition by appropriate local, state, federal or private funding. Grant funds from foundations such as the Meyer Memorial Trust, and coordination with other public agencies such as Oregon State Parks, Portland Bureau of Environmental Services, are examples of applying these policies.

2. Trust for Public Land "Cooperation" Memorandum of Understanding

A brief cooperative agreement will be negotiated to describe understandings of each agency's tasks, that TPL is assisting and is not Metro's agent, and that TPL will not promise that Metro will buy the option to properties in the future. Further, the agreement will identify the project manager at Metro for TPL coordination, identify each party's purpose in the cooperation, and clarify that each party will be responsible for their own costs. The same set of guidelines for this short-term demonstration project should be used by both parties and attached to the cooperative agreement.

3. Metro Staff Component

Greenspaces staff and contract expertise will be needed to followup "leads" to determine the number of willing sellers and the interest in land involved. In-house legal counsel will be used to create option forms and other documentation to implement this project.

4. Demonstration Project Elements

- a. Use up to \$62,500 of Metro funds to negotiate, review and evaluate willing seller prospects and to obtain six to eight (or more) regionally diverse options to purchase Greenspaces land as soon as possible.

- b. Use adopted guidelines to assure regional diversity, develop option terms and prioritize willing seller proposals.
- c. TPL cooperative efforts used to supplement Metro-funded efforts to obtain willing seller options.
- d. This is a short-term demonstration project to assemble easily-obtained Greenspaces lands for which it may be possible to pursue grant applications, or purchase by other public agencies, or purchase with bond funds, if approved by the voters, or other Metro acquisition funds should a revenue stream be established.
- e. Seek Operation and Maintenance Commitments for Selected Demonstration Sites.

DEMONSTRATION PROJECT RESOLUTION

The suggested vehicle for Council consideration of this new project is a resolution that directs staff to pursue the options program and prepare the appropriate ordinances amending the budget. Also, the resolution would approve the signing of the cooperation MOU with Trust for Public Land.

The elements of the resolution are (1) demonstration project description containing site priority guidelines, staff memorandum describing the program, and the initial list of willing seller "leads" - Exhibit "A," and (2) Trust for Public Land MOU - Exhibit "B."

GREENSPACES ACQUISITION DEMONSTRATION PROJECT SITE PRIORITY GUIDELINES

1. Willing Seller Option to Purchase
 - a. Willing to enter into option
 - b. 18-month option commitment preferred
 - c. Set purchase price or binding appraisal process in option
2. Geographic Diversity
3. Regional Significance on Master Plan
 - a. Large site
 - b. Regional trail
 - c. Identified restoration site
 - d. Connectivity value
4. Public Support
 - a. Area citizen groups/friends groups
 - b. Affected local governments, park districts
 - c. Not subject of historical controversy
5. Identified Commitment of Operations and Maintenance at Time Option is Exercised
6. Possibility of "Leveraging" Other Sources of Funding (private, state and federal, foundations, donations, etc.)

OPTIONS PROCESS

Step 1: List of Willing Sellers Prospects

- Contains unconfirmed "leads" in regionally-significant areas
- Contains added "leads" from Trust for Public Land
- Contains results of contact with local governments

Step 2: Background Information (Metro staff or contractor)

- Contact source of "lead"
- Assessor valuation data
- Any record of past development
- Alleged seriousness of seller
- Motives of seller

Step 3: Initial Property Owner Contact

- Explain Greenspaces Program (Master Plan Summary)
- Explain option demonstration program
- Explain Metro preferred terms (18 months, fee simple, appraisal at purchase)
- Listen to property owner needs, proposals
- Request agreement to further negotiations

Step 4: Initial Evaluation of Prospects - Guidelines, Terms

- Trust for Public Land separate evaluation seeking four options
- Greenspaces staff review background and initial contact files seeking 10-12 prospects
- Contact local government for input
- Determine probable need for appraisals
- Determine probable need for Level I environmental review

Step 5: Followup Property Owner Contacts to Sign Option

- Metro Legal helps tailor option to property owner
- Property owner signs with knowledge of remaining Metro approval process
- Written explanation of Metro approval process developed

Step 6: Metro and Trust for Public Land Signed Option Evaluation

- Review of guidelines and option terms analyzed by Options Review Committee (Metro Council, real estate expert, GPAC representatives)
- Select six to eight (or more) signed options that best meet guidelines and have best terms

Step 7: Recommendation to Metro Council

- Joint GTAC/GPAC review of recommendation
- Council Planning Committee hearing
- Council approve selected options

LIST OF POTENTIAL SITES FOR OBTAINING OPTIONS
(not in priority order)

West of the Willamette River

1. ***Haag Lake Additions*** - Western Washington County
2. ***Ridgeline over a water storage tank in the Gales Creek area*** - South of Forest Grove and Cornelius
3. ***Fern Hill Wetlands Additions*** - Forest Grove, Cornelius, Western Washington County
4. ***Jackson Bottom Addition*** - Hillsboro, Western Washington County
5. ***Rock Creek Wetlands Additions*** - Bethany, Northeast Washington County north of Sunset Highway
6. ***Forest Park Inholdings/Additions*** - Northwest Portland, Cedar Mill, Cedar Hills, Eastern Washington County, Northwest Multnomah County
7. ***Tualatin River Access Point*** - Tualatin, Tigard, Durham, Rivergrove
8. ***Cooper Mountain*** - Aloha, Eastern Washington County, Beaverton
9. ***Tualatin River Valley Wildlife Refuge*** - Sherwood, King City, Tualatin
10. ***Tonquin Scablands*** - Tualatin, Sherwood
11. ***Tryon Creek Park Additions*** - Lake Oswego, Southwest Portland
12. ***North Slope of Petes Mountain/Turner Creek*** - West Linn, Lake Oswego, Stafford Basin
13. ***Willamette Narrows/Canemah Bluffs*** - West Linn, Wilsonville, Oregon City
14. ***Portland Arboretum Additions*** - Portland
15. ***Burlington Bottom Additions*** - Multnomah County, Sauvie Island
16. ***Bybee-Howell Territorial Park Additions*** - Multnomah County, Sauvie Island
17. ***Potential Burlington Northern Railroad Abandonment*** - Area north of Forest Park west to Washington County and Beaverton
18. ***Restoration Opportunity Sites in Southwest Portland***
19. ***Noble Property*** - Hillsboro
20. ***Hart Lake*** - Tigard

21. *Wilwood Golf Course* - West Multnomah County

22. *Terwilliger Additions* - Southwest Portland

East of the Willamette River

1. *Newell Creek Canyon* - Oregon City, Redland
2. *Mt. Talbert* - North Urban Clackamas County
3. *Mt. Scott* - North Urban Clackamas County, Happy Valley, Southeast Portland
4. *Kelly Butte* - Southeast Portland
5. *Rocky Butte* - Maywood Park, North Portland
6. *Jenne Butte* - Gresham
7. *Boring Lava Domes* - Boring, Damascus, South Gresham, Happy Valley
8. *Sites Along Johnson Creek* - Southeast Portland, Milwaukie, Gresham
9. *Oxbow Park Addition/Beaver Creek Headwaters/Farm in Beaver Creek Canyon* - East Multnomah County, Troutdale, East Gresham
10. *Fairview Lake* - East Multnomah County, Fairview, North Gresham
11. *Sites Along Columbia Slough* - East Multnomah County, Gresham, North Portland
12. *Cathedral Park Additions/Willamette Greenway south to railroad bridge/Overlook* - North Portland
13. *Restoration Opportunity Sites in North, Northeast, Southeast Portland*
14. *Milwaukie Waterfront*
15. *Beaver Lake* - Clackamas County
16. *Access Points to the Clackamas River*
17. *Top of Scott Golf Course* - North Clackamas area
18. *Eastern Segments of the Springwater Corridor* - Clackamas County
19. *Finley Nature Reserve* - Clackamas County
20. *Portland Traction Right of Way* - North Clackamas area
21. *Leach Botanical Garden Additions* - Portland (outer southeast)

**22. Easements for Mt. Scott Trail connecting Happy Valley to Sunnyside and Southeast Portland
(via cemeteries)**

23. Powell Butte Additions - City of Portland (outer southeast)

24. Heron Lake Additions - City of Portland (north and northeast)

PL/wb
e:lpd/res&ord/93-1832

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING ORDINANCE)
NO. 93-487A REVISING THE FY 1993-94)
BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
TRANSFERRING \$62,500 FROM THE)
GENERAL FUND TO THE GREENSPACES)
PLANNING DIVISION OF THE REGIONAL)
PARKS AND EXPO FUND FOR A)
GREENSPACES OPTIONS)
DEMONSTRATION PROJECT)

ORDINANCE NO. 93-511

Introduced by Richard Devlin,
Councilor

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Oregon Budget Law, ORS 294.450(3), allows for the transfer of appropriation from the General Fund to any other fund during the fiscal year; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS:

1. That Ordinance No. 93-487A, Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$62,500 from the General Fund to the Greenspaces Planning division of the Regional Parks and Expo Fund for a greenspaces options demonstration project.

2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1993.

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

**Exhibit A
Ordinance No. 93-511**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND General Expenses							
<u>Interfund Transfers</u>							
581513	Trans. Indirect Costs to Bldg. Fund-Regional Center		163,504		0		163,504
581610	Trans. Indirect Costs to Support Svcs. Fund		488,647		0		488,647
581615	Trans. Indirect Costs to Risk Mgmt. Fund-Gen1		2,173		0		2,173
581615	Trans. Indirect Costs to Risk Mgmt. Fund-Workers' Comp		8,238		0		8,238
583610	Trans. Direct Costs to Support Svcs. Fund		40,000		0		40,000
583615	Trans. Direct Costs to Risk Management Fund		14,429		0		14,429
<u>Excise Tax Transfers</u>							
582140	Trans. Resources to Planning Fund		1,780,738		0		1,780,738
582513	Trans. Resources to Building Mgmt. Fund		58,869		0		58,869
582610	Trans. Resources to Support Svcs. Fund		70,000		0		70,000
582160	Trans. Resources to Reg. Parks/Expo Fund-Greenspaces		495,672		62,500		558,172
582160	Trans. Resources to Reg. Parks/Expo Fund-Parks		80,000		0		80,000
Total Interfund Transfers			3,202,270		62,500		3,264,770
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		490,000		(62,500)		427,500
599990	Unappropriated Fund Balance		267,665		0		267,665
Total Contingency and Unappropriated Balance			757,665		(62,500)		695,165
TOTAL EXPENDITURES		16.00	5,915,414	0.00	0	16.00	5,915,414

**Exhibit A
Ordinance No. 93-511**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Regional Parks and Expo Fund Resources							
Resources							
REGIONAL PARKS AND EXPO							
322000	Boat Ramp Use Permit		2,000		0		2,000
338000	Local Gov't Shared Revenues-R.V. Registration Fees		28,330		0		28,330
338200	Local Gov't Shared Revenues-Marine Fuel Tax		140,929		0		140,929
339200	Intergovernmental Revenue		187,372		0		187,372
341700	Grave Openings		105,698		0		105,698
341710	Cemetery Sales		40,214		0		40,214
347100	Admissions		349,215		0		349,215
347110	User Fees		23,594		0		23,594
347120	Reservation Fees		137,866		0		137,866
347220	Rental-Buildings		472,000		0		472,000
347300	Food Service		432,686		0		432,686
347830	Contract Revenue		708,000		0		708,000
347900	Other Miscellaneous Revenue		210,084		0		210,084
347960	Boat Launch Fees		111,025		0		111,025
361100	Interest Earned		41,151		0		41,151
373500	Sale of Proprietary Assets		15,264		0		15,264
374000	Parking Fees		520,000		0		520,000
391010	Trans. of Resources from General Fund		80,000		0		80,000
GREENSPACES PLANNING							
331110	Federal Grants						
	National Parks Service		25,000		0		25,000
	U.S. Fish & Wildlife Service		870,100		0		870,100
	U.S. Fish & Wildlife Service (Year 4)		125,000		0		125,000
337210	Local Grants						
	City of Portland, IPA/EPA		27,500		0		27,500
	Local governments		10,000		0		10,000
365100	Donations & Bequests		5,500		0		5,500
391010	Trans. of Resources from General Fund-Excise Tax		495,672		62,500		558,172
391140	Trans. Resources from Planning Fund		114,500		0		114,500
393761	Trans. Direct Costs from Smith & Bybee Lakes Fund		18,700		0		18,700
Total Resources			5,297,400		62,500		5,359,900

Exhibit A
Ordinance No. 93-511

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Regional Parks Division							
	Total Personal Services	36.84	1,246,756	0.00	0	36.84	1,246,756
	Total Materials & Services		704,713		0		704,713
	Total Capital Outlay		11,945		0		11,945
	TOTAL EXPENDITURES	36.84	1,963,414	0.00	0	36.84	1,963,414

Expo Center Division

	Total Personal Services	8.50	378,807	0.00	0	8.50	378,807
	Total Materials & Services		568,048		0		568,048
	Total Capital Outlay		168,970		0		168,970
	TOTAL EXPENDITURES	8.50	1,115,825	0.00	0	8.50	1,115,825

Greenspaces Planning Division

	Total Personal Services	6.31	352,921	0.00	0	6.31	352,921
	Materials & Services						
521100	Office Supplies		2,976		0		2,976
521110	Computer Software		2,295		0		2,295
521111	Computer Supplies		2,015		0		2,015
521240	Graphics/Reprographic Supplies		750		0		750
521260	Printing Supplies		1,000		0		1,000
521310	Subscriptions		1,750		0		1,750
521320	Dues		575		0		575
524130	Promotion/Public Relation Services		10,000		0		10,000
524190	Miscellaneous Professional Services		959,100		12,500		971,600
525710	Equipment Rental		500		0		500
526200	Ads & Legal Notices		30,000		0		30,000
526310	Printing Services		97,500		0		97,500
526320	Typesetting & Reprographics Services		17,000		0		17,000
526410	Telephone		4,000		0		4,000
526420	Postage		60,000		0		60,000
526440	Delivery Services		800		0		800
526500	Travel		4,300		0		4,300
526700	Temporary Help Services		800		0		800
526800	Training, Tuition, Conferences		2,725		0		2,725
529500	Meetings		4,100		0		4,100
	Total Materials & Services		1,202,186		12,500		1,214,686
	Capital Outlay						
571100	Land		0		50,000		50,000
571500	Purchases-Office Furniture & Equipment		2,500		0		2,500
	Total Capital Outlay		2,500		50,000		52,500
	TOTAL EXPENDITURES	6.31	1,557,607	0.00	62,500	6.31	1,620,107

**Exhibit A
Ordinance No. 93-511**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Regional Parks and Expo Fund General Expenses							
<u>Interfund Transfers</u>							
581610	Trans. Indirect Costs to Supp. Svcs. Fun		370,554	0			370,554
581615	Trans. Indirect Costs to Risk Mgmt Fund-Liability		43,000	0			43,000
581615	Trans. Indirect Costs to Risk Mgmt Fund-Worker Comp		35,000	0			35,000
581513	Trans. Indirect Costs to Bldg Mgmt Fund		30,000	0			30,000
583751	Transfer Direct Costs to MERC Admin. Fund		70,000	0			70,000
Total Interfund Transfers			548,554	0			548,554
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		112,000	0			112,000
Total Contingency and Unappropriated Balance			112,000	0			112,000
TOTAL EXPENDITURES		51.65	5,297,400	0.00	62,500	51.65	5,359,900

Exhibit B
Schedule of Appropriations
Ordinance No. 93-511

	Current Appropriation	Revision	Proposed Appropriation
GENERAL FUND			
Council			
Personal Services	987,165	0	987,165
Materials & Services	149,546	0	149,546
Capital Outlay	4,000	0	4,000
Subtotal	1,140,711	0	1,140,711
Executive Management			
Personal Services	343,248	0	343,248
Materials & Services	79,532	0	79,532
Capital Outlay	0	0	0
Subtotal	422,780	0	422,780
Office of Government Relations			
Personal Services	67,538	0	67,538
Materials & Services	74,450	0	74,450
Capital Outlay	0	0	0
Subtotal	141,988	0	141,988
Special Appropriations			
Materials & Services	250,000	0	250,000
Subtotal	250,000	0	250,000
General Expenses			
Interfund Transfers	3,202,270	62,500	3,264,770
Contingency	490,000	(62,500)	427,500
Subtotal	3,692,270	0	3,692,270
Unappropriated Balance	267,665	0	267,665
Total Fund Requirements	5,915,414	0	5,915,414
REGIONAL PARKS AND EXPO FUND			
Regional Parks			
Personal Services	1,246,756	0	1,246,756
Materials & Services	704,713	0	704,713
Capital Outlay	11,945	0	11,945
Subtotal	1,963,414	0	1,963,414
Expo Center			
Personal Services	378,807	0	378,807
Materials & Services	568,048	0	568,048
Capital Outlay	168,970	0	168,970
Subtotal	1,115,825	0	1,115,825
Greenspaces Planning			
Personal Services	352,921	0	352,921
Materials & Services	1,202,186	12,500	1,214,686
Capital Outlay	2,500	50,000	52,500
Subtotal	1,557,607	62,500	1,620,107

**Exhibit B
Schedule of Appropriations
Ordinance No. 93-511**

	Current Appropriation	Revision	Proposed Appropriation
REGIONAL PARKS AND EXPO FUND (continued)			
General Expenses			
Interfund Transfers	548,554	0	548,554
Contingency	112,000	0	112,000
Subtotal	660,554	0	660,554
Total Fund Requirements	5,297,400	62,500	5,359,900

ALL OTHER APPROPRIATIONS REMAIN AS PREVIOUSLY ADOPTED. CURRENT GENERAL FUND APPROPRIATIONS ASSUME ADOPTION OF ORDINANCE NO. 93-507, CONTRIBUTION TO THE INSTITUTE OF PORTLAND METROPOLITAN STUDIES.

Meeting Date: September 9, 1993
Agenda Item No. 6.3

ORDINANCE NO. 93-512

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-512 AMENDING ORDINANCE NO. 93-487A REVISING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF FUNDING THE LLOYD DISTRICT LOCAL STREET IMPROVEMENT ASSESSMENTS FROM THE CITY OF PORTLAND ON THE OREGON CONVENTION CENTER AND METRO REGIONAL CENTER.

Date: August 31, 1993

Presented by: Jennifer Sims

BACKGROUND AND ANALYSIS

This action provides for payment of two assessments from the City of Portland for a local improvement district for the Convention Center - Lloyd District local street improvement project. The assessments were made on the Oregon Convention Center and Metro Regional Center. The background and proposed budget action for each assessment are discussed separately.

Oregon Convention Center

In September, 1990, Metro received notice from the City of Portland on its intent to create a local improvement district for the Convention Center - Lloyd District local street improvement project; and to assess all benefited properties within the district, including the Oregon Convention Center, a portion of the cost of construction. The total estimated cost of the local improvement district was estimated to be \$5,106,000. The Oregon Convention Center's estimated assessment was \$822,489. The initial notice included notice of a public hearing and an explanation of the process by which objections would be heard. Metro's opportunity to remonstrate from the district was during this time. Metro chose not to file an objection and thus became part of the district.

Subsequent to the adoption of the FY 1993-94 budget, Metro received final notices from the City of Portland on the local street improvements. The final assessment on the Oregon Convention Center is \$721,690. This assessment was unanticipated in the FY 1993-94 budget.

The Financial Planning division prepared various funding alternatives to cover this unbudgeted expense in the Oregon Convention Center Operating Fund. The options were discussed by MERC staff and reviewed by the MERC Commission at its meeting on August 11, 1993. The MERC Commission authorized the use of \$500,000 of uncommitted capital outlay appropriation in the Convention Center Project Capital Fund to partially offset the cost of the assessment. This proposal required a legal opinion from Metro's General Counsel on the authorized use of the remaining proceeds in the Project Capital fund. An opinion from Mr. Cooper, dated August 19, 1993, was received by the Financial Planning division on August 20, 1993, and stated the proposed use of the funds was allowable providing the Council deemed this expense a related cost of the Convention Center. A copy of the opinion is attached.

The funding of the Oregon Convention Center assessment will be done in two steps. The FY 1993-94 budget provides for a \$900,000 transfer from the Oregon Convention Center Operating Fund to the Oregon Convention Center Renewal and Replacement Fund to create a reserve for future capital replacement and improvements. This transfer has not yet been made. The proposed funding plan reclassifies \$722,000 of the "interfund transfer" appropriation and moves it to materials & services to pay the local street improvement assessment. The contribution from the Operating Fund to the Renewal & Replacement Fund is reduced to \$178,000 (see page A-2, of Exhibit A to the Ordinance).

The second step of the proposed funding plan is to reclassify \$500,000 of existing, uncommitted capital outlay appropriation in the Convention Center Project Capital Fund and move it to the Renewal & Replacement Fund to partially offset the loss of contribution from the Operating fund. The total amount of contribution to the Renewal and Replacement Fund in FY 1993-94 will be \$678,000 and come from two funds -- the Oregon Convention Center Operating Fund and the Convention Center Project Capital Fund (see page A-4, of Exhibit A to the Ordinance). The \$222,000 reduction in total contributions to the Renewal and Replacement Fund will be deferred until FY 1994-95.

Metro Regional Center

In September, 1990, when the local improvement district was originally created, Pacific Development was assessed an amount on the former Sears Building for the local street improvements. When Metro agreed to the purchase of the property from Pacific Development, the assessment was included and became a part of the sale. The initial estimated assessment on the former Sears building was \$73,548.

The FY 1993-94 adopted budget included \$75,000 in the General Revenue Bond Fund to pay the Metro Regional Center assessment. Subsequent to the adoption of the FY 1993-94 budget, Metro received final notice from the City of Portland on the local street improvements. The final assessment for Metro Regional Center is \$132,716. This action proposes the transfer of \$57,716 of existing appropriation from capital outlay to materials & services in the General Revenue Bond Fund to fund the additional assessment expense. The additional expense does not impact the initial renovation and construction project, however, it will reduce the remaining balance available for further build out of Metro Regional Center to accommodate the consolidation of the regional parks functions. Current projections for the Parks build out indicate there are still sufficient funds to complete the project providing unanticipated needs do not exceed \$60,000.

The local street improvement assessments, the proposed funding plans, and the anticipated budget actions were discussed with the Council Regional Facilities Committee at its meeting on Wednesday, August 18, 1993. No objections to the assessments or the proposed funding plans and budget actions were voiced by the Committee members at that meeting. The proposed actions were also brought before the Council Finance Committee at its meeting of Wednesday, August 25, 1993. The assessments were due and payable to the City of Portland on August 27, 1993. Payment of the assessments on the date due saved Metro an estimated \$21,400 in interest and penalties.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 93-512, funding the Lloyd District local street improvement assessments as outlined above.

kr:ord93-94:lid:SR.DOC
August 31, 1993.




METRO

ATTACHMENT 1

Date: August 19, 1993

To: Kathy Rutkowski, F&MI

From: Daniel B. Cooper, General Counsel 

Regarding: USE OF CONVENTION CENTER PROJECT CAPITAL FUNDS
Our file:

I have reviewed your memorandum of August 13, 1993, in which you asked several questions related to the proposed use of an existing appropriation within the Convention Center Capital Fund to pay the Lloyd District LID assessment on the Convention Center.

After reviewing your questions and the documents related thereto, I believe the fundamental question you asked is whether the expenditure of Convention Center Project Capital Funds for the purpose of paying either the Lloyd District LID or for expenditure on "renewal and replacement" items for the Convention Center would be an appropriate use of this fund based on the purpose for which the fund was initially created in 1986. If the use of the funds is appropriate for both of these purposes, then any issues related to the distribution of the remaining balance in this fund, if any when the fund is eliminated, would be moot, along with the questions raised by you regarding the advice letter provided by Ed Einowski in March 1992 related to the disposition of unexpended bond proceeds to avoid excess proceeds problems at the time of the refunding.

Resolution No. 86-680, which created the Convention Center Project Capital Funds, specifically states that the fund is created "for the construction of the convention center including construction management, architectural/engineering expenditures, land acquisition, transfers to a debt service fund for debt payments, and related studies and costs deemed appropriate by the Council." (Emphasis supplied.) If the Council finds that the payment of the LID and that expenditures for "renewal or replacement" of costs for the Convention Center are "related costs" which the Council deems it appropriate to pay out of this fund, then the issues raised in your questions are resolved and the expenditure via a transfer of funds from one fund to another for payment is of no significance and there will also be no excess proceeds issues that need to be resolved that could possible have an adverse impact of the tax exempt status of the refunding bonds that have been previously issued.

Kathy Rutkowski
Page 2
August 19, 1993

The adoption of a budget adjustment ordinance by the Council making the transfers you have discussed would be an appropriate vehicle for the Council to find that these expenditures and transfers are appropriate.

Please let me know if you have any further questions in this regard.

gl
1739

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING ORDINANCE)
NO. 93-487A REVISING THE FY 1993-94)
BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
FUNDING THE LLOYD DISTRICT LOCAL)
STREET IMPROVEMENT ASSESSMENT)
FROM THE CITY OF PORTLAND ON THE)
OREGON CONVENTION CENTER AND)
METRO REGIONAL CENTER.)

ORDINANCE NO. 93-512
Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS:

1. That Ordinance No. 93-487A, Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of funding the Lloyd District local street improvement assessments from the City of Portland on the Oregon Convention Center and Metro Regional Center..

2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1993.

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

**Exhibit A
Ordinance No. 93-512**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL REVENUE BOND FUND:Construction Account							
Total Personal Services		1.05	68,704	0.00	0	1.05	68,704
<u>Materials & Services</u>							
Metro Regional Center							
521100	Office Supplies		100		0		100
521240	Graphic/reprographic Supplies		2,000		0		2,000
521260	Printing Supplies		500		0		500
521310	Subscriptions		144		0		144
521320	Dues		290		0		290
524190	Miscellaneous Professional Services		4,500		0		4,500
526200	Ads and Legal Notices		1,500		0		1,500
526310	Printing Services		2,000		0		2,000
526410	Telephone		250		0		250
526440	Delivery Services		100		0		100
526500	Travel		500		0		500
526800	Training, Tuition and Conferences		1,140		0		1,140
528100	Licenses, Permits & Payments to Other Agencies		75,000		(75,000)		0
528500	Government Assessments (LID)		0		132,716		132,716
Total Materials & Services			88,024		57,716		145,740
<u>Capital Outlay</u>							
Metro Regional Center							
571300	Purchases-Buildings, Exhibits & Related		45,000		0		45,000
571500	Purchases-Office Furniture & Equipment		327,173		0		327,173
574520	Const. Work/Materials-Bldgs, Exhibits & Rel.		495,000		(57,716)		437,284
Total Capital Outlay			867,173		(57,716)		809,457
TOTAL CONSTRUCTION ACCOUNT		1.05	1,023,901	0.00	0	1.05	1,023,901

**Exhibit A
Ordinance No. 93-512**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND							
Total Personal Services		90.20	3,126,813	0.00	0	90.20	3,126,813
Materials & Services							
521100	Office Supplies		31,300		0		31,300
521290	Other Supplies		151,150		0		151,150
521292	Small Tools		4,250		0		4,250
521310	Subscriptions		1,100		0		1,100
521320	Dues		6,410		0		6,410
521510	Maintenance and Repair Supplies - Building		20,000		0		20,000
521540	Maintenance and Repair Supplies -Equipment		56,000		0		56,000
523200	Merchandise for Resale-Retail Goods		3,350		0		3,350
524110	Audit Fees		10,000		0		10,000
524120	Legal Fees		7,000		0		7,000
524130	Promotion/Public Relations		89,015		0		89,015
524190	Misc. Professional Services		1,432,450		0		1,432,450
525110	Utilities-Electricity		385,000		0		385,000
525120	Utilities-Water and Sewer		65,580		0		65,580
525130	Utilities-Natural Gas		48,000		0		48,000
525150	Utilities-Sanitation Services		27,500		0		27,500
525190	Utilities-Other		3,700		0		3,700
525610	Maintenance & Repair Services-Building		91,750		0		91,750
525640	Maintenance & Repair Services-Equipment		63,790		0		63,790
525710	Equipment Rental		22,700		0		22,700
525720	Building Rental		36,500		0		36,500
525740	Capital Lease Payments-Office Equipment		6,500		0		6,500
526200	Ads & Legal Notices		5,375		0		5,375
526310	Printing Services		80,900		0		80,900
526320	Typesetting and Reprographics		10,200		0		10,200
526410	Telephone		92,326		0		92,326
526420	Postage		13,770		0		13,770
526440	Delivery Service		500		0		500
526500	Travel		30,425		0		30,425
526690	Concession/Catering Contract		2,492,000		0		2,492,000
526691	Parking Contract		36,400		0		36,400
526700	Temporary Help Services		6,500		0		6,500
526800	Training, Tuition, Conferences		30,406		0		30,406
526910	Uniforms and Cleaning		13,950		0		13,950
528100	License, Permits, Payments to Other Agencies		3,200		0		3,200
528500	Government Assessments (LID)		0		722,000		722,000
529500	Meetings		3,100		0		3,100
529800	Miscellaneous		19,550		0		19,550
529835	External Promotion Expenses		17,000		0		17,000
529930	Bad Debt Expense		2,000		0		2,000
Total Materials & Services			5,420,647		722,000		6,142,647
Total Capital Outlay			248,000		0		248,000
Interfund Transfers							
581610	Trans. Indirect Costs to Support Svcs. Fund		299,249		0		299,249
581615	Trans. Indirect Cost to Risk Mgmt. Fund-Gen'l		118,959		0		118,959
581615	Trans. Indirect Cost to Risk Mgmt Fund-Workers' Comp		66,527		0		66,527
582751	Trans. Resources to MERC Admin. Fund		313,351		0		313,351
583513	Trans. Resources to Building Management Fund		40,500		0		40,500
583xxx	Trans. Resources to OCC Renewal & Replace. Fund		900,000		(722,000)		178,000
583610	Trans. Direct Costs to Support Svcs. Fund		153,556		0		153,556
Total Interfund Transfers			1,892,142		(722,000)		1,170,142

**Exhibit A
Ordinance No. 93-512**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND							
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		500,000		0		500,000
599990	Unappropriated Balance		5,872,450		0		5,872,450
Total Contingency and Unapp. Balance			6,372,450		0		6,372,450
TOTAL EXPENDITURES		90.20	17,060,052	0.00	0	90.20	17,060,052

**Exhibit A
Ordinance No. 93-512**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
CONVENTION CENTER PROJECT CAPITAL FUND							
<u>Total Personal Services</u>		0.50	33,240	0.00	0	0.50	33,240
<u>Total Materials & Services</u>			39,500		0		39,500
<u>Capital Outlay</u>							
571400	Purchases-Equipment & Vehicles		500,000		0		500,000
574120	Architectural Services		150,000		0		150,000
574130	Engineering Services		15,000		0		15,000
574510	Construction Work Other than Bldg		350,000		0		350,000
574520	Const. Work/Materials-Bldgs, Exhibits & Rel.		968,340		(500,000)		468,340
<u>Total Capital Outlay</u>			1,983,340		(500,000)		1,483,340
<u>Interfund Transfers</u>							
581610	Trans. Indirect Costs to Support Svs. Fund		66,580		0		66,580
581615	Trans. Indirect Cost to Risk Mgmt. Fund-Liability		1,909		0		1,909
581615	Trans. Indirect Cost to Risk Mgmt. Fund-Workers Comp		299		0		299
583610	Trans. Direct Costs to Support Svs. Fund		37,132		0		37,132
582551	Trans. Resources to OCC Renewal & Replace.		0		500,000		500,000
<u>Total Interfund Transfers</u>			105,920		500,000		605,920
<u>Contingency and Unappropriated Balance</u>							
599990	Unappropriated Balance		538,000		0		538,000
<u>Total Contingency and Unapp Balance</u>			538,000		0		538,000
TOTAL EXPENDITURES		0.50	2,700,000	0.00	0	0.50	2,700,000

Oregon Convention Center Renewal & Replacement Fund

<u>Resources</u>							
361100	Interest on Investments		27,000		0		27,000
391550	Trans. Resources from Oregon Conv. Ctr. Fund		900,000		(722,000)		178,000
391559	Trans. Resources from Conv. Ctr. Capital Fund		0		500,000		500,000
<u>Total Resources</u>			927,000		(222,000)		705,000
<u>Requirements</u>							
599990	Unappropriated Balance		927,000		(222,000)		705,000
<u>Total Requirements</u>			927,000		(222,000)		705,000

Exhibit B
Schedule of Appropriations
Ordinance No. 93-512

	Current Appropriation	Revision	Proposed Appropriation
GENERAL REVENUE BOND FUND			
Construction Account			
Personal Services	68,704	0	68,704
Materials & Services	88,024	57,716	145,740
Capital Outlay	867,173	(57,716)	809,457
Subtotal	1,023,901	0	1,023,901
Debt Service Account			
Debt Service	1,494,332	0	1,494,332
Subtotal	1,494,332	0	1,494,332
General Expenses			
Contingency	503,891	0	503,891
Subtotal	503,891	0	503,891
Unappropriated Balance	2,158,801	0	2,158,801
Total Fund Requirements	5,180,925	0	5,180,925
CONVENTION CENTER PROJECT CAPITAL FUND			
Personal Services	33,240	0	33,240
Materials & Services	39,500	0	39,500
Capital Outlay	1,983,340	(500,000)	1,483,340
Interfund Transfers	105,920	500,000	605,920
Unappropriated Balance	538,000	0	538,000
Total Fund Requirements	2,700,000	0	2,700,000
OREGON CONVENTION CENTER OPERATING FUND			
Personal Services	3,126,813	0	3,126,813
Materials & Services	5,420,647	722,000	6,142,647
Capital Outlay	248,000	0	248,000
Interfund Transfers	1,892,142	(722,000)	1,170,142
Contingency	500,000	0	500,000
Unappropriated Balance	5,872,450	0	5,872,450
Total Fund Requirements	17,060,052	0	17,060,052
OREGON CONVENTION CENTER RENEWAL & REPLACEMENT FUND			
Unappropriated Balance	927,000	(222,000)	705,000
Total Fund Requirements	927,000	(222,000)	705,000

ALL OTHER APPROPRIATIONS REMAIN AS PREVIOUSLY ADOPTED

Meeting Date: September 9, 1993
Agenda Item No. 7.1

ORDINANCE NO. 93-507

FINANCE COMMITTEE REPORT

ORDINANCE NO. 93-507 REVISING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE GENERAL FUND TO PROVIDE FUNDS FOR THE INSTITUTE OF METROPOLITAN STUDIES

Date: August 30, 1993

Presented By: Councilor Kvistad

COMMITTEE RECOMMENDATION: At its August 25, 1993 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 93-507. Committee members present and voting were Councilors Kvistad, Monroe and Van Bergen. Councilors Buchanan and Devlin were excused.

COMMITTEE DISCUSSION/ISSUES: Don Rocks, Executive Assistant, presented the Staff Report. He stated that this ordinance had been considered and recommended favorably by the Governmental Affairs Committee at its August 19, 1993 meeting. The ordinance requests a transfer of \$10,000 from the General Fund Contingency to the Executive Management Department budget to be paid as a voluntary contribution to the Institute of Portland Metropolitan Studies which is part of Portland State University. Mr. Rocks pointed out that the Council has supported the creation of the Institute through adoption of Resolution No. 91-1435 in April 1991. The Institute has sought and received funding from several local governments in the Portland metropolitan area.

Dr. Ethan Seltzer, Institute Director, appeared and information on the Institute of Metropolitan Studies (see Attachment 1 to this report). In response to Councilor questions, he pointed out that 1) the Institute has a board of directors made up of civic leaders and local elected officials throughout the metropolitan area; and 2) the Institute works closely with the FOCUS organization to assure that no duplication of effort exists.

Council Staff pointed out that the FOCUS dues are budgeted in the Council Department budget and that no payment of dues to FOCUS has been made to date.

**Institute of Portland Metropolitan Studies
Portland State University, School of Urban and Public Affairs
Mission and Programs
May 24, 1993**

The Institute of Portland Metropolitan Studies is a new service and research center at Portland State University. The mission for the Institute is to bring the resources of higher education to bear on the issues of the five-county metropolitan area (Yamhill, Clackamas, Multnomah and Washington Counties in Oregon, and Clark County in Washington). These resources include the incorporation of metropolitan issues in the classroom, faculty and student research projects, and the unique role that the university can play as a neutral forum.

In this respect, the Institute serves as a new "front door" for the University. The model employed in the development of Institute programs is one of collaboration. Rather than serving as a consultant to local communities, or as a free-standing research center, the Institute seeks to broker collaborative projects that have both scholarly value for students and faculty, and practical application in area communities. Hence, to address its mission, the Institute must become recognized as a source for comprehensive information about the needs and dynamics of the metropolitan area, adept at finding and providing the resources needed to enable projects to result in quality products, and able to bridge organizational boundaries to create collaborative responses to critical metropolitan issues.

The Institute is governed by a 21-member Board, appointed by the President of the University and drawn from throughout the five-county area. The Board is responsible for establishing policy to guide the development of the Institute. To address its mission, the Board and the Director will develop two primary program areas: research and communications.

The research program of the Institute will be developed based on a survey of metropolitan issues. A broad group of community and business organizations, local governments and service providers, and academic departments will be asked to comment on a preliminary list of issues gleaned from surveys, strategic plans and needs assessments. The Institute will then seek proposals for research projects to address the top priority issues. Over time, the research projects sponsored by the Institute will collectively serve to broaden our appreciation and knowledge of the characteristics that define this metropolitan area.

In its second program area, communications, the following kinds of projects will be developed by the Institute to improve the flow of information in the metropolitan area:

- i) Orientation to the Metropolitan Area - a half-day session for newly elected officials and civic leaders to acquaint them with the metropolitan dynamics that provide a context for their actions.

ii) Metropolitan Newsnet - a pilot electronic network linking elected officials and civic organizations for information sharing and for the provision of an electronic news clipping service covering the entire area.

iii) Metropolitan Clearinghouse - a central repository for reports and studies regarding metropolitan issues.

iv) Project Match - an intake and referral system for appropriately connecting community interests with university resources, for marketing university interests to the community, and for connecting community interests to each other.

v) Issue Study Groups - occasional study groups established to review present and emerging issues in a collegial setting involving faculty, students, and community leaders.

Resources for Institute programs will come from four sources. Portland State and the Oregon State System of Higher Education will provide salaries for a director and secretary, heat, space, light, and basic overhead. The Institute will seek donations from local government to fund its program activities in the first few years. The track record developed in the first few years will be used to seek other sources of funding and possibly an endowment to offset annual local contributions. Grants from foundations and state and federal agencies will be sought to fund start-up projects for the Institute and for endowment funding. Finally, donations and funding will be sought from private sector funders.

For more information, please contact:

**Ethan Seltzer, Director
Institute of Portland Metropolitan Studies
Portland State University
P.O. Box 751
Portland, Oregon 97207-0751**

(503) 725-5170

(503) 725-5199 facsimile

Institute of Portland Metropolitan Studies

Members of the Board

5/24/93

		<u>Area Represented</u>
William Scott, Board Chair	-	Portland
Richard Ares	-	Clackamas County
Mayor Vera Katz	-	Portland
Rena Cusma	-	Metro
Councilor John Godsey	-	Hillsboro City Council
Merwyn Greenlick	-	Oregon Health Sciences University
Joanne Hazel	-	Oregon City School Board
Commissioner Ted Lopuszynski	-	Yamhill County Commission
Commissioner John Magnano	-	Clark County Commission
Eldon Mills	-	Washington County
Robert Mitchell	-	Tualatin Valley Water District
Sue O'Halloran	-	East Multnomah County
Gimi Page	-	Clark County
Fred Rosenbaum	-	Portland
Ruth Scott	-	Portland
Susan Sokol Blosser	-	Yamhill County
Fred Stickel	-	Portland
Carl Talton	-	Portland
Councilor Suzanne VanOrman	-	Oregon City Commission
Greg Van Pelt	-	Washington County
Nohad Toulan (ex-officio)	-	Portland State University

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

ORDINANCE NO. 93-507, AMENDING ORDINANCE NO. 93-487A REVISING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF TRANSFERRING \$10,000 FROM THE GENERAL FUND CONTINGENCY FOR A VOLUNTARY CONTRIBUTION TO ASSIST IN THE FUNDING OF THE INSTITUTE OF PORTLAND METROPOLITAN STUDIES

Date: August 20, 1993

Presented by: Councilor Hansen

COMMITTEE RECOMMENDATION: At its August 19, 1993 meeting the Governmental Affairs Committee voted 4-0 to recommend Council adoption of Ordinance No. 93-507. Voting were Councilors Gates, Gardner, Hansen, and Moore. Councilor Wyers was excused.

COMMITTEE DISCUSSION/ISSUES: Executive Assistant Don Rocks presented the staff report. He said the Council had supported the creation of the Institute of Portland Metropolitan Studies through the adoption of Resolution 91-1435 in April, 1991. He summarized the research mission of the Institute.

Councilor Gates asked how the Institute's mission is different from Metro's. Mr. Rocks said the Institute's work would augment the efforts of Metro to promote regional interests.

Councilor Hansen asked the difference between the Institute's objectives and those of FOCUS. Mr. Rocks said the Institute is designed to be broader and not focus just on governments. He said the Institute would be more objective because it doesn't have turf issues. Councilor Hansen asked if the \$10,000 request was just for this year. Mr. Rocks said he didn't think there would be further requests for funding. The Institute has a finance committee charged with raising funds from the private sector.

Councilor Moore read excerpts from FOCUS' 1993 draft management plan and Resolution 91-1435, citing the many similarities between the two documents in expressing the purposes of FOCUS and the Institute. She said she didn't think Metro should contribute to both groups because of the duplication of functions, and would prefer to support the Institute rather than FOCUS. She asked if Metro had paid its FOCUS dues. Council Analyst Casey Short said he would check to see whether those dues had been paid. Councilor Moore said she would support a motion, when this ordinance comes before the Finance Committee, to not pay FOCUS dues, in favor of supporting the Institute.

Councilor Gardner cited the staff report which says the Executive Officer and a Councilor are members of the Institute's board. He asked Mr. Rocks who the Councilor representative is. Mr. Rocks said he did not know but would find out.

Chair Gates opened a public hearing, and no one testified.

Councilor Gardner said he agreed almost totally with Councilor Moore's comments, though they were more germane to the question of whether to continue in FOCUS than to support the Institute. There are some differences between the two groups, but there is much overlap between them.

Councilor Hansen moved the ordinance, saying she did so without any conditions but that she liked the idea of supporting one or the other group, but not both. She said if the FOCUS issue comes up, the Council can deal with that separately.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE)
NO. 93-487A REVISING THE FY 1993-94)
BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
TRANSFERRING \$10,000 FROM THE)
GENERAL FUND CONTINGENCY FOR A)
VOLUNTARY CONTRIBUTION TO ASSIST)
IN THE FUNDING OF THE INSTITUTE OF)
PORTLAND METROPOLITAN STUDIES)

ORDINANCE NO. 93-507
Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS:

1. That Ordinance No. 93-487A, Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$10,000 from the General Fund Contingency to the Executive Management Department, Materials & Services appropriation, for a voluntary contribution to assist in the funding of the Institute of Portland Metropolitan Studies.

2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1993.

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

**Exhibit A
Ordinance No. 93-507**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Executive Management (Executive Office)							
Total Personal Services		5.00	343,248	0.00	0	5.00	343,248
Materials & Services							
521100	Office Supplies		2,752		0		2,752
521310	Subscriptions		905		0		905
521320	Dues		17,400		0		17,400
524190	Misc. Professional Services		10,000		0		10,000
525640	Maintenance & Repairs Services-Equipment		460		0		460
526310	Printing Services		450		0		450
526320	Typesetting & Reprographics Services		120		0		120
526410	Telephone		2,100		0		2,100
526420	Postage		125		0		125
526440	Delivery Services		200		0		200
526500	Travel		21,300		0		21,300
526700	Temporary Help Services		2,080		0		2,080
526800	Training, Tuition, Conferences		4,640		0		4,640
528100	License, Permits, Payments to Other Agencies		0		10,000		10,000
529500	Meetings		5,800		0		5,800
529800	Miscellaneous		1,200		0		1,200
Total Materials & Services			69,532		10,000		79,532
TOTAL EXPENDITURES		5.00	412,780	0.00	10,000	5.00	422,780

General Expenses

Total Interfund Transfers			3,202,270		0		3,202,270
Contingency and Unappropriated Balance							
599999	Contingency		500,000		(10,000)		490,000
599990	Unappropriated Fund Balance		267,665		0		267,665
Total Contingency and Unappropriated Balance			767,665		(10,000)		757,665
TOTAL EXPENDITURES		16.00	5,915,414	0.00	0	16.00	5,915,414

**Exhibit B
Schedule of Appropriations
Ordinance No. 93-507**

	Current Appropriation	Revision	Proposed Appropriation
GENERAL FUND			
Council			
Personal Services	987,165	0	987,165
Materials & Services	149,546	0	149,546
Capital Outlay	4,000	0	4,000
Subtotal	1,140,711	0	1,140,711
Executive Management			
Personal Services	343,248	0	343,248
Materials & Services	69,532	10,000	79,532
Capital Outlay	0	0	0
Subtotal	412,780	10,000	422,780
Office of Government Relations			
Personal Services	67,538	0	67,538
Materials & Services	74,450	0	74,450
Subtotal	141,988	0	141,988
Special Appropriations			
Materials & Services	250,000	0	250,000
Subtotal	250,000	0	250,000
General Expenses			
Interfund Transfers	3,202,270	0	3,202,270
Contingency	500,000	(10,000)	490,000
Subtotal	3,702,270	(10,000)	3,692,270
Unappropriated Balance	267,665	0	267,665
Total Fund Requirements	5,915,414	0	5,915,414

All Other Appropriations Remain As Previously Adopted

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-507 AMENDING ORDINANCE NO. 93-487A REVISING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF TRANSFERRING \$10,000 FROM THE GENERAL FUND CONTINGENCY FOR A VOLUNTARY CONTRIBUTION TO ASSIST IN THE FUNDING OF THE INSTITUTE OF PORTLAND METROPOLITAN STUDIES

Date: August 2, 1993

Presented by: Don Rocks

BACKGROUND AND ANALYSIS

"In 1990, the Governor's Commission on Higher Education in the Portland Metropolitan Area recommended that links be forged among public, private, and community resources so as to form a new and vital partnership between the Greater Portland community and its academic institutions. Key to this vision was the creation of the Institute of Portland Metropolitan Studies." (from Institute brochure)

Subsequently, Dr. Nohad Toulon, School of Urban Studies, Portland State University, conferred with local government elected officials, academicians and community leaders to design a structure and a set of goals for the Institute and to seek the official endorsement of local government jurisdictions. Metro was a party to early Institute formation discussions and the Council adopted Resolution No. 91-1435 (attached) on 25 April 1991. The Executive Officer and a designated Metro Councilor are members of the Institute's 21 person board, presently chaired by William Scott. Following a nationwide search for a Director, the Institute hired Ethan Seltzer, formerly of Metro Planning.

Initial funding for the Institute of some \$200,000 was provided by Portland State University. The next largest funder is the City of Portland which approved a \$100,000 contribution. The Institute prepared list of member local government jurisdictions with recommended funding amounts. The recommendations place Metro in the \$10,000 category; the same amount as is sought from counties. Attached, also, is a Question and Answer sheet which speaks to the reasons for the funding request, the benefits expected, how the funds are to be spent, etc.

Given the Institute's mission, Metro's participation in founding the Institute and subsequent adoption of Resolution No. 91-1435, it is appropriate that Metro's commitment and leadership in regional issues and initiatives be further demonstrated by council approval of the funding request.

This action requests the transfer of \$10,000 from the General Fund Contingency to the Executive Management Department, materials & services appropriation category.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive officer recommends adoption of Ordinance No. 93-507, for the purpose of funding a voluntary contribution to assist in the funding of the Institute of Portland Metropolitan Studies.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ENDORSING) RESOLUTION NO. 91-1435
THE ESTABLISHMENT OF AN)
INSTITUTE OF PORTLAND) INTRODUCED BY RENA CUSMA,
METROPOLITAN STUDIES AT PORTLAND) EXECUTIVE OFFICER
STATE UNIVERSITY AND OTHER)
INSTITUTIONS OF HIGHER EDUCATION)
IN THE METROPOLITAN AREA)

WHEREAS, The Governor's Commission on Higher Education in the Portland Metropolitan Area recently issued its final report, "Working Together-A Community and Academic Partnership for Greater Portland"; and,

WHEREAS, The Report calls for the formation of a Council of Presidents of local colleges and universities, the development of Portland State University into an "Urban Grant University", focusing on the needs of the region, improving access and participation for students, and establishing a Greater Portland Trust to support implementation of the plan and seek new sources of funding, and enhance cooperation between institutions; and,

WHEREAS, The complexity of the issues confronting the governments of the metropolitan region requires a continuous search for innovative approaches to solutions, efficient mechanisms for service delivery, and a continuously updated information base; and,

WHEREAS, The Metropolitan Service District supports the establishment under the auspices of Higher Education of an independent research organization capable of conducting studies,

sponsoring policy seminars, and regularly disseminating information to all local governments in the region; and

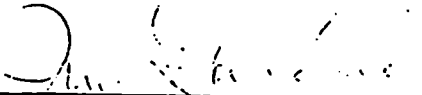
WHEREAS, Portland State University has committed itself to work for the establishment of an Institute for Portland Metropolitan Studies to perform such functions; and,

WHEREAS, The Institute enhances the potential of cooperation, interactions and communication between government and higher education and provides an objective forum for dialogue and exchange of views regarding governmental service issues in the region; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District endorse the principle of establishing in the region an Institute of Portland Metropolitan Studies to be administered by Portland State University with participation of the Metropolitan Service District in such matters as the identification of the governing board and the development of an annual research agenda.

ADOPTED by the Council of the Metropolitan service District this 25th day of April, 1991.



Jim Gardner, Deputy Presiding Officer

Institute of Portland Metropolitan Studies
Local Funding Request
Questions and Answers
June 21, 1993

Why is the Institute seeking funding?

First, we want to develop a source of funds for the research program that will enable us to establish a track record. Contributions from cities, counties, special districts, and regional and state agencies in the 5-county area will be used to create the products that will enable the Institute to seek endowment funding from private and grant sources. The university provides all of the overhead, thereby reserving contributions for research program expenses only.

Second, the Institute is seeking participation from as many jurisdictions and service providers as possible. The Institute does not want to be perceived to be beholden to a single funder. In this instance, the metropolitan area has a great opportunity and challenge: to build off of the \$100,000 contribution of the City of Portland. Towards that end, we would like to have the participation of every jurisdiction and agency at a level that they feel they can afford.

How was the allocation schedule developed?

The request made to cities and counties is based on population, using population as a rough indicator of ability to pay. The specific amounts were developed by the Development Committee of the Board. For special districts, the requests were developed using the dues structure for the Special Districts Association of Oregon, and through consultation with Board members having direct experience with special district governing boards. Some have raised the concern of double taxation, where the citizens of a district might also be represented by multiple districts and/or jurisdictions in our allocation schedule. Nonetheless, our goals include both revenue and participation, and we expect a trade-off between the two.

What are the benefits of contributing to the Institute's research fund?

First, Portland State is committed to better serving this metropolitan area, and the Institute, properly funded, can help to better extend the resources of the university to metropolitan area communities. In fact, we are already developing concrete products aimed at furthering collaborative approaches to metropolitan issues. These include the Metropolitan Clearinghouse, Project Match, the Leadership Forum on April 24, and Metropolitan Newsnet.

Second, the research work that we are proposing to engage in will help to better characterize the environment for local policy development and planning. By investing

in our program, donors will help to develop information about the environment for their decisions useful to long-term and strategic planning efforts.

Third, support for the research program now will enable the Institute to develop ongoing sources of support from non-public sector funders. A little invested now will leverage more for both present and future activities of the Institute.

Finally, the Institute has been developed as a catalyst for collaborative action. The fiscal times that we are in require a high degree of collaboration among public and private interests. The Institute can help to develop collaborative efforts of service to jurisdictions and agencies and their constituents.

Would the Institute accept less than the requested amount?

The answer is certainly "yes." Our desire to seek funding from local jurisdictions agencies is driven by two objectives: revenue and participation. Given the fiscal challenges facing all public sector entities today, we certainly understand concern regarding a request for funding. As you'll note from the allocation schedule sent with the original request, we've tried to scale our requests to the capability of the community. Nonetheless, those at the local level are obviously in the best position to determine the extent to which they should and could participate.

If a jurisdiction or agency doesn't contribute, will it be cut off from Institute projects or products?

No. Our mission is to serve the communities of the metropolitan area by better connecting them to the resources of the university. This is a direct extension of Portland State's mission statement. Therefore, we will continue to reach out and attempt to involve communities from throughout the metropolitan area as we proceed. Our request for funding from jurisdictions and agencies is the first step in a multi-year effort to secure stable research funding, either through long-term grants or through the creation of an endowment. This first step is crucial, however, because the funds we raise locally will be used to develop the track record needed to secure funding from other sources. Again, we are seeking both revenue and participation, and we need the money. But we will always recognize our commitment to the entire metropolitan community in the work we do.

Who will decide how the money gets spent?

The Board of the Institute will develop criteria for selecting projects, and will make final funding decisions. However, the development of criteria and the major research themes for the Institute will occur through a process of consultation with our donors, metropolitan area communities and civic organizations, and with university faculty and departments.

Meeting Date: September 9, 1993
Agenda Item No. 7.3

ORDINANCE NO. 93-509

FINANCE COMMITTEE REPORT

ORDINANCE NO. 93-509 AMENDING THE METRO CODE RELATING TO THE COLLECTION OF USER FEES AND EXCISE TAXES FROM FRANCHISED AND OTHER DESIGNATED SOLID WASTE FACILITIES

Date: August 30, 1993

Presented By: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its August 25, 1993 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 93-509. All Committee members were present and voting.

COMMITTEE DISCUSSION/ISSUES: Ms. Jennifer Sims presented the Staff Report. She indicated this ordinance is a follow-up to the Councils recently adopted ordinance which amended the Metro Credit Management Policy. Ordinance No. 93-509 does the following:

1. deletes the interest and late penalties on overdue excise taxes and instead applies a finance charge (1.5%) uniformly to both overdue user fees and overdue excise taxes;
2. clarifies that the franchises and other designated solid waste facilities cannot eliminate liability for user fee or excise tax on their uncollectible accounts unless they provide documentation showing a good faith effort to collect the debt and have also been unable to collect fees that were owed to the facilities themselves on the same accounts;
3. provides the authority, if deemed necessary to ensure payment or facilitate collection of fees by Metro in an individual case, to require returns and payment of fees more frequently than monthly;
4. provides that reports, excise tax, and user fees are due on the 15th of the month for the preceding month and define how the due date is moved if it falls on a weekend or holiday;
5. makes it clear that the finance charge is applied to delinquencies on the last day of each month, rather than being an interest charge calculated on a daily basis; and
6. specifies that the finance charges are applied to delinquencies, but not to prior finance charges.

Councilor Van Bergen complimented Ms. Sims and her staff for the good, timely work in addressing the District's credit management policies and practices. He pointed out that the issue was brought out in the last annual budget deliberations and that the Finance Department has responded in a forthright and timely manner.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) ORDINANCE NO. 93-509
METRO CODE RELATING TO THE)
COLLECTION OF USER FEES AND) Introduced by Rena Cusma,
EXCISE TAXES FROM FRANCHISED) Executive Officer
AND OTHER DESIGNATED SOLID)
WASTE FACILITIES)

Whereas, Metro Code provisions relating to remittance of user fees and excise taxes by franchised and other designated solid waste facilities are not consistent; and

Whereas, Amendment of the Metro Code to standardize credit policy and payment schedules for franchised and other designated facilities will improve administration of the Code; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Section 5.01.130 is amended to read:

"5.01.130 Administrative Procedures for Franchisees:

(a) Unless otherwise specified by the Executive Officer, the following accounting procedure shall be used for charging, collecting and recording fees and charges:

- (1) Fees and charges shall be charged on the basis of tons of waste received where weighing is practicable or on the basis of estimated cubic yards of waste received where weighing is not practicable. Either a mechanical or automatic scale approved by the National Bureau of Standards and State of Oregon may be used for weighing waste.
- (2) Fees and charges collected in cash shall be separately recorded on a multi-total cash register. The franchisee shall total the fees and charges separately at the end of each business day as recorded on the cash register and reconcile that total with the actual cash in the register drawer. Cash receipts shall be deposited daily in a bank account. The franchisee shall reconcile the bank account each month.
- (3) Cash receipts of payments on accounts receivable shall be recorded as mail is opened and reconciled to the daily bank deposit.
- (4) Where a fee or charge is levied and collected on an accounts receivable basis, pre-numbered tickets shall be used in numerical sequence. The numbers of the tickets shall be accounted for daily and any voided or canceled tickets shall be retained.

(b) Each month at the time of payment, the franchisee must file with the Executive Officer, a statement including without limitation the following information:

- (1) Name and address of the franchisee.
- (2) District registration number.
- (3) Month and year of each report.
- (4) Number of truckloads received daily.
- (5) Daily number of cars, pickups, trailers, and other small hauling vehicles.
- (6) Total number of cubic yards/tons of solid wastes received daily during the month, classified among compacted, non-compacted, minimum loads and special loads.
- (7) Detailed explanation of any adjustments made to the amount of fees paid pursuant to Section 5.01.150(e).
- (8) Signature and title of the franchisee or its agent. Misrepresentation of any information required above shall be grounds for suspension, modification, revocation or refusal to renew a franchise or penalties as provided in Section 5.01.210.

(c) Every franchisee shall keep such records, receipts or other pertinent papers and information in such form as the District may require. The Executive Officer, or his authorized agent in writing, may examine during reasonable business hours the books, papers, records and equipment of any operator and may make such investigations as may be necessary to verify the accuracy of any return made, or if no return is made by the franchisee, to ascertain and determine the amount required to be paid.

~~(d) Fees and charges owing to the District from the franchisee which are not paid when due shall bear a late charge equal to one and one half percent (1 1/2%) of the amount unpaid for each month or portion thereof such fees or charges remain unpaid.~~

(d) Excise taxes and finance charges on excise taxes owing to the District shall be paid as specified in Metro Code Chapter 7.01. User fees, finance charges on user fees and other charges owing to Metro shall be paid as specified in Metro Code Section 5.02.055.

(e) The Executive Officer, if deemed necessary to ensure payment or facilitate collection of fees by the District in an individual case, may require returns and payment of fees more frequently than monthly."

Section 2. Metro Code Section 5.01.150 is amended to read:

"5.01.150 User Fees:

(a) Notwithstanding Section 5.01.040(a)(2) of this chapter, the Council will set User Fees annually, and more frequently if necessary, which fees shall apply to processing facilities, transfer stations, resource recovery facilities or disposal sites which are owned, operated, or franchised by the District or which are liable for payment of User Fees pursuant to a special agreement with the District. User Fees shall not apply to wastes received at franchised facilities that accomplish materials recovery and recycling as a primary operation. User fees shall not apply to wastes received at franchised facilities that treat petroleum contaminated soil to applicable DEQ standards. Notwithstanding any other provision of this Code, user fees shall apply to petroleum contaminated soils disposed of by landfilling.

(b) User Fees shall be in addition to any other fee, tax or charge imposed upon a processing facility, transfer station, resource recovery facility or disposal site.

(c) User Fees shall be separately stated upon records of the processing facility, transfer station, resource recovery facility or disposal site.

~~(d) User Fees shall be paid to the District on or before the 20th day of each month following each preceding month of operation.~~

(d) User fees and finance charges on user fees shall be paid as specified in Metro Code Section 5.02.055.

(e) There is no liability for User Fees on charge accounts that are worthless and charged off as uncollectible, provided that an affidavit is filed with the District stating the name and amount of each uncollectible charge account and documenting good faith efforts that have been made to collect the accounts. User fees may not be deemed uncollectible unless the underlying account is also uncollectible. If the fees have previously been paid, a deduction may be taken from the next payment due to the District for the amount found worthless and charged off. If any such account is thereafter collected, in whole or in part, the amount so collected shall be included in the first return filed after such collection, and the fees shall be paid with the return.

(f) All User Fees shall be paid in the form of a remittance payable to the District. All User Fees received by the District shall be deposited in the Solid Waste Operating Fund and used only for the administration, implementation, operation and enforcement of the Solid Waste Management Plan."

Section 3. The following Section 5.02.055 is added to and made part of Metro Code Chapter 5.02:

"5.02.055 Remittance to Metro of User Fees and Other Charges by Franchisees and Other Designated Facilities:

(a) Franchisees and other operators of facilities designated to receive waste under Code Section 5.05.030 shall remit user fees and charges other than excise taxes to Metro as specified in this section.

(b) User fees shall accrue on a monthly basis, and shall be remitted to Metro by the fifteenth day of the month for waste disposed of in the preceding month. User fees and other charges are considered to be delinquent if not received by Metro on or before the due date, by personal delivery to the Metro Department of Finance and Management Information during business hours or, if delivered by mail, by receipt in Metro's mail room. If the due date falls on a holiday or weekend, amounts are delinquent at the end of the first business day that follows.

(c) A finance charge of one and one-half percent shall be assessed on all delinquent user fees and other charges. For user fees, the finance charge shall be assessed on the last day of the month in which they are due, and on the last day of each month thereafter, until paid. For other charges, the finance charge shall be assessed fifteen days after the due date, and on the same day of each subsequent month, until paid. Finance charges will be assessed only on unpaid delinquent balances, and not on previously assessed finance charges, and will continue to be assessed on negotiated repayment schedules. Payments will be applied first to finance charges and then to the oldest delinquent amount."

Section 4. Metro Code Section 7.01.030 is amended to read:

"7.01.030 Collection of Tax by Operator; Rules for Collection:

(a) Every operator, unless specifically exempted under the terms of this Chapter, shall collect a tax from users as provided for in Section 7.01.020.

(b) The operator shall report the tax to the District consistent with the operator's basis of accounting, cash or accrual, except in the case of an operator of a solid waste facility. Solid Waste Facility operators shall report accrued revenue and excise tax calculated based upon loads or tons deposited at the site at the time of receipt of waste.

(c) For the purpose of reporting the tax owed to the District and notwithstanding the provisions of Section 7.01.040, the tax shall be presumed to be included in the amount imposed by the operator so that the excise tax shall be computed in such amount that the total charged shall equal the amount of compensation owed to the operator plus the excise tax owed to the District at the rate established herein.

(d) The District shall provide the operator with a blank return and instructions that shall be used by the operator to report the excise tax owing to the District. The amount of excise tax due shall be paid when the return is filed as provided for in Section 7.01.070.

(e) ~~Adjustments may be made for uncollectibles when they are recognized by the operator as uncollectible, and can be sufficiently documented to show a good faith collection effort. There is no liability for excise taxes on charge accounts that are worthless and charged off as uncollectible, provided that an affidavit is filed with the District stating the name and amount of each uncollectible charge account and documenting good faith efforts that have been made to collect the accounts. Excise taxes may not be deemed uncollectible unless the underlying account is also uncollectible. If the taxes have previously been paid, a deduction may be taken from the next payment due to the District for the amount found worthless and charged off. If any such account is thereafter collected, in whole or in part, the amount so collected shall be included in the first return filed after such collection, and the taxes shall be paid with the return.~~

(f) ~~Installment payments of tax paid by the operator to the District shall be applied to the oldest tax, and interest and penalties that have been merged with the tax as set forth in Section 7.01.080 first to finance charges and penalties, and then to the oldest delinquent taxes.~~

(g) The Executive Officer shall enforce provisions of this Chapter and shall have the power to adopt rules and regulations not inconsistent with this Chapter as may be necessary to aid in the enforcement. Prior to the adoption of rules and regulations, the Executive Officer shall give public notice of intent to adopt rules and regulations, provide copies of the proposed rules and regulations to interested parties, and conduct a public hearing on the proposed rules and regulations. Public notice shall be given when rules and regulations have been finally adopted. Copies of current rules and regulations shall be made available to the public upon request. It is a violation of this Code to violate rules and regulations duly adopted by the Executive Officer."

Section 5. Metro Code Section 7.01.070 is amended to read:

7.01.070 Due Date: Returns and Payments:

(a) The tax shall be collected from the operator by the District as provided for in Section 7.01.030. All amounts of such taxes reported by any operator are due and payable to the District on the 15th day of each month for the preceding month; and are delinquent ~~on the last day of the month in which they are due if not received by Metro as specified in subsection (d) of this section by the due date.~~ If the last day of the month due date falls on a holiday or weekend, amounts are delinquent ~~on~~ at the end of the first business day that follows. The initial return under this Chapter may be for less than a full month preceding the due date; Thereafter, returns shall be made for the applicable monthly period.

(b) On or before the 15th day of the month following each month of operation of a District facility, a return for the preceding month's tax shall be filed with the Executive

Officer. The return shall be filed in such form as the Executive Officer may prescribe by every operator liable for payment of tax.

(c) Returns shall show the amount of tax due for the related period. The Executive Officer may require returns to show the total receipts upon which tax was collected or otherwise due, gross receipts of the operator for such period and an explanation in detail of any discrepancy between such amounts; and the amount of receipts exempt, if any.

(d) The person required to file the return shall deliver the return, together with the ~~remittance of the amount of the tax due, to the Executive Officer~~ Metro Department of Finance and Management Information, ~~either by personal delivery or by mail. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.~~ Payment is considered to be delinquent if not received by Metro on or before the due date, by personal delivery to the Metro Department of Finance and Management Information during business hours or, if delivered by mail, by receipt in Metro's mail room.

~~(e) For good cause, the Executive Officer may extend for not to exceed one (1) month the time for making any return or payment of tax. No further extension shall be granted, except by the Executive Officer. Any operator to whom an extension is granted shall pay interest at the rate of 1.25 percent (1.25%) per month on the amount of tax due without proration for a portion of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall be added to the tax due for computation of penalties described elsewhere in this Chapter.~~

~~(f)~~(e) The Executive Officer, if deemed necessary in order to ensure payment or facilitate collection by the District of the amount of taxes in any individual case, may require returns and payment of the amount of taxes more frequently than monthly periods."

Section 6. Metro Code Section 7.01.080 is amended to read:

"7.01.080 Penalties and Interest Finance Charges:

~~(a) Original delinquency. Any operator who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this Chapter prior to delinquency shall pay a penalty of ten percent (10%) of the amount of the tax due in addition to the amount of the tax.~~

~~(b) Continued delinquency. Any operator who has not been granted an extension of time for remittance of tax due, and who failed to pay any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of fifteen percent (15%) of the amount of the tax due plus the amount of the ten percent (10%) penalty first imposed.~~

~~(e)~~(a) **Fraud.** If the Executive Officer determines that the nonpayment of any remittance due under this Chapter is due to fraud or intent to evade the provisions thereof, a

penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to the penalties stated in paragraphs (a) and (b) of this Section.

~~(d)(b) Interest Finance Charges.~~ In addition to ~~the~~any penalties imposed, any operator who fails to remit any tax imposed by this Chapter shall pay interest at the rate of 1.25 percent (1.25%) per month or fraction thereof without proration for portions of a month, on the amount of the tax due from the date on which the remittance first became delinquent until paid. ~~Interest shall be compounded monthly.~~ a finance charge of one and one-half percent shall be assessed on all delinquent taxes required to be remitted by an operator under this chapter. Finance charges shall be assessed on the last day of the month in which taxes are due, and on the last day of each month thereafter, until paid. Finance charges will be assessed only on unpaid delinquent balances and penalties, and not on previously assessed finance charges, and will continue to be assessed on negotiated repayment schedules.

~~(e) Penalties and Interest merged with tax.~~ Every penalty imposed and such interest as accrues under the provisions of this Section shall be merged with and become a part of the tax herein required to be paid. If delinquency continues, requiring additional penalty and interest calculations, previously assessed penalty and interest are added to the tax due. This amount becomes the new base for calculating new penalty and interest amounts.

~~(f)(c) Petition for waiver.~~ Any operator who fails to remit the tax herein levied within the time herein stated shall pay the penalties and finance charges herein stated, provided, however, the operator may petition the Executive Officer for waiver and refund of the ~~penalty~~penalties and finance charges or any portion thereof and the Executive Officer may, if a good and sufficient reason is shown, waive and direct a refund of the ~~penalty~~ penalties or finance charges or any portion thereof."

ADOPTED by the Metro Council this ____ day of _____, 1993.

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

ds 1116

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-509 FOR THE PURPOSE OF AMENDING THE METRO CODE RELATING TO THE COLLECTION OF USER FEES AND EXCISE TAXES FROM FRANCHISED AND OTHER DESIGNATED SOLID WASTE FACILITIES.

Date: August 4, 1993

Presented by: Jennifer Sims

PROPOSED ACTION

This ordinance amends chapters 5 and 7 of the Metro Code related to remittance of solid waste user fees and excise tax to increase consistency of finance charges, terms, and administration of policies with existing credit policy.

FACTUAL BACKGROUND AND ANALYSIS

User fees and excise taxes due on services at solid waste facilities are reported together on the same form. Interest and penalties have been collected on overdue excise tax, but not on overdue user fees. This ordinance deletes the interest and late penalties on overdue excise tax and instead applies a finance charge uniformly to both overdue user fees and overdue excise taxes.

The Executive Officer has had the authority, if deemed necessary to ensure payment or facilitate collection of fees by the District in an individual case, to require returns and payment of excise tax more frequently than monthly. This identical authority is granted for solid waste user fees.

The ability to eliminate liability by a franchised or other designated solid waste facility for uncollectable user fees and excise tax has been further restricted. The liability can not be eliminated unless a documented good faith effort has been made to collect the account and the underlying account is also uncollectible. This provides Metro with its proportional share of any partially collected account. In addition Metro receives its proportional share of any funds received by a franchised or designated solid waste facility after an initial write-off.

Interest at one and one half percent per month has been replaced by a finance charge of one and one half percent applied monthly on a specified date. This is now consistent with other Metro credit policies and makes it clear that calculations by the day will not be made.

Finance fees are applied to overdue excise tax, user fees, and other fees, but not to prior finance fees. This is consistent with other Metro credit policies.

The definition of when a payment is considered received is clarified.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 93-509.

JS:RSR:rsr

Meeting Date: September 9, 1993
Agenda Item No. 7.2

ORDINANCE NO. 93-508

FINANCE COMMITTEE REPORT

ORDINANCE NO. 93-508 REVISING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE TO FUND TEMPORARY ASSISTANCE IN THE FINANCE AND MANAGEMENT INFORMATION DEPARTMENT

Date: August 30, 1993

Presented By: Councilor Buchanan

COMMITTEE RECOMMENDATION: At its August 25, 1993 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 93-508. Committee members present and voting were Councilors Buchanan, Kvistad, Monroe and Van Bergen. Councilor Devlin was absent.

COMMITTEE DISCUSSION/ISSUES: Craig Prosser, Financial Planning Manager, presented the Staff Report. He stated the purpose of the ordinance is to provide funding for temporary clerical support for the Tax Study Committee. The Financial Planning Division secretary will continue to provide clerical assistance to the Committee and the temporary employee will fill to assist the secretary with part of the existing work load.

In response to a question from the Committee, Mr. Prosser stated this arrangement will terminate on December 31, 1993. The Tax Study Committee is supposed to make its report to the Council by the end of November and the additional time will enable the secretary to distribute the final report and close the files.

Council Staff distributed a revised copy of Exhibit B to the ordinance which corrected a mathematical error in the copy included in the agenda packet.

Exhibit B
Schedule of Appropriations
Ordinance No. 93-508

	Current Appropriation	Revision	Proposed Appropriation
SUPPORT SERVICES FUND			
Finance and Management Information			
Personal Services	2,228,531	10,401	2,238,932
Materials & Services	793,716	1,225	794,941
Capital Outlay	77,891	0	77,891
Subtotal	3,100,138	11,626	3,111,764
Regional Facilities			
Personal Services	551,748	0	551,748
Materials & Services	312,436	0	312,436
Capital Outlay	5,000	0	5,000
Subtotal	869,184	0	869,184
Personnel			
Personal Services	534,856	0	534,856
Materials & Services	59,646	0	59,646
Capital Outlay	6,675	0	6,675
Subtotal	601,177	0	601,177
Office of General Counsel			
Personal Services	434,876	0	434,876
Materials & Services	23,715	0	23,715
Capital Outlay	0	0	0
Subtotal	458,591	0	458,591
Public Affairs			
Personal Services	669,686	0	669,686
Materials & Services	91,247	0	91,247
Capital Outlay	3,100	0	3,100
Subtotal	764,033	0	764,033
General Expenses			
Interfund Transfers	579,671	0	579,671
Contingency	278,165	(11,626)	278,165
Subtotal	857,836	0	857,836
Unappropriated Balance	151,566	0	151,566
Total Fund Requirements	6,802,525	11,626	6,814,151

All Other Appropriations Remain As Previously Adopted

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING ORDINANCE)
NO. 93-487A REVISING THE FY 1993-94)
BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
TRANSFERRING \$11,626 FROM THE)
SUPPORT SERVICES FUND)
CONTINGENCY TO FUND 0.42 FTE)
TEMPORARY ASSISTANCE AND RELATED)
MATERIALS & SUPPLIES IN THE FINANCE)
AND MANAGEMENT INFORMATION)
DEPARTMENT)

ORDINANCE NO. 93-508

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS:

1. That Ordinance No. 93-487A, Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$11,626 from the Support Services Fund Contingency to the Finance and Management Information Department to fund 0.42 FTE temporary assistance and related materials and supplies.

2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1993.

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

**Exhibit A
Ordinance No. 93-508**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<u>For Information Only</u>							
Finance & Management Information (Financial Planning)							
<u>Personal Services</u>							
51121	SALARIES-REGULAR EMPLOYEES (full time)						
	Senior Director	0.30	21,542		0	0.30	21,542
	Senior Manager	1.00	62,055		0	1.00	62,055
	Principal Administrative Services Analyst	1.00	49,089		0	1.00	49,089
	Senior Administrative Services Analyst	1.00	51,052		0	1.00	51,052
	Associate Administrative Services Analyst	2.00	79,072		0	2.00	79,072
	Associate Services Supervisor	0.25	8,749		0	0.25	8,749
51122	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	1.00	24,265		0	1.00	24,265
51123	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Administrative Support	0.13	2,400	0.42	9,370	0.55	11,770
51140	OVERTIME		360				360
51200	FRINGE		114,196		1,031		115,227
Total Personal Services		6.68	412,780	0.42	10,401	7.10	423,181
<u>Materials & Services</u>							
52110	Office Supplies		1,000		0		1,000
52111	Computer Software		1,070		500		1,570
52111	Computer Supplies		792		0		792
52124	Graphics/Reprographic Supplies		500		0		500
52131	Subscriptions		920		0		920
52132	Dues		4,350		0		4,350
52419	Misc. Professional Services		36,000		0		36,000
52571	Equipment Rental		0		725		725
52620	Ads & Legal Notices		450		0		450
52631	Printing Services		2,600		0		2,600
52632	Typesetting & Reprographics Services		500		0		500
52644	Delivery Services		550		0		550
52650	Travel		5,000		0		5,000
52680	Training, Tuition, Conferences		4,400		0		4,400
52950	Meetings		300		0		300
Total Materials & Services			58,432		1,225		59,657
Total Capital Outlay			6,500		0		6,500
TOTAL EXPENDITURES		6.68	477,712	0.42	11,626	7.10	489,338

Exhibit A
Ordinance No. 93-508

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Finance & Management Information Department							
<u>Personal Services</u>							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Senior Director	1.00	71,808		0	1.00	71,808
	Senior Manager	2.00	124,110		0	2.00	124,110
	Managers	1.00	52,118		0	1.00	52,118
	Senior Program Supervisor	3.00	144,102		0	3.00	144,102
	Program Supervisor	1.00	43,756		0	1.00	43,756
	Principal Administrative Services Analyst	1.00	49,089		0	1.00	49,089
	Senior Administrative Services Analyst	1.00	51,052		0	1.00	51,052
	Associate Administrative Services Analyst	2.00	79,072		0	2.00	79,072
	Associate Services Supervisor	1.00	34,995		0	1.00	34,995
	Asst. Management Analyst	2.00	63,917		0	2.00	63,917
	D.P. Systems Analyst	3.00	120,013		0	3.00	120,013
	D.P. Operations Analyst	2.00	70,744		0	2.00	70,744
	D.P. Programmer/Analyst	1.00	37,847		0	1.00	37,847
	Senior Accountant	3.00	131,484		0	3.00	131,484
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	3.00	74,252		0	3.00	74,252
	Office Assistant	1.00	20,063		0	1.00	20,063
	Lead Accounting Clerk	4.00	106,508		0	4.00	106,508
	Accounting Clerk 2	7.00	175,954		0	7.00	175,954
	Program Assistant 1	1.00	21,866		0	1.00	21,866
	D.P. Operator	1.00	29,668		0	1.00	29,668
	D.P. Technical Specialist	2.00	59,336		0	2.00	59,336
	Reproduction Clerk	1.00	27,515		0	1.00	27,515
511235	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Administrative Support	1.00	18,867	0.42	9,370	1.42	28,237
511400	OVERTIME		5,810		0		5,810
512000	FRINGE		614,585		1,031		615,616
Total Personal Services		45.00	2,228,531	0.42	10,401	45.42	2,238,932

<u>Materials & Services</u>							
521100	Office Supplies		44,961		0		44,961
521110	Computer Software		33,552		500		34,052
521111	Computer Supplies		20,580		0		20,580
521240	Graphics/Reprographic Supplies		500		0		500
521260	Printing Supplies		57,000		0		57,000
521290	Other Supplies		1,700		0		1,700
521291	Packing Materials		400		0		400
521292	Small Tools		700		0		700
521310	Subscriptions		6,356		0		6,356
521320	Dues		6,950		0		6,950
521540	Maintenance & Repairs Supplies-Equipment		3,000		0		3,000
524110	Accounting & Auditing Services		56,000		0		56,000
524190	Misc. Professional Services		52,000		0		52,000
524210	Data Processing Services		12,200		0		12,200
524310	Management Consulting Services		22,500		0		22,500
525640	Maintenance & Repairs Services-Equipment		173,849		0		173,849
525710	Equipment Rental		0		725		725
526200	Ads & Legal Notices		700		0		700
526310	Printing Services		6,900		0		6,900
526320	Typesetting & Reprographics Services		500		0		500
526410	Telephone		1,200		0		1,200
526420	Postage		108,000		0		108,000
526440	Delivery Services		1,200		0		1,200
526500	Travel		22,888		0		22,888

**Exhibit A
Ordinance No. 93-508**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Finance & Management Information Department (continued)							
526700	Temporary Help Services		9,213		0		9,213
526800	Training, Tuition, Conferences		22,250		0		22,250
526900	Misc Other Purchased Services		28,900		0		28,900
528100	License, Permits, Payments to Other Agencies		200		0		200
529500	Meetings		400		0		400
529800	Miscellaneous		1,400		0		1,400
525740	Capital Lease Payments-Furniture & Equipment		97,717		0		97,717
Total Materials & Services			793,716		1,225		794,941
Total Capital Outlay			77,891		0		77,891
TOTAL EXPENDITURES		45.00	3,100,138	0.42	11,626	45.42	3,111,764

General Expenses

Total Interfund Transfers			579,671		0		579,671
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency						
	* General		255,000		(11,626)		243,374
	* Builders License		23,165		0		23,165
599990	Unappropriated Fund Balance-Contractors License		151,566		0		151,566
Total Contingency and Unapp. Balance			429,731		(11,626)		418,105
TOTAL EXPENDITURES		84.30	6,802,525	0.42	0	84.72	6,802,525

Exhibit B
Schedule of Appropriations
Ordinance No. 93-508

	Current Appropriation	Revision	Proposed Appropriation
SUPPORT SERVICES FUND			
Finance and Management Information			
Personal Services	2,228,531	10,401	2,238,932
Materials & Services	793,716	1,225	794,941
Capital Outlay	77,891	0	77,891
Subtotal	3,100,138	11,626	3,111,764
Regional Facilities			
Personal Services	551,748	0	551,748
Materials & Services	312,436	0	312,436
Capital Outlay	5,000	0	5,000
Subtotal	869,184	0	869,184
Personnel			
Personal Services	534,856	0	534,856
Materials & Services	59,646	0	59,646
Capital Outlay	6,675	0	6,675
Subtotal	601,177	0	601,177
Office of General Counsel			
Personal Services	434,876	0	434,876
Materials & Services	23,715	0	23,715
Capital Outlay	0	0	0
Subtotal	458,591	0	458,591
Public Affairs			
Personal Services	669,686	0	669,686
Materials & Services	91,247	0	91,247
Capital Outlay	3,100	0	3,100
Subtotal	764,033	0	764,033
General Expenses			
Interfund Transfers	579,671	0	579,671
Contingency	278,165	(11,626)	266,539
Subtotal	857,836	(11,626)	846,210
Unappropriated Balance	151,566	0	151,566
Total Fund Requirements	6,802,525	0	6,802,525

All Other Appropriations Remain As Previously Adopted

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-508 FOR THE PURPOSE OF AMENDING THE FY 1993-94 BUDGET TO PAY FOR CLERICAL SUPPORT TO SUPPORT THE METRO TAX STUDY COMMITTEE.

DATE: August 4, 1993

Presented by: Craig Prosser

PROPOSED ACTION

This ordinance amends the FY 93-94 budget to transfer \$11,626 from the Support Services Fund contingency to the Finance and Management Information Department, Financial Planning Division to pay for temporary clerical support to support the Metro Tax Study Committee.

FACTUAL BACKGROUND AND ANALYSIS

The Metro Tax Study Committee was created on June 24, 1993, by Resolution No. 93-1813A to review new revenue options for Metro. The committee is required to complete its work and report back to the Council by November 15, 1993. Support for the committee is provided by the Financial Planning Division of the Finance and Management Information Department.

The workload generated by the committee is significant. The full committee has met three times, and the committee has now broken into three subcommittees to pursue elements of the scope of work. Support for the committee and its subcommittees includes the preparation and distribution of informational and analytical materials, arranging meetings and meeting agendas, providing public notice of all meetings, keeping minutes of committee discussions, and arranging public hearings. This workload cannot be absorbed by existing staff.

The attached ordinance adds funds to the Financial Planning Division of the Finance and Management Division to hire a temporary clerical worker between now and December 31, 1993. This temporary worker will be used to relieve the existing division secretary of her workload during this period, allowing her to support the Metro Tax Study Committee. The temporary position is needed until December 31, 1993, to allow time to complete the work of the committee, prepare and distribute the final report, and close the committee files. The appropriation transfer includes the cost of the position and rental of a computer and software.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 93-508.

Meeting Date: September 9, 1993
Agenda Item No. 7.4

ORDINANCE NO. 93-505

FINANCE COMMITTEE REPORT

ORDINANCE NO. 93-505 APPROVING THE REVISION OF METRO CODE SECTION 4.01.050 REVISING ADMISSION FEES AT THE METRO WASHINGTON PARK ZOO

Date: August 30, 1993

Presented By: Councilor Monroe

COMMITTEE RECOMMENDATION: At its August 25, 1993 meeting the Committee voted 4 to 1 to recommend Council adoption of Ordinance No. 93-505. Voting in favor were Councilors Buchanan, Devlin, Monroe and Van Bergen. Voting in opposition was Councilor Kvistad.

COMMITTEE DISCUSSION/ISSUES: Ms. Sherry Sheng, Zoo Director presented the Staff Report. She pointed out that the possibility of a Zoo admission fee increase was included as a key assumption in the Five Year Financial Plan prepared last year and that the Council recently adopted the FY 1993-94 Budget with projected revenue based on the fee increase as included in this ordinance. She also stated that the fee increase is needed to help meet the Council adopted financial policy of relying on non-property tax revenue for more than 50% of the Zoo's annual operating income.

She stated that the fee increase is proposed at this time rather than at some later time because of the difficulty in raising fees while the access to the Zoo is disrupted. During the next two years it will be very difficult to get in the facility because of the Highway 26 construction and the Light Rail Station construction in the parking lot.

In response to questions from councilors regarding the impact of free admissions to the Zoo and impact of the fee increase by type of user, Ms. Sheng presented information that 1) showed the Zoo currently provides free admissions equivalent to approximately \$305,000 in income (see Exhibit A to this report); and 2) showed that revenue from the adult user will make up the bulk of the increased revenue (see Exhibit B to this report).

Council Staff provided information showing the substantial increase in the Operating Fund fund balance during the past four years and suggested further analysis is needed to justify the fee increase request (see Exhibit C to this report). Ms. Sheng provided information which shows the Operating Fund fund balance will be substantially depleted during the next three fiscal years even with the fee increase and will fall far below the prudent target figure of \$2,000,000 by FY 1996-97 (see Exhibit D to this report).

One person, Mr. James Kusz from N.E. Portland, appeared in support of the ordinance. He indicated a willingness to pay more to ensure a healthy zoo for his children and for the future.

Two amendments to the ordinance were proposed by Councilors. Councilor Kvistad moved to raise the adult admission by a dollar (\$6.00) and leave the youth admission at its current level (\$3.00). In response to a question, Ms. Sheng indicated the impact of the

amendment would increase revenue to the Zoo. The motion failed by a vote of 1 yes to 4 nays.

Councilor Devlin moved to delay the fee increase for the youth category until January 1, 1995. This would leave the youth fee at the current \$3.00 level for calendar year 1994 and increased it to \$3.50 on January 1, 1995. The impact would be a reduction of revenue to the Zoo for FY 1993-94. The motion failed by a vote of 1 yes and 4 nays.

FISCAL YEAR 92-93 FREE TUESDAY ATTENDANCE

JULY	15,416	JANUARY	190
AUGUST	4,866	FEBRUARY	986
SEPTEMBER	1,389	MARCH	1,993
OCTOBER	2,656	APRIL	1,318
NOVEMBER	737	MAY	4,480
DECEMBER	940	JUNE	3,529
	TOTAL	38,500	

Annual admission dollar equivalent: \$150,331

Other free attendees: 64,208

**Children two and under
Senior Day
Chaperons, etc.**

Annual admission dollar equivalent: \$154,996

TOTAL DOLLAR EQUIVALENT: \$305,327

IMPACT OF 50 CENT FEE INCREASE

<u>CATEGORY</u>	<u>PERCENT OF PAID</u>	<u>1,000,000 ANNUAL ATTENDANCE</u>	<u>.50 FEE INCREASE</u>
ADULT	40.0	400,000	\$200,000
SENIOR	2.3	23,000	\$ 11,500
YOUTH	15.5	155,000	\$ 77,500
GROUP	6.0	60,000	\$ 30,000
TOTAL PAID	63.8	638,000	\$319,000



EXHIBIT C

(Fin. Comm.Rpt/Ord.93-505)

METRO

Date: August 23, 1993
To: Jennifer Sims, Finance Director
From: Donald E. Carlson, Council Administrator
Re: Ordinance 93-505 Revising Admission Fees at the Zoo

The purpose of this memo is to request that you provide the Finance Committee five year financial projections for the Zoo Operating Fund for three scenarios relating to the proposed Zoo admission fee increase. I apologize for the lateness of this request but I have been on vacation since August 13. However, the ordinance does not have an emergency clause and has an effective date of January 1, 1994. This means for it to be effective on that date, the Council has until the last meeting in September to make a decision.

Before I set the three scenarios some background information is provided regarding the Zoo Operating Fund. Exhibit A attached shows that the Fund Balance has increased substantially over the last five years. During that period there have been three fee increases and a leveling off if not an out right reduction of property tax revenues as a result of Ballot Measure #5.

Would you please provide a set of annual revenue and expenditure projections for the Zoo Operating Fund through Fiscal Year 1996-97 based upon the following scenarios:

1. Assume the admission fee increases as proposed in Ordinance No. 93-505;
2. Assume no fee increases during the projection period; and
3. Assume the admission fee increases as proposed in Ordinance No. 93-505 with an effective date of January 1, 1995 (one year delay).

Please provide the revenue information by major categories (property taxes, total enterprise revenue etc) but segregate the admission fee revenue out of the enterprise amount. On the expenditure side, provide the projections by major categories for the entire fund. As always please provide a list of the major assumptions used in making these projections and I trust they will be suitably prudent.

Again, I apologize for the timing of this request. If you have any questions, please give me a call.

cc: Finance Committee
Dick Engstrom
Sherry Sheng

ZOO OPERATING FUND

FUND BALANCE AND FEE INCREASE INFORMATION

FISCAL YEAR	BUDGETED FUND BALANCE	ACTUAL FUND BALANCE	INCREASE		FEE INCREASE**
			AMOUNT	%	
1989-90	\$1,885,667	\$2,241,563	\$355,896	18.9%	Yes (4/1/90)
1990-91	\$1,493,142	\$2,341,734	\$848,592	56.8%	Yes (2/1/91)
1991-92	\$2,509,619	\$3,708,183	\$1,198,564	47.5%	Yes (1/1/92)
1992-93	\$4,694,322	\$5,558,568	\$864,246	18.4%	No
1993-94	\$5,711,864	\$5,924,465*	\$212,601	3.7%	??

* Unaudited number based on first closing of books. Does not include accrued prior year property taxes to be received within 60 days of end of FY. Past experience indicates it could be as much as \$200,000 higher.

** Admission fee history:

	4/1/88	4/1/90	2/1/91	1/1/92
ADULT	\$3.00	\$3.50	\$4.50	\$5.00
YOUTH	1.50	2.00	2.50	3.00
SENIOR	1.50	2.00	3.00	3.50
GROUP	1.00	1.00	2.00	2.00

EXHIBIT D

(Fin. Comm. Rpt/Ord. 93-505)

ZOO OPERATING FUND
UNAPPROPRIATED BALANCE PROJECTIONS

FISCAL YEAR	JAN. '94 FEE INCREASE	JAN. '95 FEE INCREASE	NO FEE INCREASE
1993-94	4,213,862	4,054,383	4,054,383
1994-95	3,385,091	3,064,149	2,917,288
1995-96	2,105,953	1,772,173 *	1,321,257 *
1996-97	663,786 *	316,655 *	(454,396)*

* TO PROVIDE AN ADEQUATE CASH FLOW UNTIL THE TAX DISTRIBUTION OCCURS IN DECEMBER, IT IS NECESSARY TO MAINTAIN AN UNAPPROPRIATED BALANCE OF APPROXIMATELY \$2,000,000.

BALTABLE.WK3

REGIONAL FACILITIES COMMITTEE REPORT

ORDINANCE NO. 93-505, APPROVING THE REVISION OF METRO CODE SECTION 4.01.050 REVISING ADMISSION FEES AT THE METRO WASHINGTON PARK ZOO

Date: August 19, 1993

Presented by: Councilor Hansen

COMMITTEE RECOMMENDATION: At its August 18, 1993 meeting the Regional Facilities Committee voted 3-1 to recommend Council adoption of Ordinance No. 93-505. Voting in favor were Councilors McFarland, Hansen, and McLain. Councilor Gardner voted in opposition. Councilor Washington was excused.

COMMITTEE DISCUSSION/ISSUES: Zoo Director Sherry Sheng presented the staff report. She said the committee had previously been advised that an admission fee increase was planned for January, 1994, during review of the five year financial plan last fall, and again during the 1993-94 budget process. She said the fee increase is planned to take effect January 1, 1994, and that the last increase was two years ago. She cited results of a survey of Zoo visitors that is taken three times a year. That survey showed 90% of respondents thought the Zoo is well managed, and 75% said the Zoo represents a good return on investment of tax dollars. Ms. Sheng reviewed the information in the staff report, citing increases in costs which include a \$250,000 increase in the transfer to Support Services for 1993-94. She said the fee increase was being proposed now rather than two or three years from now because Zoo staff did not want to raise fees while construction disrupted Zoo access, either Highway 26 construction or Light Rail station construction. She concluded by saying the Zoo continues to strive to meet Council's policy that property taxes will not exceed 50% of the Zoo's operating costs, and that the fee increase is necessary to continue to provide the services and programs the Council authorized in the budget.

Councilor McLain asked if the Friends of the Zoo's (FOZ) fees for a family pass were tied to Zoo admission fees. Ms. Sheng said the fee structures were separate, though parallel. The Zoo receives 2.5 times the cost of one adult admission for each FOZ membership. Councilor McLain asked if Zoo staff has input into FOZ' price package. Councilor McFarland said the only Metro input was to the extent that two Metro Councilors serve on the FOZ board.

Councilor McLain asked why the fee for education groups was increasing along with other categories. Ms. Sheng replied that the last time admission fees were increased, the fee for education groups stayed the same; this fee is examined whenever a fee increase is proposed to see if it's justified. The fee for education groups is increasing in this request because admission costs are less of a burden to these groups than transportation costs, and there continues to be a waiver for adult chaperons of

the school children. Councilor Hansen said she didn't think school teachers would be surprised by the increase, and that they find value in the educational materials the Zoo provides. She thinks teachers would support the increase if it supports the educational programs. She concurred with Ms. Sheng's point about transportation costs, and said the Zoo was a good place for teachers to be able to take their students using public transit.

Councilor Gardner asked what was the percentage increase in the Support Services transfer. Assistant Director Kay Rich said it was approximately 31%. Councilor Gardner asked for a breakdown of revenues from tax vs. enterprise sources. Ms. Sheng said property taxes represent 45% of revenues, enterprise activities are 50%, and 5% comes from donations. Of the \$6 million in enterprise revenues generated in 1992-93, admission fees were 42% and food service is 33%. The Zoo's aim is to increase the food service revenues in the next five years, when construction will disrupt access, through an aggressive catering program.

Councilor Gardner asked if the disruption from freeway and light rail station construction had been taken into account in forecasting attendance. Ms. Sheng said the five year plan couldn't take the construction fully into account because the schedule wasn't available at that time. She said attendance projections are affected by two things: the weather, which is most important and beyond anyone's control; and parking spaces, because most Zoo visitors come by car. She said Zoo attendance in the past five years had exceeded 1 million three times, and was around 975,000 - 980,000 the other two years. She said attendance could be as low as 750,000 with the parking lot under construction if the shuttle system was not well received; the Zoo is working with Tri-Met to improve transit service during the construction period. She said the range of attendance would be 750,000 - 1,000,000. Council Analyst Casey Short said the Zoo's attendance projections used in the 1993-94 budget process showed attendance remaining steady at 1,025,000 for the next five years.

Councilor McLain asked about the free Tuesday afternoon. (Admission is free the second Tuesday of each month after 3:00.) She wanted to know whether that program was affected by this ordinance, and how the program is publicized. Ms. Sheng said that program is not affected by this ordinance, and it is promoted through news releases, media notification, and it is included on the Zoo's public information phone lines.

Councilor McFarland opened a public hearing, and one person testified. Deborah Reynolds, 3612 NE 46th in Portland, spoke in opposition to the fee increase. She began by saying she didn't think enough notice was provided of the proposed fee increase. She said many people can't afford to go to the Zoo. She said the Convention Center was touted as bringing jobs to the region, but she didn't think those jobs pay very well. She said the cost of \$18 for a family of four to attend the Zoo was high, and that the Zoo was a family facility, not a tourist facility - it doesn't

compare with the San Diego Zoo. She regretted the loss of the petting zoo. Ms. Reynolds suggested that if we really need to increase fees, it should be balanced with more free days. She also suggested the Zoo should broaden its survey to include people who don't go to the Zoo, because the gate survey doesn't include people who can't afford to go. She objected to Metro employees being allowed into the Zoo for free. She said people who use transit may be the ones who can't afford the Zoo admission, and she suggested raising parking fees to help subsidize transit users.

Councilor McFarland responded to some of Ms. Reynolds' points, citing the ballot measure for the children's zoo and pointing out that the light rail line will have a Zoo station.

Councilor Gardner said the issue of notice was to a large extent controlled by the media: the agendas went out last week, and public notice was provided in The Oregonian. He added that property taxes do keep the fees lower, but those taxes are supposed to provide less than half the operating revenues. He added that the staff report did not compare our Zoo with San Diego, the newspaper made that comparison. He said that Councilors do consider the issues she raised, and it's difficult for them to raise Zoo admission fees. They know it does what she said it does, that the increases squeeze a few more people out of being able to attend. The free Tuesday tries to compensate for that, but it's only one day a month.

Councilor McLain supported the idea of a broader public survey. She spoke to the difference in rates for different groups, and Ms. Reynolds pointed out the Zoo does accept the FOZ pass for school field trips. Councilor McLain spoke to the issue of Metro employees getting free admission. Councilor McFarland then closed the public hearing.

Councilor Gardner said this is a difficult decision for him, but he concluded he cannot support the increase at this time. He said with the disruption that's coming, it is not the time to charge the public more to put up with the inconvenience to come to the Zoo. He said he understood that not raising the fee would result in a revenue reduction of some \$160,000 this fiscal year, and a comparable amount next year, and that fluctuations in weather could result in a similar revenue loss even with the increase. He concluded that since there will be no new attractions after January and the highway and ramp construction will make access harder, it is not the time to tell the public we're going to raise the cost. He said the Zoo does a good job with the funds they get, and there is not a lot of wasteful spending, but he thinks the public is telling government to make do with what they have now.

Councilor Hansen moved the ordinance. She said there is never a good time for some things, including this fee increase. She said if the increase isn't granted now, there would be another several

years before another increase. That would mean the Zoo would have to operate in 1996 with the same prices as 1991, and that isn't feasible. She said that even though it will be harder to attract people to the Zoo in the coming years, the operational costs will remain. In order to cut costs, we could cut valuable programs, or sell off some animals; restoring the lost programs later would be more expensive and require a much higher increase in the future. She said that's not cost effective. She said the Zoo provides a good service and we need to support it.

Councilor McLain said her concern is balance: she recognizes the increase is necessary to maintain the Zoo, but we must also recognize that some folks can't pay it. Her concern is that there is only one free afternoon a month. She suggested adding another period of free admission, and asked Zoo staff to provide information to the Finance Committee on the cost of the free day and the number of people who take advantage of it. She requested the Finance Committee to consider adding another free day.

Councilor McFarland said many cost-saving measures have been considered, including the possibility of closing the Zoo for a day a week to save money, but that wouldn't be cost effective because the animals still need to be cared for. The Zoo is a valuable educational resource and needs to be maintained.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE) ORDINANCE NO. 93-505
REVISION OF METRO CODE SECTION)
4.01.050 REVISING ADMISSION FEES) Introduced by Rena Cusma,
AT THE METRO WASHINGTON PARK ZOO) Executive Officer

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amending the Metro Code. Section 4.01.050 Admission Fees and Policies is amended to read as follows:

4.01.050 Admission Fees:

(a) Regular Fees:

(1) Definitions:

- (A) An Education Discount is offered to groups of students in a state accredited elementary, middle, junior, or high school, or pre-school/daycare center. Qualifications for education discount include a minimum of one chaperon for every five (5) students of high school age or under; registration for a specific date at least two weeks in advance; and the purchase of curriculum materials offered by the Zoo, or submission of a copy of the lesson plan that will be used on the day of the visit.
- (B) The Group Discount is defined as any group of twenty-five (25) or more (including school groups that have not met the advance registration and curriculum requirements for the education discount; groups of students not accompanied by a minimum of one chaperon for every five (5) students shall not qualify for the group discount).

(2) Fee Schedule:

Adult (12 years and over)	\$5.00	\$5.50
Youth (3 years through 11 years)	\$3.00	\$3.50
Child (2 years and younger)	free	
Senior Citizen (65 years and over)	\$3.50	\$4.00
Education Groups (per student)	\$2.00	\$2.50
Chaperons accompanying education groups	free	
Groups other than education groups		

25 or more per group

20% discount
from appropriate fee
listed above

(b) Free and Reduced Admission Passes:

- (1) Free and reduced admission passes may be issued by the Director in accordance with this chapter.
- (2) A free admission pass will entitle the holder only to enter the Zoo without paying an admission fee.
- (3) A reduced admission pass will entitle the holder only to enter the Zoo by paying a reduced admission fee.
- (4) The reduction granted in admission, by use of a reduced admission pass (other than free admission passes), shall not exceed 20 percent.
- (5) Free or reduced admission passes may be issued to the following groups or individuals and shall be administered as follows:
 - (A) Metro employees shall be entitled to free admission upon presentation of a current Metro employee identification card.
 - (B) Metro Councilors and the Metro Executive Officer shall be entitled to free admission.
 - (C) Free admission passes in the form of volunteer identification cards may, at the Director's discretion, be issued to persons who perform volunteer work at the Zoo. Cards shall bear the name of the volunteer, shall be signed by the Director, shall be non-transferrable, and shall terminate at the end of each calendar year or upon termination of volunteer duty, whichever date occurs first. New identification cards may be issued at the beginning of each new calendar year for active Zoo volunteers.
 - (D) Reduced admission passes may be issued to members of any organization approved by the Council, the main purpose of which is to support the Metro Washington Park Zoo. Such passes shall bear the name of the passholder, shall be signed by an authorized representative of the organization,

shall be non-transferrable, and shall terminate not more than one year from the date of issuance.

- (E) Other free or reduced admission passes may, with the approval of the Director, be issued to other individuals who are working on educational projects or projects valuable to the Zoo. Such passes shall bear an expiration date not to exceed three months from the date of issuance, shall bear the name of the passholder, shall be signed by the Director and shall be non-transferrable.

(c) Special Admission Days:

- (1) Special admission days are days when the rates established by this Code are reduced or eliminated for a designated group or groups. Six special admission days may be allowed, at the discretion of the Director, during each calendar year.
- (2) Three additional special admission days may be allowed each year by the Director for designated groups. Any additional special admission days designated under this subsection must be approved by the Executive Officer.

(d) Special Free Hours: Admission to the Zoo shall be free for all persons from 3:00 p.m. until closing on the second Tuesday of each month.

(e) Commercial Ventures: Proposed commercial or fund-raising ventures with private profit or nonprofit entities involving admission to the Zoo must be authorized in advance by the Executive Officer. The Executive Officer may approve variances to the admission fees to facilitate such ventures.

(f) Special Events: The Zoo, or portions thereof, may be utilized for special events designed to enhance Zoo revenues during hours that the Zoo is not normally open to the public. The number, nature of, and admission fees for such events shall be subject to the approval of the Executive Officer.

(Ordinance No. 92-412A, Sec. 2)

Section 2. The amendment to the Metro Code provided for in this Ordinance shall take effect on January 1, 1994.

ADOPTED by the Metro Council this _____ day of
_____, 1993.

_____, Presiding Officer

ATTEST:

Clerk of the Council

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-505 FOR THE PURPOSE OF AMENDING METRO CODE SECTION 4.01.060 REVISING ADMISSION FEES AT METRO WASHINGTON PARK ZOO.

Date: July 19, 1993

Presented by: Y. Sherry Sheng

FACTUAL BACKGROUND AND ANALYSIS

In 1984, the Metro Council adopted the following policies relating to the Zoo:

1. The Zoo shall rely on property tax for a portion of its revenue;
2. A ratio of approximately 50 percent tax and 50 percent non-tax revenue shall be maintained for funding zoo operations; and
3. The Council shall annually review admission fees to assist in meeting policy 2 above.

In accordance with the policy to keep the zoo revenue ratio at no greater than 50 percent from tax sources, we are recommending a zoo admission fee increase. This fee increase was used to calculate the revenue projections for the Fiscal Year 1993-94 budget, which has been approved by the Council. Beginning January 1, 1994, fees would be \$5.50 for adults, \$3.50 for youth, \$4.00 for seniors, and \$2.50 for educational groups.

The zoo's fund balance at this time is substantial. However, there are external as well as internal factors that will negatively offset this balance over the next five years. The external factors include annual inflation at approximately four percent per year and the construction during FY 93-94 of the on-ramp and bridge on Highway 26, adjacent to the zoo. In addition, the light rail station construction will begin in the fall of 1994 and continue to 1997. This project will eliminate approximately 280 parking spaces in the parking lot during the years of construction. These factors will seriously impact our attendance and revenue.

Also included are internal factors such as the increasing costs for support services at Metro and increases in the excise tax. For example, support services costs increased \$249,105 from FY 92-93 to FY 93-94. For that same year, the excise tax increased by one percent, reducing zoo-kept enterprise revenue by an additional \$54,495. If the one percent increase remains in effect over the next five years, it will reduce those after-tax enterprise revenues \$266,296.

If the fee increase is not approved, the zoo will lose the budgeted admissions revenue for FY 93-94 of \$159,480. The loss for FY 94-95 will be approximately \$304,376. Because no major exhibit improvements will be made for several years following FY 93-94, further admission fee increases are planned to be postponed accordingly. Without this increase the loss of after-tax admission revenue for the five year projection will amount to \$1,658,466.

The proposed admission rates at the zoo remain a good value compared to similar institutions in the West, and to other educational and entertainment facilities in the metro area, as shown in Tables I and II. Since the last admission fee increase, there have been several improvements made to the zoo. They include; pygmy goat petting area, ZooBloom, Elk Meadow exhibit, the reptile show, and several living history presentations. All these new areas and programs add value to the zoo visitor experience. In the current year a major improvement will occur at the elephant front yard.

TABLE I: SELECTED WEST COAST ZOOS

	<u>Adults</u>	<u>Youths</u>	<u>Seniors</u>
Wildlife Safari	\$9.95	\$6.75	\$8.50
San Francisco Zoo	\$6.50	\$1.00-\$3.00	\$3.00
Los Angeles Zoo	\$8.00	\$3.00	\$5.00
Denver Zoo	\$6.00	\$3.00	\$3.00
Rio Grande Zoo	\$4.25	\$2.25	\$2.25
Point Defiance Zoo (Tacoma)	\$6.25	\$4.50	\$5.75
Woodland Park Zoo (Seattle)	\$6.00	\$1.50-\$3.50	\$4.50
Hogle Park Zoo (Salt Lake)	\$4.00	\$2.00	\$2.00

TABLE II: SELECTED METRO AREA EDUCATIONAL/ENTERTAINMENT FACILITIES

	<u>Adults</u>	<u>Youths</u>	<u>Seniors</u>
Movie Theatres (avg.)	\$6.00	\$3.50	
OMSI	\$6.50	\$4.00	\$5.50
Shows @ Expo Center (avg.)	\$4.00	\$2.00	\$2.00
High Desert Museum (Bend)	\$5.50	\$2.75	\$5.00
Pittock Mansion	\$3.50	\$1.50	\$3.00
Children's Museum	\$3.50	\$3.50	\$3.50
Japanese Gardens	\$5.00	\$2.50	\$2.50
Portland Art Museum	\$4.50	\$1.50	Free on Thurs.
World Forestry Center	\$3.00	\$2.00	\$2.00

Meeting Date: September 9, 1993
Agenda Item No. 8.1

RESOLUTION NO. 93-1830

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1830, FOR THE PURPOSE OF MAKING A CITIZEN APPOINTMENT TO THE TRANSPORTATION POLICY ALTERNATIVES COMMITTEE (TPAC)

Date: August 24, 1993

Presented By: Councilor Gates

Committee Recommendation: At the August 24 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 93-1830. Voting in favor: Councilors Van Bergen, Gates, Kvistad, Monroe, and Moore. Absent: Councilor Devlin

Committee Issues/Discussion: Councilor Mike Gates presented the staff report. He explained that Rex Burkholder had been selected by a subcommittee of the Planning Committee to fill the current vacancy of Dapo Sabomehin on TPAC. The subcommittee included Councilors Gates as Chair, Moore and Devlin. The subcommittee met and reviewed the remaining finalists from the January 1992 selection process before selecting Mr. Burkholder.

Committee discussion centered on the portion of the resolution addressing citizen member alternates. The resolution clarifies the selection process of alternates by allowing citizen members to select their own alternate within 30 days, with the approval of the Chair of the Council Planning Committee. The Chair requested staff to correspond with TPAC to inform them of requirement in the resolution.



METRO

To: Planning Committee
From: Gail Ryder, Senior Council Analyst
Date: August 17, 1993
Re: Resolution 93-1830 - TPAC Appointment

There were two issues that should be brought to your attention as you consider this resolution.

TPAC Alternates: In the January 1992 resolution making the last appointments to the Transportation Policy Alternates Committee, each appointee was allowed to select an alternate. This was done to allow a close working relationship between the appointee and the alternate so that information exchange is optimum. Three of the original six appointees have selected an alternate. The vacancy being filled was for a member who did not select an alternate.

During subcommittee discussions there were two questions discussed regarding alternates:

1. Should alternates be appointed by the Metro Council so that vacancies of this type that occur between recruitment periods could be filled more expeditiously?
2. What happens if an appointee fails to appoint an alternate? Should other alternates be allowed to fill in during such absences? in the case of a vacancy?

The original draft resolution suggested Metro appoint three alternates, each assigned to two specific appointees. The resolution also ranked the alternates for appointment in the case of vacancy. The subcommittee, however, felt that each appointee should be allowed to appoint their own alternate and that Metro should only appoint if they fail to do so.

Minority Representation: When the vacancy on TPAC was brought to the attention of Council staff, the department also communicated a concern about minority representation on TPAC. The lack of minority participation had been brought to the department's attention by federal representatives during interaction on grants.

Since the length of the appointment is so short, the subcommittee chose to select from remaining finalists rather than reopen the process to a costly new recruitment for a single member. But it was pointed out that the original TPAC application allowed no opportunity for applicants to share information regarding minority status.

Staff Recommendation: The Planning Department should be directed to modify the application form for the next TPAC recruitment, so that such information regarding minority status may be voluntarily submitted by applicants.

Finally, after having difficulty locating the original TPAC applications to make this appointment, it is apparent that there is no central location where original citizen applications to Metro advisory committees are stored. Rather, they are spread throughout the agency in the personal files of various staff persons. I discussed the problem with Judy Shioishi, Office of Citizen Involvement, and she joins me in the following recommendation regarding TPAC applications. You may wish to consider an agency-wide policy for all citizen appointments.

Staff Recommendation: Following completion of the next cycle of citizen appointment to TPAC, the application forms should be filed in the Metro Office of Citizen Involvement so that unsuccessful applicants may be redirected to other committees needing citizen volunteers.

c: Judy Shioishi

**BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT**

FOR THE PURPOSE OF MAKING A)	RESOLUTION NO. 93-1830
CITIZEN APPOINTMENT TO THE)	
TRANSPORTATION POLICY)	Introduced by
ALTERNATIVES COMMITTEE (TPAC))	Councilor Mike Gates

WHEREAS, The Transportation Policy Alternatives Committee (TPAC) is organized to provide input on transportation planning, priorities and financing alternatives; and

WHEREAS, It is the responsibility of the Metro Council to appoint the six citizen members of the Transportation Policy Alternatives Committee; and

WHEREAS, The six citizen members should represent a broad range of interests and geographic areas of the metropolitan area; and

WHEREAS, The recent resignation of Dapo Sabomehin has caused a vacancy on TPAC; Mr. Sabomehin was appointed in 1992 to serve as a citizen member for a term beginning April, 1992 and ending April 1994; and

WHEREAS, The Council Planning Committee reviewed the remaining list of finalists considered in 1992; now, therefore,

BE IT RESOLVED

1. That the Metro Council appoints Rex Burkholder to fill the unexpired term of Mr. Sabomehin as a citizen member to the Transportation Policy Alternatives Committee for a term to begin immediately and ending in April, 1994; and

2. That all citizen members shall, with the approval of the Chairperson of the Council Planning Committee, appoint an alternate to serve in their absence; if a citizen member fails to appoint an alternate within 30 days, the Metro Council will make the appointment.

ADOPTED by the Council of the Metropolitan Service District this ____ day of _____, 1993.

Judy Wyers, Presiding Officer

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1830, FOR THE PURPOSE OF MAKING A CITIZEN APPOINTMENT TO THE TRANSPORTATION POLICY ALTERNATIVES COMMITTEE (TPAC)

Date: July 20, 1990

Presented by: Councilor Mike Gates

PROPOSED ACTION

Resolution No. 93-1830 appoints Rex Burkholder to fill the unexpired vacancy of Dapo Sabomehin to the Transportation Policy Alternatives Committee (TPAC). The appointment is to begin immediately upon approval by the Metro Council and will end April 1994.

The resolution continues the current practice of allowing citizen members to appoint an alternate but provides instructions all citizen members to select an alternate, within 30 days of approval of this resolution. The Chairperson of the Council Planning Committee must approve all alternates. If a citizen member is unable to make such a selection, the Metro Council will appoint an alternate.

FACTUAL BACKGROUND AND ANALYSIS

During December 1991 and January 1992, notice of six TPAC citizen positions was circulated by press release to area newspapers and through mailings to Councilors, JPACT, TPAC, local governments, CPO groups, neighborhood organizations, Chambers of Commerce, corridor associations, and the League of Women Voters. A subcommittee of the Transportation and Planning (T&P) Committee reviewed 58 applications and selected 17 finalists based on the following criteria: 1) Handicapped; 2) Environmental Interests; 3) Transit/Rail Interests; 4) Bicycle/Pedestrian Interests; 5) Trucking Interest; and 6) Industry Interest. They also attempted to select finalists that represented a balanced geographic distribution. The T&P Committee then interviewed 14 of the finalists and selected six citizen members.

During the July 13, 1993 meeting of the Council Planning Committee, a subcommittee was appointed to review the list of remaining finalists from the 1992 selection process. This committee included: Councilor Mike Gates, Chair; Councilor Richard Devlin; and Councilor Terry Moore. The subcommittee met July 20 and recommended Rex Burkholder for the appointment. Mr. Burkholder, a consultant on transportation and non-profit management, resides in inner NE Portland and participates in the following activities:

- Chair, Oregon Bicycle Advisory Committee,
- Member, Portland Area Bicycle Coalition
- Member, Technical Advisory Committee for 1000 Friends LUTRAQ Study
- Board Member, Irvington Community Association

Meeting Date: September 9, 1993
Agenda Item No. 8.2

RESOLUTION NO. 93-1833

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1833, A RESOLUTION APPROVING AN ADDITION OF REPRESENTATIVES FROM CLARK COUNTY AND VANCOUVER, WASHINGTON TO THE METRO POLICY ADVISORY COMMITTEE

Date: August 24, 1993

Presented By: Councilor Kvistad

Committee Recommendation: At the August 24 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 93-1833. Voting in favor: Councilors Van Bergen, Devlin, Gates, Kvistad, Monroe, and Moore.

Committee Issues/Discussion: Andy Cotugno, Planning Director, presented the staff report. He explained that the resolution was generated by a request from Washington representatives asking for membership on the Metro Policy Advisory Committee (MPAC). MPAC discussed the request and voted to allow two "liaison" members; one from the City of Vancouver and one from Clark County, Washington. The Metro Council must jointly approve the change in membership.

As "liaison" members, these members will have all rights except voting; the same as Metro Councilors. There was discussion at MPAC about allowing the new members voting privileges but the idea was rejected because of some of the specific authorities of MPAC.

Councilor Van Bergen asked whether the Bi-State Policy Advisory Committee continues to exist or was it absorbed by creation of MPAC. Councilor Devlin and Andy Cotugno explained that the Bi-State PAC does still exist although it does not meet regularly. It was originally appointed to provide an arena with equal representation between Oregon and Washington. This was intentionally weighed. Membership on MPAC does not allow such equality.

There was no further discussion and the resolution was approved as written. Councilor Van Bergen asked staff to prepare a communication to both the Presiding Officer and to Councilor Ruth McFarland, the Metro Councilor assigned to the Bi-State PAC, asking their opinion as to whether the Bi-State PAC should continue to exist now that MPAC is operational.

BEFORE THE METRO COUNCIL

A RESOLUTION APPROVING AN ADDITION)	RESOLUTION NO. 93-1833
OF REPRESENTATIVES FROM CLARK)	
COUNTY AND VANCOUVER,)	
WASHINGTON TO THE METRO POLICY)	Introduced by
ADVISORY COMMITTEE)	Councilor Devlin

WHEREAS, Metro's regional planning program requires a partnership with cities, counties, and citizens in the region; and

WHEREAS, the region, if defined by economic, social, and physical measures, includes Southwest Washington as an integral part of the region; and;

WHEREAS, the Metro Charter, in references to Metro's Future Vision and Regional Framework Plan, calls for coordination of planning and growth management efforts; and;

WHEREAS, The Metro Charter requires a Metro Policy Advisory Committee (MPAC) for coordination of growth management and planning of the region; and

WHEREAS, the members of MPAC have unanimously approved this change in the membership composition of MPAC as authorized by Section 27(2) of the 1992 Metro Charter and so recommend said changes to the Metro Council; and

WHEREAS, The 1992 Metro Charter requires approval of a majority of the Metro Council for any change in membership for MPAC; now, therefore,

BE IT RESOLVED,

1. That the Metro Council hereby concurs with the MPAC recommendation and approves the amendment of the membership of MPAC. The Metro Council welcomes the representatives from Clark County and Vancouver, Washington as liaison members of MPAC.

ADOPTED by the Metro Council this _____ day of _____, 1993.

Judy Wyers, Presiding Officer

STAFF REPORT

RESOLUTION 93-1833, A RESOLUTION APPROVING AN ADDITION OF REPRESENTATIVES FROM CLARK COUNTY AND VANCOUVER, WASHINGTON TO THE METRO POLICY ADVISORY COMMITTEE

August 5, 1993

By: John Fregonese

BACKGROUND

The Metro Charter has created a Metro Policy Advisory Committee (MPAC) and the Charter stipulates the committee's membership and representation. There is no representation for any of Southwest Washington stipulated in the Charter. However, the charter does mandate that a representative from Clark County be a member of the Future Vision Commission and it requires that the Regional Framework Plan include coordination with Clark County as an element.

Recently, correspondence from representatives of Southwest Washington local governments requested consideration of membership on the Metro Policy Advisory Committee (MPAC).

MPAC, after discussion of the proposal, has recommended that the MPAC membership be augmented by 1 representative from Clark County, Washington and 1 representative from Vancouver, Washington. This is consistent with MPAC's basic structure of a representative from each county and from the largest city in each county. It is MPAC's intent that these representatives would participate in all MPAC activities, but would not have voting status.

An action of this type must be acted on by both the MPAC and the Metro Council in order to have effect. At their July 14, 1993 meeting, MPAC considered membership revision and unanimously agreed to the change, recommending it to the Metro Council.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution 93-1833, approving a change of composition to the Metro Policy Advisory Committee.



1351 Officers' Row
Vancouver, Washington
98661

206 / 737-6067
206 / 696-1847 fax

Member Jurisdictions

Clark County
City of Vancouver
City of Camas
City of Washougal
City of Battle Ground
City of Ridgefield
Town of Yacolt
Town of La Center
C-TRAN
Washington DOT
Port of Vancouver
Port of Camas-Washougal
Port of Ridgefield
METRO
Oregon DOT

May 10, 1993

Mayor Gussie McRobert
Chair, Metro Policy Advisory Committee
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Mayor McRobert:

As you are well aware, the Portland-Vancouver metropolitan region is facing a number of growth related issues that require the development of new land use and transportation policies. These policies must address needs within each community as well as issues that impact the whole region. From our perspective, major issues such as bi-state transportation accessibility, planning for a north/south high capacity transit corridor, and the development of policies to help direct where growth occurs are all of a scope that require broad participation by jurisdictions across the metropolitan region.

Clark County and the seven cities within the county are currently engaged in a major land use planning process as required by the Growth Management Act (GMA). The interrelationship between the GMA process in Clark County and Metro's 2040 land use planning process is critical to developing metropolitan-wide transportation and land use policies that are mutually supportive. In order to broaden this policy-setting base, the RTC Board of Directors is requesting voting membership on the Metro Policy Advisory Committee. This membership request is for two members from Clark County. One position would represent the City of Vancouver, the second would represent Clark County. We feel that these two positions are important in order to adequately represent the diversity of interests within Clark County. The Vancouver seat would represent the central city interests, while the county seat would represent the suburban and rural interests.

We look forward to your consideration and response to this request for membership on the Metro Policy Advisory Committee. Please call if you have questions or would like further information.

Sincerely,

John C. Magnano
Chair, Southwest Washington Regional Transportation Council
Clark County Commissioner



METRO

June 8, 1993

The Honorable John C. Magnano, Chair
Southwest Washington Regional
Transportation Council
P.O. Box 5000
Vancouver, WA 98668

Dear Commissioner Magnano:

On behalf of the new Metropolitan Policy Advisory Committee (MPAC), we are encouraged by your interest in coordinating Oregon and Washington growth management efforts. In response to your request, I am submitting to MPAC a change in membership for their consideration (attached) for the addition of two non-voting members. In light of the relationship MPAC has to Metro's planning and service delivery functions, I feel that Clark County voting status on these issues would be inappropriate (a full analysis of the charter as it relates to MPAC is attached). However, I am very interested in having two Clark County representatives be full participants in the MPAC meetings so that we can more effectively deal with the extent to which Oregon land use actions affect Clark County and vice versa.

I have every confidence that we will find this a constructive working relationship. At some time in the future, I think it would be worthwhile revisiting the role of MPAC to provide advice on both Metro and Clark County land use issues and, therefore, the voting status of the two Washington representatives.

Sincerely,

A handwritten signature in cursive script that reads "Gussie McRobert". The signature is written in black ink and is positioned above the typed name.

Gussie McRobert, Chair
Metropolitan Policy Advisory Committee

GM:lmk.

Enclosures
CC: Metro Council
Rena Cusma



METRO

Date: June 7, 1993
 To: Mark Turpel, Senior Regional Planner
 From: Larry Shaw^{lll}, Senior Assistant Counsel
 Regarding: MPAC BY-LAWS - CLARK COUNTY PARTICIPATION
 Our file: 7.§2.Y

Introduction

As requested by Andy Cotugno, here is a proposed form of MPAC By-Law amendment to add Vancouver-Clark County participation to MPAC in response to their May 10 letter request.

By-Laws Amendment Required

The By-Laws require written notice to all members and alternates at least 30 days prior to proposed action. MPAC members present would receive notice at the meeting. Others could be mailed the proposal to begin the 30 days. The By-Laws contain MPAC membership, including Section 1.d. with non-voting liaison delegates. Therefore, the following form of By-Law amendment is consistent with current By-Laws:

Article III, Section 1, new e. is added as follows:

"e. Clark County, Washington, will participate with the Committee membership with two non-voting liaison delegates, one appointed by the Clark County Commissioners and one appointed by the City Council of the City of Vancouver.

"f. The composition of the MPAC may be changed at any time by a vote of both a majority of the MPAC members and a majority of all Metro Councilors (Section 27 (2))."

MPAC Change of Composition Vote Required

Metro Charter § 27(2) provides for a majority vote of all MPAC members, not just members present, for a "change in composition." Therefore, when this By-Law change is voted, ten (10) votes will be needed. The Metro Council, then, votes to confirm the addition of non-voting delegates under § 27(2).

ds 1614

cc: Andy Cotugno

Meeting Date: September 9, 1993
Agenda Item No. 8.3

RESOLUTION NO. 93-1838

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1838, EXTENDING CONTRACTS FOR ENVIRONMENTAL WORK ASSOCIATED WITH THE COMPLETION OF THE HILLSBORO CORRIDOR FINAL ENVIRONMENTAL IMPACT STATEMENT

Date: August 25, 1993

Presented By: Councilor Moore

Committee Recommendation: At the August 24 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 93-1838. Voting in favor: Councilors Van Bergen, Devlin, Gates, Kvistad, Monroe, and Moore.

Committee Issues/Discussion: Andy Cotugno, Planning Director, presented the staff report. He explained that this is one more procedural step moving the Hillsboro project towards completion. Metro Code relating to contracting procedures require that change orders over \$10,000 must receive Council approval.

This resolution extends two contracts (Steven M. Seigel and Parametrix Inc.) that were originally planned with two phases. The two phased approach was taken so that following phase 1 an evaluation could determine whether the same contractor should continue through phase 2. The evaluation was positive and the Department finds that the consultants' work on the previous phase makes them uniquely qualified to complete the second phase. The contracts are currently designed as "B" contracts, but because they are over \$10,000 they must receive Council approval. Funding for the contracts has been obtained through an intergovernmental agreement with Tri-Met.

There was no discussion necessary and the resolution was approved unanimously.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF EXTENDING)
CONTRACTS FOR ENVIRONMENTAL)
WORK ASSOCIATED WITH THE)
COMPLETION OF THE HILLSBORO)
CORRIDOR FINAL ENVIRONMENTAL)
IMPACT STATEMENT)

RESOLUTION NO. 93-1838

Introduced by
Councilor Van Bergen

WHEREAS, The Metro Council adopted the 1993-94 Metro budget in Ordinance No. 93-487A and the adopted budget includes budgets for the extension of existing contracts between Metro and Parametrix and between Metro and Steven M. Siegel and Associates;

WHEREAS, The Metro Council has reviewed and approved the Metro FY 93-94 budget contract amendment designations for Parametrix and Steven M. Siegel and Associates as B contracts; and

WHEREAS, Both consultants were selected through a competitive bid process; and

WHEREAS, The Request for Proposals (RFP) that was used to select Parametrix and Steven M. Siegel and Associates allows for the extension of the contracts for work in completing the Final Environmental Impact Statement after the successful completion of the Draft Environmental Impact Statement; and

WHEREAS, The Hillsboro Corridor Draft Environmental Impact Statement has been completed and the Locally Preferred Alternative has been selected and the project is entering into the Final Environmental Impact Statement (FEIS) phase; and

WHEREAS, The funding source for the contract amendments is from Tri-Met through federal Section 9 funds and local match; now, therefore,

BE IT RESOLVED,

That the Metro Council authorizes the Executive Officer to execute contract amendments with Parametrix Inc. and Steven M. Siegel and Associates for the Hillsboro Corridor Project FEIS not to exceed \$346,000.

ADOPTED by the Metro Council this _____ day of September, 1993.

Judy Wyers, Presiding Officer

LS:lmk
93-1838.RES
8-16-93

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1838 EXTENDING CONTRACTS FOR ENVIRONMENTAL WORK ASSOCIATED WITH THE COMPLETION OF THE HILLSBORO CORRIDOR FINAL ENVIRONMENTAL IMPACT STATEMENT

Date: August 16, 1993

Presented By: Andrew Cotugno

PROPOSED ACTION

Section 2.04.054 (a)(3) of the Metro Code requires that "For Personal Services contracts, any contract amendment or extension exceeding \$10,000 shall not be approved unless the Contract Review Board shall have specifically exempted the contract amendment or extension from the competitive procurement procedures of Section 2.04.053."

The Planning Department is administering two Personal Services contracts associated with the Final Environmental Impact Statement for the Hillsboro Corridor Project. This resolution would extend those contracts between Metro and Parametrix Inc. and Metro and Steven M. Siegel and Associates beyond the dollar limitation cited above.

Therefore, as an expeditious means to accomplish such action and for the reasons outlined herein below, the Metro Council acting as Contract Review Board is hereby requested to specifically exempt these amendments from competitive procurement procedures of Section 2.04.053 and thereby allow the addition of work elements to these existing contracts.

The proposed logic is that:

- . Both consultants were selected through a competitive process to perform essential and specific work on this project;
- . The initial competitive selection process for these consultants anticipated and allowed for the extension of these contracts into the final project phase; as such, a competitive selection process was used to originally select these contractors;
- . Tri-Met has provided the funds for this project;
- . Both Personal Services agreements have been approved as "B" contracts in the Metro FY 93-94 budget; and
- . The consultants' work on the previous phases make them uniquely qualified for and would contribute to the efficient accomplishment of the remaining tasks.

Therefore, the Metro Council as Contract Review Board should authorize the Executive Officer to execute these amendments.

FACTUAL BACKGROUND AND ANALYSIS

The Hillsboro Corridor Project completed the Draft Environmental Impact Statement on April 23, 1993 and the Locally Preferred

Alternative was selected on July 28, 1993. The Hillsboro Corridor Project will now be entering the Preliminary Engineering and Final Environmental Impact Statement phase.

The competitive selection process for both Parametrix and Steven M. Siegel and Associates was completed in January 1992 and allowed for the extension of the contract to complete the FEIS after the completion of the DEIS.

Through a Request for Proposals (RFP) process completed in December of 1991 for procurement of consultant services for the Hillsboro Project, both Parametrix and Steven M. Siegel went through a competitive bid process. The RFP stated that once the DEIS was completed, the contracts could be extended to cover the completion of the FEIS. Now that the DEIS has been successfully completed, the contracts are being extended.

Work elements for the Parametrix and Steve Siegel contracts will include the following:

1. Respond to comments. This task would involve answering all the comments received through the decision process during the selection of the Locally Preferred Alternative. Parametrix \$9,500, Steven Siegel \$6,000.
2. Develop mitigation plans. Mitigation plans would be prepared for impact areas. Mitigation plans would be developed for noise and vibration, traffic, wetlands, hydrology and water quality. Parametrix \$162,000, Steven Siegel \$3,000.
3. 106 documentation and Section 4(f). Preparation of determination of effect forms and Section 4(f) analysis will be prepared. Parametrix \$19,000.
4. FEIS preparation. Prepare the FEIS to reflect changes due to the selection of the Locally Preferred Alternative, mitigation plans and responses to comments. Parametrix \$64,500, Steven Siegel \$32,000.
5. Management. Associated work related to the management of the FEIS and coordination with Tri-Met's Preliminary Engineers and associated consultants. \$45,000.
6. LPA Report Preparation. Work associated with the completion of the Locally Preferred Alternative Report and the Land Use Final Order. Steven Siegel \$5,500.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 93-1838, authorizing execution of a contract amendment for the Hillsboro Final Environmental Impact Statement.

Meeting Date: September 9, 1993
Agenda Item No. 8.4

RESOLUTION NO. 93-1829A



METRO

To: Planning Committee
From: Gail Ryder, Senior Council Analyst
Date: August 16, 1993
Re: Resolution 93-1829 - CMAQ Projects

BACKGROUND: The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 includes a Congestion Mitigation/Air Quality (CMAQ) Program to fund programs related to clean air and congestion mitigation in ozone and carbon monoxide non-attainment areas. CMAQ funds are allocated to states, through consultation with the Metropolitan Planning Organization (MPO) - Metro, based on a ratio that considers the level of non-attainment and aggregate population of non-attainment areas. This region is currently designated as marginal non-attainment for ozone and moderate for carbon monoxide.

With the passage of Resolution 93-1731A in January 1993, the first round of project priorities for FY 92-94 were selected. That prioritization totalled \$11.5 million for 21 CMAQ projects. The amount for Oregon for FY 95-97 is approximately \$5.6 million per year, of which the region is expected to receive \$4.4 million.

PROPOSED ACTION: This resolution recommends to the Oregon Transportation Commission (OTC) a second prioritized list of potential CMAQ Program projects for funding in the 1995-2000 ODOT Six-Year Transportation Improvement Program (TIP), the "Six-Year Program". The resolution also amends the 1992 Regional Transportation Plan (RTP) to include these priorities and, following OTC approval, the Metro TIP will be amended.

Total funding for the priority CMAQ list of fifteen projects is approximately \$13.1 million. Accompanying the priority list is a non-prioritized contingency list containing six additional projects that would be recommended for funding if any of the priority projects are not able to be implemented. All priority and contingency projects are consistent with CMAQ program eligibility standards under ISTEA.

Following project approval but prior to commencement of construction, Metro and local governments must demonstrate that individual projects:

- 1) are included in the RTP and Metro TIP;
- 2) are in conformance with local comprehensive plans and statewide planning goals;

- 3) are in conformance with interim guidelines for the federal Clean Air Act Amendments (CAAA) of 1990; and
- 4) meet any specific eligibility requirements specified in ISTEA or subsequent USDOT and/or EPA guidelines.

ADVISORY GROUP ACTION: The Transportation Policy Alternatives Committee's (TPAC) Transportation Demand Management (TDM) Subcommittee recommended approval of the original list. TPAC made the following changes:

- 1) the Sunset Transit Center - Pedestrian/Bike Bridge was added to the priority list;
- 2) the Cedar Hills Boulevard Bike Lanes was maintained on the prioritized list;
- 3) the Barbur Boulevard Bike Lane was deleted from the list and moved to the unfunded list; and
- 4) \$3 million was set aside for implementation of certain construction projects.

The Joint Policy Advisory Committee on Transportation (JPACT) unanimously endorsed the priorities in Exhibit A of the resolution on August 12, 1993 with the following additions:

- 1) \$3 million be set aside for implementation of the construction projects identified by TPAC with a portion of the funds allocated to each project following study;
- 2) requirement that all pedestrian or bicycle facilities projects conform to federal ADA Access Guidelines with the performance standards found in Oregon's "Best Management Practices" for the Goal 12 Transportation Planning Rule; and
- 3) companies participating in the Portland Area Telecommuting project required to provide data to the Oregon Department of Energy for complete written evaluation.

Public testimony at JPACT raised questions from citizens and bicycle advocates relative to specific projects included and excluded from the list. The most notable comments related to the Sunset Highway Overcrossing, Cedar Hills Boulevard, and other Washington County projects. Bicycle enthusiasts testified that the "best projects were not necessarily those selected". They suggested that if the goal was to complete the bicycle network, that other projects should be completed first. In response, the Department answered that during the past six years many projects have been selected for improvement. Some of those selected, however, have not yet gone to contract. Two projects suggested by witnesses for deletion from the list were the Columbia Slough Intermodal Expansion Bridge and the Portland Area Telecommuting Project.

Other concerns at JPACT related to the selection process of TPAC being flawed, due to the parochial interests of represented jurisdictions. Finally, there was criticism of the public involvement process as not "having reached out to citizens" for input.

STAFF REVIEW: The committee may wish to ask the department to respond to the following questions:

1. What methodology was used in bicycle forecasting? What was the basis for decision making regarding bicycle/pedestrian needs?
2. What steps is the department taking towards adequate planning for future bicycle needs? Should Metro have a separate bicycle program?
3. What was the process for public involvement? Describe the CMAQ workshop and the nature of the brainstorming session that occurred? What measures can be taken in the future to assure that a broader level of participation (i.e., more than 35 citizens) happens in the future? What are the opportunities for citizen involvement at the OTC level?
4. Describe in more detail the Portland Area Telecommuting Project and the Cedar Hills Boulevard project. Why were these projects scored higher than the contingency list and other non-funded projects?
5. Grand totals within each county¹ for the four year period prioritizes 21.8% of total funding for Multnomah County, 4.3% for Washington County, and 3.6% for Clackamas County; for round 2 Clackamas County receives 1.7%, Multnomah County 24.5% and Washington County 6.6%. What attempt was made to more equitably distribute funding for projects geographically within the region?
6. If any of the selected projects from the prioritized list are not implemented, how is the contingency list to be prioritized? Will there be additional opportunities for public involvement?

¹These figures from direct funding to local jurisdictions only, excluding regional entities (e.g., DEQ, ODOE, ODOT, Port of Portland, and Tri-Met). Multnomah County figures include Gresham and PDOT; Clackamas County figures include Oregon City.

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 93-1829, ENDORSING THE REGION'S PRIORITY FY 1995-97 CONGESTION MITIGATION/AIR QUALITY (CMAQ) PROGRAM PROJECTS FOR SUBMISSION TO THE OREGON TRANSPORTATION COMMISSION FOR INCLUSION OF THESE PROJECTS

Date: August 26, 1993

Presented By: Councilor Monroe

Committee Recommendation: At the August 24 meeting, the Planning Committee voted 4-1 to recommend Council adoption of Resolution No. 93-1829A. Voting in favor: Councilors Van Bergen, Devlin, Monroe, and Moore. Voting no: Councilor Kvistad. Absent: Councilor Gates.

Committee Issues/Discussion: Mike Hogle, Manager, Transportation Planning, presented the staff report. He reviewed the program objectives and criteria and explained the process undertaken in selection of these projects. He said the recommended list represents the highest scoring projects that allow for reduction of vehicle miles traveled (VMT) and maintenance of air quality.

Eighteen witnesses appeared before the committee to comment on the resolution. Collectively they represented the Bicycle Transportation Alliance (BTU), the 40 Mile Loop Trust, Portland Park and Recreation Department, the Willamette Pedestrian Coalition (WRC), the Transportation Policy Alternatives Committee (TPAC), the Oregon Bicycle Advisory Committee, the City of Milwaukie, Washington County, the Urban Streams Council, and citizen bicyclers and pedestrians in general. The following bullets attempt to summarize their cumulative messages:

- General support and gratitude to Metro for placing such a high priority on bicycle, pedestrian and transit needs, as represented by selection of these projects. Specific support for transit, recreation, bicycle, pedestrian and transportation connections.
- Some criticism of Metro's general process of selection. Issues include: 1) the fact that the selection committee, TPAC, was made up of representatives from the very jurisdictions having submitted projects for consideration; 2) the need for a more inclusive and higher quality public involvement process; and 3) the concern that moneys could be distributed more equitably to each county. Conversely, Metro was praised for changing the original list, by both adding and deleting projects, following the public testimony segment of the CMAQ workshop.
- Significant criticism over selection of Project 032 (Cedar Hills Blvd: Parkway Avenue to Butner Road - bike lanes and sidewalks). Testimony indicated that this project was unnecessary, too expensive, and should be deleted from the final list.

Critics felt the project would allow the Washington County to inappropriately widen Cedar Hills Blvd to five lanes. They also said that this portion of the road does not reach enough significant destinations, as compared to other potential projects. Testimony before the Joint Policy Advisory Committee on Transportation (JPACT) was similar.

Project 032 was added by TPAC at the suggestion of Washington County, following the CMAQ workshop. A representative from Washington County indicated the project was the only one suggested by the county and is a high priority. The project is part of the county's bike plan, which included citizen involvement. It was picked because it helps complete the ties between the Sunset Highway, Walker Road, Barnes Road, 112th and Cornell Road. The project will be limited to four lanes with bike lanes and pedestrian areas. Costs are high because they include legal costs associated with condemnation of property; the project will probably come in lower than the amount listed.

- There were many suggestions for replacement of the Cedar Hills project with any of the following projects: 014 (Central city arterial street bike lanes); 020 (Bikes on Tri-Met); 026 (McLoughlin Blvd.: Harrison to SPRR Crossing in Milwaukie, signal improvements); 031 (Barbur Blvd.: Sheridan to Hamilton, bike lane and sidewalks); 034 (Murray Blvd.: Science Park to Cornell Road, bike lanes); 043 (Cornell Road: 158th to 179th, bike lanes); 044 Baseline Road: 185th to 231st, bike lanes); and 045 (NW 185th Ave./Springville Road, Tamarack, PCC bike lanes).
- General support for establishment of a bicycle program at Metro that would result in a Metro Bicycle Plan. A Bicycle Advisory Committee should be established as part of the new program.

Following public testimony there was general discussion about the process that should be followed if the committee wished to delete the Cedar Hills Blvd. project. Discussion centered on the legal relationship between Metro, as the official Metropolitan Planning Organization (MPO), and JPACT. It was recommended by staff that the resolution, minus Project 032, be approved rather than delayed and that the decision regarding Project 032 be returned to JPACT for further consideration. To delay the entire resolution could disrupt the timing of the Oregon Transportation Commission, although they are currently experiencing a one month delay in the decision over a Six-Year Plan.

Further committee discussion related to the nature of the specific recommendation or comment from the committee to JPACT regarding Project 032; such a message or recommendation is required by the JPACT Bylaws. It was determined that there is sufficient time to allow committee preparation of a response or recommendation to JPACT at the next regular meeting of the Planning Committee.

Andy Cotugno, Planning Director, clarified several points relating to the above concerns:

- Projects were not selected with a jurisdictional allocation in mind, rather to be representative of the region and varying modes.
- The context of the Cedar Hills Blvd. project is not fully recognized at this time because of the other connecting projects that have been approved but not yet built. For the past 10 years Metro has, in many forms, approved this area as an alternate to Highway 217. The entire length of the corridor needs completion eventually. Inclusion of this project brings us closer.

The three motions were approved by the committee which include:

- Motion to approve the resolution without the inclusion of Project 032 (motion carried 4-1; voting no: Councilor Kvistad; absent: Councilor Gates);
- Motion to re-examine Project 032 following further staff examination that includes consideration of other projects and consultation with Washington County, so that the Planning Committee can make a recommendation to JPACT at their next meeting (motion carried 4-1; voting no: Councilor Kvistad; absent: Councilor Gates); and
- Motion that Project 031 (Barbur Blvd.: Sheridan to Hamilton, bike lane and sidewalks) be considered at the next meeting of the Planning Committee for inclusion on the contingency list (motion carried unanimously; absent: Councilor Gates).

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING) RESOLUTION NO. 93-1829A
THE REGION'S PRIORITY FY 95-97)
CONGESTION MITIGATION/AIR QUALITY) Introduced by
PROGRAM PROJECTS FOR SUBMISSION) Councilor Van Bergen
TO THE OREGON TRANSPORTATION COM-))
MISSION FOR INCLUSION OF THESE)
PROJECTS)

WHEREAS, The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 included the Congestion Mitigation/Air Quality (CMAQ) Program for funding clean air and congestion-related projects in carbon monoxide and ozone non-attainment areas; and

WHEREAS, The Portland Metropolitan Area is designated as marginal non-attainment for ozone and moderate for carbon monoxide; and

WHEREAS, ISTEA stipulates that states shall allocate CMAQ funds in consultation with the designated Metropolitan Planning Organization (MPO); and

WHEREAS, Metro is the designated MPO for the Portland Metropolitan Area; and

WHEREAS, the state is currently programming CMAQ funds for FY 95-97 through the update of the Oregon Department of Transportation's 1995-2000 Six-Year Transportation Improvement Program (TIP); and

WHEREAS, TPAC and the TPAC TDM Subcommittee developed a priority ranking of CMAQ projects for inclusion in the Regional Transportation Plan (RTP) and in future Transportation Improvement Programs covering FY 95, 96, and 97, and for forwarding to

the Oregon Transportation Commission for consideration in the 1995-2000 Six-Year TIP update; now, therefore,

BE IT RESOLVED:

1. That the Metro Council amends the 1992 RTP to include CMAQ elements as contained in Exhibits A (revised) and B.

2. That the Metro Council adopts the CMAQ projects identified accordingly in Exhibit A as the region's priorities for inclusion in the 1995-2000 ODOT Six-Year TIP for the second three years of the program (FY 95-97).

3. That the Metro Council adopts the CMAQ projects identified in Exhibit B as a contingency list in the event projects in Exhibit A cannot be implemented. The contingency list would be prioritized through JPACT/Metro Council resolution before any of the projects would be recommended for funding. The contingency projects should also be considered for other alternative mode funds as they may become available. The contingency list shall expire upon completion of regional alternative mode planning activities.

4. That staff be directed to forward the CMAQ priorities in testimony during the appropriate hearings on the 1995-2000 Six-Year TIP update by the Oregon Transportation Commission.

5. That staff further be directed to continue work with the state and local jurisdictions and agencies to incorporate into the RTP appropriate CMAQ-related implementation measures which result from the 1993 Oregon Legislature, Metro's Transportation Demand Management Study, the Region 2040 Study, regular updates to the RTP and State Implementation Plan, and other system planning activities, as necessary.

6. That a total of \$3 million be set aside for implementation of projects identified during the study phase for: Project No. 009 - Pedestrian to Transit: Phase III; Project No. 010 - Pedestrian to MAX Capital Improvement Program; and Project No. 021 - Willamette River Bridges Improvement Package (bike lanes, sidewalks and wheelchair ramps). A portion of the \$3 million will be allocated to each project. The specific allocation to construction projects resulting from the three studies will be subject to approval by JPACT/Metro Council resolution.

7. That all projects for construction of pedestrian or bicycle facilities shall conform to the standards established in the federal ADA Access Guidelines and with the performance standards found in the State of Oregon's "Best Management Practices" for the Goal 12 Transportation Planning Rule.

8. That companies participating in the Portland Area Telecommuting project (Project No. 016) provide adequate information and project data to the Oregon Department of Energy (ODOE) that enables ODOE to complete a written evaluation of the extent of involvement in the Portland area; the degree of success or failure in meeting project goals; and the degree of success relative to reducing vehicle emissions in the Portland area.

ADOPTED by the Metro Council this _____ day of September, 1993.

Judy Wyers, Presiding Officer

CMAQ Round 2: FY 95-97
Priority Funding Projects

Amended
EXHIBIT A
8/12/83

Project CODE NO.	PROJECT INFORMATION					TECHNICAL DATA				ADMIN.	FINAL
	NAME	AGENCY	TYPE*1	CMAQ REQUEST*2	Cumulative CMAQ Total	VMT (mi/yr) Reduction	HC (kg/day)	CO (kg/day)	Cost Eff. (\$/kg/yr)	SCORE (25)	SCORE (100)
001	Transit Oriented Development - Phase II	DEQ	TDM	\$1,835,000	\$1,835,000	8,680,558	48.48	230.72	\$0.04	24	88
002	Regional TDM	Tri-Met	TDM	\$700,000	\$2,535,000	3,471,150	18.82	82.47	\$0.04	24	89
003	Columbia Slough Intermodal Expansion Bridge	Port	MSC	\$1,000,000	\$3,535,000	0*	52.84	241.02	\$0.02	23	83
004	Buses for service expansion (20 vehicles)	Tri-Met	TRS	\$3,589,000	\$7,124,000	5,814,352	31.72	157.58	\$0.10	21	87
005	Gresham Traffic Signal Coordination & Optimization Project	Gresham	TSM	\$300,000	\$7,424,000	0	43.05	444.43	\$0.01	20	80
008	Mini-buses (10 vehicles)	Tri-Met	TRS	\$538,350	\$7,962,350	1,189,815	8.38	31.70	\$0.08	22	78
009	Pedestrian to Transit: Phase III	POOT	BPD	\$1,000,000	\$8,962,350	1,088,878	5.74	28.50	\$0.18	23	72
010	Pedestrian to MAX Capital Program	Gresham	BPD	\$1,000,000	\$9,962,350	888,058	5.19	25.79	\$0.18	23	70
016	Portland Area Telecommuting Project	ODOE	TDM	\$240,483	\$10,202,813	450,000	2.41	11.89	\$0.09	18	61
017	Eastside Bikeway/Trail Loop (OMSI-Springwater)	Metro/ Ptd Parks	BPD	\$584,000	\$10,786,813	472,870	2.54	12.59	\$0.21	23	80
019	Eastside Bikeway/Trail Loop (Springwater-Milwaukie)	Metro/ Milwaukie	BPD	\$81,200	\$10,878,013	155,711	0.84	4.15	\$0.10	23	57
021	Willamette River Bridges Improvement Package - bike lanes, sidewalks and wheelchair ramps	Mult. Co.	BPD	\$1,000,000	\$11,878,013	470,378	2.52	12.53	\$0.38	23	57
023	Strawberry Lane: Webster to I-205 - bike lanes	Clack. Co.	BPD	\$228,800	\$12,107,813	207,815	1.11	5.53	\$0.19	21	54
028	Sunset Transit Center - pedestrian/bike bridge	Tri-Met	BPD	\$470,400	\$12,578,013	285,139	1.58	7.88	\$0.27	21	52
022	Cedar Hills Blvd. Parkway Ave. to Butira Rd. - bike lanes and sidewalks	Wash. Co.	BPD	\$880,000	\$13,474,013	323,878	1.74	8.80	\$0.47	22	50
TOTAL CMAQ FUNDING FOR PRIORITY PROJECTS				\$1,413,683	\$13,474,013						

*1:BPD-Bicycle/Pedestrian; TDM-Transp. Demand Mgmt; TSM-Transp. System Mgmt; TRS-Transit; MSC-Misc.

*2:Match-89.725%/10.275% (except for Bike/Ped at 80%/20%)

*Assumes freight movement excluded from Rule 12 VMT reduction.

CMAQ Round 2: FY 95-97
Priority Contingent Projects

EXHIBIT B
8/12/93

Project	PROJECT INFORMATION					TECHNICAL DATA				ADMIN.	FINAL
CODE	NAME	AGENCY	TYPE*1	CMAQ	Cumulative	VMT (mi/yr)	HC	CO	Cost Eff.	SCORE	SCORE
NO.				REQUEST*2	CMAQ Total	Reduction	(kg/Day)	(kg/Day)	(\$/kg/yr)	(25)	(100)
006a	Additional mini-buses (\$53,835 per vehicle)	Tri-Met	TRS	TBD	\$0	1,189,815	6.38	31.70	\$0.08	22	78
009a	Pedestrian to Transit: Phase III (additional funding)	POOT	BPD	TBD	\$0	1,089,878	5.74	28.50	\$0.18	23	72
010a	Pedestrian to MAX Capital Program (additional funding)	Gresham	BPD	TBD	\$0	888,056	5.19	25.79	\$0.18	23	70
021a	Willamette River Bridges Improvement Package - bike lanes, sidewalks and wheelchair ramps (additional funding)	Mult. Co.	BPD	TBD	\$0	470,378	2.52	12.53	\$0.36	23	57
013	Swan Island Transit Demonstration	Port	TRS	\$125,815	\$125,815	540,741	2.90	14.41	\$0.04	19	88
027	Johnson/McKinley: I-205 to Webster - bike lanes	Clack. Co.	BPD	\$280,000	\$405,815	207,815	1.11	5.53	\$0.23	20	52

*1: BPD - Bicycle/Pedestrian; TDM - Transp. Demand Mgmt; TSM - Transp. System Mgmt; TRS - Transit; MSC - Misc.
*2: Match - 89.725%/10.275% (except for Bike/Ped at 80%/20%)

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 93-1829 FOR THE PURPOSE OF ENDORSING THE REGION'S PRIORITY FY 95-97 CONGESTION MITIGATION/AIR QUALITY PROGRAM PROJECTS FOR SUBMISSION TO THE OREGON TRANSPORTATION COMMISSION FOR INCLUSION OF THESE PROJECTS

Date: August 11, 1993

Presented By: Andrew Cotugno

PROPOSED ACTION

This resolution would establish the region's priority Congestion Mitigation/Air Quality (CMAQ) Program projects for funding in the 1995-2000 Oregon Department of Transportation (ODOT) Six-Year Transportation Improvement Program (Six-Year Program). The region's priorities are consistent with CMAQ program eligibility standards as listed in Section 149(b) of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991.

The resolution also acts to amend the 1992 Regional Transportation Plan (RTP) to include the priority CMAQ projects adopted through this resolution. The priority CMAQ projects are for consideration by the Oregon Transportation Commission (OTC). Upon OTC approval of the program, the Metro TIP will be amended. Exhibit A identifies the priority-funded projects selected by the TPAC TDM Subcommittee for funding in FY 95-97. Included in Exhibit B are the list of contingency CMAQ projects that would be recommended for funding if any of the priority projects are not able to be implemented. The contingency projects are not prioritized at this time. Prioritization would occur through further subcommittee and TPAC analysis and would be brought back to JPACT/Metro Council via resolution.

Prior to commencing construction, local governments and Metro must demonstrate that these projects are included in the Regional Transportation Plan (RTP) and Metro's Transportation Improvement Program (TIP) and are consistent with or conform to local comprehensive plans (transportation elements, public facility plans, and/or transportation system plans), the statewide planning goals and the interim conformity guidelines for the federal Clean Air Act Amendments (CAAA) of 1990. Also prior to construction, the projects must meet specific eligibility requirements as specified in ISTEA and subsequent USDOT and/or EPA guidelines.

The Joint Policy Advisory Committee on Transportation (JPACT) endorsed the priorities in Exhibit A for funding in FY 95-97 on August 12, 1993. Metro Planning Committee review and action is scheduled for August 24, 1993. Metro Council action is scheduled for September 9, 1993.

FACTUAL BACKGROUND AND ANALYSIS

Programs

CMAQ funds, established under ISTEA, are apportioned to states based on a ratio which factors the severity of non-attainment status within a state for carbon monoxide (CO) and ozone and the aggregate population of the non-attainment areas. The amount for Oregon for FY 95-97 is approximately \$5.6 million per year. The Portland region is expected to receive approximately \$4.4 million per year for FY 95-97. CMAQ funds are restricted to CO and ozone non-attainment areas and, in certain instances, to PM-10 (particulate) non-attainment areas. Eligible projects under the program include (but are not limited to):

- Any transit or transit-related project or program contained in an approved State Implementation Plan (SIP);
- Transportation Control Measures (TCMs) established by the CAAA (with exceptions);
- The development of transportation demand management programs; and
- The construction of bicycle and pedestrian facilities.

Other programs and projects may qualify if it is determined by EPA and FHWA that they are likely to contribute to the attainment of a National Ambient Air Quality Standard (NAAQS).

Prior Activity

First round (FY 92-94) CMAQ project priorities were established by resolution (Resolution No. 1731A) in December 1992. The process for ranking projects was developed by the TPAC TDM Subcommittee at the request of TPAC. It included development of a critical path schedule, solicitation and review of projects for eligibility, development of ranking criteria, development of project-related descriptive information, application of ranking criteria and identification of project priorities.

The prioritization of FY 92-94 CMAQ projects included 21 projects totaling \$11,579,749 being recommended by JPACT/Metro Council resolution for funding in ODOT's Six-Year Program. This total amount was \$432,454 less than the FY 92-94 allocation of \$12,012,203. These unused funds from the first round will overlap into the FY 95-97 funding cycle because of the obligation limits imposed by Congress. However, this overlap will not endanger any of the current funded projects.

Portland Area CMAQ Priorities (FY 95-97)

The TDM Subcommittee met from April 1993 to July 1993 to prioritize the second round (FY 95-97) CMAQ projects. Projects were submitted through sponsoring local governments and state agencies based on their individual capital priorities. The same criteria established by TPAC and described in detail in Resolution 93-1731A and accompanying staff report were used. Key results of the FY 95-97 process include:

- **Program Objectives.** Throughout development of the program, it became clear that in addition to the technical rankings, clear program objectives were needed. Based on discussions at TPAC, the program objectives are:

1. *Developing projects which will enable the region to meet NAAQS by our attainment date.*

This objective is the primary purpose for the program under FHWA guidelines, and emphasizes short-term benefits. As such, each project was modeled for 1996, the year of our formal attainment date;

2. *Developing projects which address regional goals for completing regional system needs (particularly for bike projects); and*
3. *Developing projects which will assist in realizing long-term goals, particularly VMT per capita reductions tied to Rule 12, and implementation of a long-term Air Quality Maintenance Plan.*

- **Project Priorities.** Attachment A lists the FY 95-97 CMAQ project priority funding list and the selected contingent projects established by JPACT. The total funding request for the priority CMAQ list is approximately \$13.1 million.
- **Contingent Projects.** The contingent projects are listed in Attachment A. These projects were selected as back-up in case any of the priority projects drop off the list due to eligibility findings by FHWA, or implementation problems. If this occurs, a prioritized list of contingent projects would be developed and recommended for JPACT/Metro Council approval via resolution. It is recommended that these projects also merit consideration for alternative mode funds as they come available. However, it was also recognized that alternative mode planning activities may change the region's priorities. Consequently, the resolution includes language which limits the region's commitment to these projects until further alternative mode planning has been completed.

- **Unfunded Projects.** Attachment B provides a list of the CMAQ projects not recommended for funding through the CMAQ program. These projects either did not rank high enough for consideration based on administrative and technical criteria or were found to not maximize regional priorities as set forth in the program objectives.
- **Application of Ranking Criteria.** This process included Subcommittee agreement on administrative scores, development of raw quantitative results, and the conversion of raw scores to a quantitative point scale. The same 100-point ranking system based on administrative (25 points total) and technical criteria (75 points total) used for FY 92-94 projects was used for FY 95-97 projects. The technical criteria emphasizes actual emission reductions and cost/benefit over the more "general" administrative criteria of "system completion," "local project support," and "potential long-term benefit."

Administrative and quantitative information related to project impacts on vehicle trips and/or VMT was developed by each applicant. All information was submitted to Metro for review and distribution to the TDM Subcommittee. The Subcommittee then reviewed the information and methodologies. Where appropriate, methodologies were adjusted to provide for consistency between competing projects. A summary of the criteria is included as Attachment C.

- **Project Descriptions.** CMAQ projects were placed onto one of four eligible category areas: Bicycle/Pedestrian (BPD); Transportation Demand Management (TDM); Transportation System Management (TSM); or Transit (TRS). There was also one miscellaneous project. A brief description of each project is included in Attachment D.
- Attachment E provides a summary of the total six-year CMAQ program funding by jurisdiction and project type.

Public Participation

As part of the solicitation phase of the program, local jurisdictions through project submittals were directed to identify priority projects which have had local review and adoption and, to the degree possible, have gone through public participation. In addition, Metro held a public workshop at Metro Regional Center to: (1) provide an overview of the CMAQ program; (2) review and receive comment on the project selection and ranking criteria; and (3) solicit additional projects and/or ideas to improve the overall program. Thirty-five citizens participated.

In general, workshop participants understood and supported the program's administrative and technical criteria. With regard to program guidelines, a number of participants encouraged greater

funding for bicycle and pedestrian projects, while one participant recommended additional funds be allocated for TSM activities.

Specifically, concerns were expressed for the following:

- *Southwest Portland.* A number of potential bike and pedestrian improvements were identified for Capitol Highway; PCC Sylvania to Hillsdale; Taylors Ferry Road; Garden Home Road; Multnomah Boulevard; Vermont Street; and, in particular, Oleson Road from Beaverton-Hillsdale Highway to Washington Square.
- *Sunset Highway Overcrossing.* The need for a bicycle and pedestrian overcrossing from the proposed Sunset Transit Center to Cedar Hills Boulevard was expressed.
- *Cedar Hills Boulevard Bike Lanes/Sidewalks.* Washington County residents participating at the workshop questioned the priority of this project and felt other more suitable needs could be found in the county for CMAQ funds. While there was general support for geographic distribution of funds, residents were not in favor of funding low-benefit projects based solely on that consideration.
- *Eastside Esplanade/Sullivan's Gulch Trail Loop.* Two participants expressed support for these two additional legs of Metro's Eastside Bikeway/Trail Loop proposal.
- *Security.* One participant expressed concern for planning for police, fire and emergency services' access to facilities and for police patrolling of facilities. These type of expenditures are not specifically reflected in CMAQ project costs.
- *Cornell Road (NW Portland) Bike Lanes.* Funds should be provided to develop uphill shoulder bike lanes on NW Cornell Road from NW 30th Street to Miller Road. The project would link the growing Northwest hills area to the Northwest portion of Downtown Portland.
- *Oleson Road Bike Lanes/Pedestrian Paths.* Funds should be provided for 5-foot pedestrian paths and 6-foot bike lanes on both sides of Oleson Road between Vermont Street and Beaverton-Hillsdale Highway for a distance of approximately seven-tenths of a mile. This project would connect to sidewalks and bike lanes on some adjacent facilities.

The public workshop resulted in several good suggestions for potential CMAQ projects. Based on the administrative and technical analysis and regional objectives, only the Sunset Transit Center Pedestrian Bridge ranked at the lower end of the recommended projects (Project Number 028). Other projects recommended at the public workshop and analyzed for

administrative and technical merit, but not recommended for funding, were the Oleson Road Bike Lanes (Project 046 with 30 total points) and the NW Cornell Road Bike Lanes (Project 047 with 29 total points).

Program Highlights

Program highlights of the work of the TDM Subcommittee and TPAC are provided below:

1. Regionwide Distribution of Funds

During the first round of CMAQ funding (FY 92-94), JPACT approved a package of projects which ranked relatively high on their technical scores, but also reflected a balance between modes and location. Following that general policy lead, the TDM Subcommittee put forth a similar package for FY 95-97. Complicating the second round process was the volume of quality projects submitted (50 projects). Further, federal guidelines require that the projects help the region reach attainment of NAAQS. Consequently, the forecast year for the emissions benefits (1996) follows our last attainment deadline of 1995. Thus, certain projects which will likely have a longer-term benefit did not rank as high as some others. Specifically, these include bike and some pedestrian projects not tied to MAX.

Metro staff recognizes the need to develop high ranking projects, particularly those which will help us come into attainment. Staff believes that this should be our number one priority. However, for the long term, some modal and geographical balance should be included in the program. The balance will have a lasting effect and will help with our air quality maintenance strategy and with our VMT/capita reduction goals. As a result, the recommended package of priority projects is considered by TPAC to be beneficial in helping us with both the region's long-term and short-term objectives.

2. \$3,000,000 Study Implementation Pool

JPACT recommends that \$3 million be set aside to implement the results of the three CMAQ studies funded under round one priorities. Federal guidelines require a commitment to implementation in order to use CMAQ funds for studies. Consequently, the funding priority list in Attachment A reflects a place-holder amount of \$1 million each for the Pedestrian to Transit: Phase III Study (Project No. 009); Pedestrian to MAX Capital Program (Project No. 010); and the Willamette River Bridges Improvement Package - bike lanes, sidewalks and wheelchair ramps (Project No. 021) to be used to implement study results.

3. Tri-Met Buses

JPACT recommends funding for 20 full-size buses (\$3,589,000) and 10 mini-buses (\$538,350). During the first round of CMAQ solicitation (FY 92-94), Tri-Met requested 24 buses for service expansion. The subcommittee through TPAC/JPACT/Metro Council resolution recommended funding for 21 buses to allow for the inclusion of other alternate mode projects in the final package. Tri-Met's request for the FY 95-97 cycle was 20 full-size buses based on their same estimate of cost (\$200,000 per bus) used for round one and 15 mini-buses. The FY 95-97 recommendation by the Subcommittee was to reduce the request to 10 full-size and 8 mini-buses (total of 18 buses) in order to fund additional projects as discussed under "Regionwide Distribution of Funds" above. TPAC approved and forwarded this recommendation to JPACT with a caveat that additional buses be the top priority in the event additional CMAQ funds become available for any reason (e.g., due to project ineligibilities, additional federal funds, etc.). Consequently, JPACT recommended funding an additional 10 full-size buses and two additional mini-buses with additional CMAQ funds that represent a 100 percent federal obligation over time.

4. Columbia Slough Intermodal Expansion Bridge

The TDM Subcommittee recommends funding the expansion bridge in the amount of \$1 million. This amount will be used to leverage \$2.1 million earmarked to the project under ISTEA demonstration funds; \$1.5 million of private railroad funds; \$1.5 million of Port of Portland funds, for a total project cost of \$6.1 million. The project would span the Columbia Slough waterway and connect North and South Rivergate, allowing rail movement to terminal without going through congested inner-city rail yards and neighborhoods. The Subcommittee determined that the project was eligible under ISTEA because of its contribution to the attainment of NAAQS. The best estimates of the emission reductions by the Port of Portland appear reasonable and take into account information from relevant studies on truck-to-rail movements.

Essentially, with the bridge constructed, rail would capture a greater market share of long-haul truck movement into and out of the region. The subsequent rail emissions would be substantially less than if the same freight were moved primarily by truck, as is currently the case. Because freight movement may be exempt from Rule 12 VMT reduction goals, technical points for VMT reduction were not assigned to this project by the Subcommittee in the ranking criteria.

At issue is the general use of CMAQ for freight purposes, as well as the use of regionally controlled public funds to

benefit private carriers (which has public air quality benefits). TPAC recommends advancing the project forward as a priority-funded project subject to an eligibility finding by FHWA/FTA; finalizing financial and project development arrangements with the railroads; and ensuring public benefits.

5. Federal Funding Obligation Ceiling

ISTEA Section 1002 establishes a ceiling "of all obligations for federal-aid highways and highway safety construction programs." This means that the sum total of all FHWA appropriations in any fiscal year for flexible funding programs, such as CMAQ, will be greater than the sum total of funds that may be obligated for that year. The gap between the sum of FHWA appropriations and the obligation ceiling is carried over as an unobligated balance, available for obligation in future years until the funds lapse. The actual funding obligation amount is set by Congress during October or November of each year. The obligation limit (ceiling) can vary from approximately 80-100 percent of authorization.

Eventually, 100 percent of the CMAQ funds authorized by Congress will be spent. Due to the obligation limits for any given fiscal year, this may occur some time after the funding cycle ends in FY 97.

TPAC Action

TPAC reviewed the TDM Subcommittee's recommended list of projects at their July 30, 1993 meeting. Based on their discussion and review, TPAC recommended the following:

- Addition of the Sunset Transit Center - Pedestrian/Bike Bridge (Project No. 028) to the funding priority list (Exhibit A);
- Maintain the Cedar Hills Boulevard Bike Lanes (Project 032) as a priority-funded project (Exhibit A);
- Drop the Barbur Boulevard Bike Lane (Project No. 031) from the priority-funded list and moving it to the unfunded list; and
- Set aside \$3 million for implementation of construction projects identified during the study phase for Project No. 009 (Pedestrian to Transit - Phase III); Project No. 010 (Pedestrian to MAX Capital Program); and Project No. 021 (Willamette River Bridges Improvement Package).

JPACT Action

On August 12, 1993, JPACT recommended adoption of Resolution No. 1829 with the following additions:

- New resolves 6, 7, and 8 be added to Resolution No. 1829.

- The unallocated CMAQ funds from FY 92-97 (\$432,454) and the unallocated CMAQ funds from FY 95-97 (\$1,512,459) be used to purchase additional buses for Tri-Met. This action results in an additional 10 full-size buses and two mini-buses being recommended for funding as priority projects (Project No. 004 and Project No. 006) bringing the total request to 20 full size buses and 10 mini-buses.

Also, as a result of extensive discussions and public comment at JPACT concerning the CMAQ solicitation and evaluation process, the following was recommended:

- That a comprehensive multi-modal planning process be developed between Metro and local jurisdictions.
- That this process would include expanded public participation during the initial stages to identify and choose potential projects for analysis and funding.
- That with such a process in place, a more comprehensive examination of local priorities such as the Cedar Hills Bike Lanes (Project No. 032) could be undertaken relative to other identified alternatives in a particular jurisdiction.
- In addition, JPACT recommended that the planning process should be used to facilitate future programming of funds for multi-modal projects.

Conclusions and Comments

Adoption of Resolution No. 93-1829 amends the RTP to include the region's priority CMAQ projects for FY 95-97.

The priority-funded projects cover a broad range of eligible activities and emphasize in a practical way the actual emission reductions with high benefits to cost. The projects also reflect equity in regional distribution and mode choice. These combined objectives directly respond to the intent of ISTEA and the TPAC parameters established for the CMAQ program.

As with first round CMAQ projects, actual programming and authorization for the use of CMAQ funds under ISTEA is dependent upon OTC action and obligation limits imposed by Congress. Consequently, the actual number of "fundable" projects may vary during any fiscal year. Project development delays may also alter the ability to fund certain projects. Recognizing these possibilities, the resolution notes that any changes to program priorities that are greater than 10 percent of the anticipated funding level will require reconsideration through Metro/JPACT resolution. Priority changes below that amount will be addressed by the TDM Subcommittee.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 93-1829.

CMAQ Round 2: FY 95-97

Funding Priority List
(Preliminary)

ATTACHMENT A

8/12/93

Project CODE NO.	PROJECT INFORMATION					TECHNICAL DATA				ADMIN.	FINAL
	NAME	AGENCY	TYPE*1	CMAQ REQUEST*2	Cumulative CMAQ Total	VMT (mi/yr) Reduction	HC (kg/day)	CO (kg/day)	Cost Eff. (\$/kg/yr)	SCORE (25)	SCORE (100)
PRIORITY FUNDED PROJECTS											
001	Transit Oriented Development - Phase II	DEQ	TDM	\$1,835,000	\$1,835,000	8,880,558	48.48	230.72	\$0.04	24	88
002	Regional TDM	Tri-Met	TDM	\$700,000	\$2,535,000	3,471,150	18.82	82.47	\$0.04	24	88
003	Columbia Slough Intermodal Expense Bridge	Port	MSC	\$1,000,000	\$3,535,000	0*	52.84	241.02	\$0.02	23	83
004	Buses for service expansion (20 vehicles)	Tri-Met	TRS	\$3,589,000	\$7,124,000	5,914,352	31.72	157.58	\$0.10	21	87
005	Gresham Traffic Signal Coordination & Optimization Project	Gresham	TSM	\$300,000	\$7,424,000	0	43.05	444.43	\$0.01	20	80
008	Mini-buses (10 vehicles)	Tri-Met	TRS	\$538,350	\$7,962,350	1,189,815	6.38	31.70	\$0.08	22	78
009	Pedestrian to Transit: Phase III	POOT	BPD	\$1,000,000	\$8,962,350	1,088,878	5.74	28.50	\$0.18	23	72
010	Pedestrian to MAX Capital Program	Gresham	BPD	\$1,000,000	\$9,962,350	988,058	5.19	25.79	\$0.18	23	70
016	Portland Area Telecommuting Project	ODOE	TDM	\$240,483	\$10,202,813	450,000	2.41	11.99	\$0.09	18	61
017	Eastside Bikeway/Trail Loop (OMSI-Springwater)	Metro/ Ptid Parks	BPD	\$584,000	\$10,786,813	472,870	2.54	12.59	\$0.21	23	80
019	Eastside Bikeway/Trail Loop (Springwater-Milwaukie)	Metro/ Milwaukie	BPD	\$81,200	\$10,868,013	155,711	0.84	4.15	\$0.10	23	57
021	Willamette River Bridges Improvement Package - bike lanes, sidewalks and wheelchair ramps	Mult. Co.	BPD	\$1,000,000	\$11,868,013	470,378	2.52	12.53	\$0.38	23	57
023	Strawberry Lane: Webster to I-205 - bike lanes	Cleck. Co.	BPD	\$228,800	\$12,107,813	207,815	1.11	5.53	\$0.19	21	54
028	Sunset Transit Center - pedestrian/bike bridge	Tri-Met	BPD	\$470,400	\$12,578,213	295,139	1.58	7.86	\$0.27	21	52
032	Cedar Hills Blvd: Parkway Ave. to Butner Rd. - bike lanes and sidewalks	Wash. Co.	BPD	\$898,000	\$13,474,213	323,879	1.74	8.83	\$0.47	22	50
TOTAL CMAQ FUNDING FOR PRIORITY PROJECTS				\$13,474,213							
PRIORITY CONTINGENT PROJECTS											
008a	Additional mini-buses (\$53,835 per vehicle)	Tri-Met	TRS	TBD	\$13,474,213	1,189,815	6.38	31.70	\$0.08	22	78
009a	Pedestrian to Transit: Phase III (additional funding)	POOT	BPD	TBD	\$13,474,213	1,088,878	5.74	28.50	\$0.18	23	72
010a	Pedestrian to MAX Capital Program (additional funding)	Gresham	BPD	TBD	\$13,474,213	988,058	5.19	25.79	\$0.18	23	70
021a	Willamette River Bridges Improvement Package - bike lanes, sidewalks and wheelchair ramps (additional funding)	Mult. Co.	BPD	TBD	\$13,474,213	470,378	2.52	12.53	\$0.38	23	57
013	Swan Island Transit Demonstration	Port	TRS	\$125,815	\$13,599,828	540,741	2.90	14.41	\$0.04	19	66
027	Johnson/McKinley: I-205 to Webster - bike lanes	Cleck. Co.	BPD	\$280,000	\$13,879,828	207,815	1.11	5.53	\$0.23	20	52

*1: BPD - Bicycle/Pedestrian; TDM - Transp. Demand Mgmt; TSM - Transp. System Mgmt; TRS - Transit; MSC - Misc.

*2: Match - 89.725%/10.275% (except for Bike/Ped at 80%/20%)

*: Assumes freight movement excluded from Rule 12 VMT reduction.

CMAQ Round 2: FY 95-97

Unfunded Project List
(Preliminary)

ATTACHMENT B

8/12/83

Project CODE NO.	PROJECT INFORMATION				TECHNICAL DATA					ADMIN.	FINAL
	NAME	AGENCY	TYPE*1	CMAQ REQUEST*2	Cumulative CMAQ Total	VMT (mi/yr) Reduction	HC (kg/May)	CO (kg/May)	Cost Eff. (\$/kg/yr)	SCORE (25)	SCORE (100)
007	Automatic Vehicle Location (AVL) System	Tri-Met	TRS	\$852,388	\$852,388	1,774,308	9.52	47.27	\$0.08	15	73
008	Arterial street capacity conversion - pedestrian improvements	PDOT	BPD	\$690,000	\$1,732,388	1,982,917	9.08	45.10	\$0.09	18	73
011	Eastside Bikeway/Troll Loop (Eastbank Esplanade)	Metrol Pdd Parks	BPD	\$800,000	\$2,532,388	788,175	4.12	20.48	\$0.18	23	68
012	Pedestrian parkway improvements	PDOT	BPD	\$1,800,000	\$4,132,388	1,329,308	7.13	35.41	\$0.21	18	67
014	Central city arterial street bike lanes	PDOT	BPD	\$180,000	\$4,312,388	418,044	2.23	11.08	\$0.07	22	68
015	Eastside Bikeway/Troll Loop (Sullivan's Gulch)	Metrol Pdd Parks	BPD	\$420,000	\$4,732,388	472,670	2.54	12.58	\$0.15	23	63
018	SE bicycle routes connection to Eastbank Esplanade	PDOT	BPD	\$80,000	\$4,792,388	151,030	0.81	4.02	\$0.07	23	59
020	Bikes on Tri-Met	Tri-Met	TRS	\$125,815	\$4,818,003	224,308	1.20	5.98	\$0.10	20	57
022	NE 201st Ave. bicycle/pedestrian connector	Mult. Co.	BPD	\$120,000	\$5,038,003	157,095	0.84	4.19	\$0.13	21	54
024	Transit corridor operations demonstration project/signal improvements	PDOT	TRS	\$381,331	\$5,419,334	295,718	1.59	7.88	\$0.14	19	54
025	Sunset Transit Center pedestrian improvements	Tri-Met	BPD	\$320,000	\$5,739,334	243,194	1.30	6.48	\$0.23	21	53
026	McLaughlin Blvd.: Harrison to SPRR Crossing (Milwaukee) - signal improvements	Clack. Co.	TSM	\$298,175	\$6,008,509	0	2.51	23.31	\$0.10	18	52
029	Burnside Bridge/SE Ankeny Street bikeway connection	PDOT	BPD	\$140,000	\$6,148,509	113,885	0.61	3.04	\$0.21	22	51
030	Concord Ave.: Outfield to River Rd. - bike lanes	Clack. Co.	BPD	\$180,000	\$6,308,509	173,012	0.93	4.61	\$0.18	20	51
031	Barbur Blvd: Sheridan to Hamilton - bike lane and sidewalks	ODOT	BPD	\$478,000	\$6,786,509	200,684	1.08	5.35	\$0.41	23	51
033	Barnes Road: St. Vincents Hospital to Catlin Gable School - signal improvements	Wash. Co.	TSM	\$22,431	\$6,808,940	0	0.42	4.08	\$0.05	15	49
034	Murray Blvd: Science Park to Cornell Road - bike lanes	Wash. Co.	BPD	\$49,838	\$6,858,778	43,599	0.23	1.16	\$0.19	21	48
035	Graessley Avenue bikeway improvement	PDOT	BPD	\$84,000	\$6,942,778	68,205	0.37	1.84	\$0.21	22	48
036	NE 188th Ave./Rockwood MAX Transit Center Enhancement	Gresham	BPD	\$580,000	\$7,500,778	188,889	1.01	5.03	\$0.51	21	47
037	Front Avenue bicycle path	PDOT	BPD	\$180,000	\$7,680,778	85,898	0.48	2.29	\$0.32	21	45
038	NE 185th Avenue bikeway	PDOT	BPD	\$172,000	\$7,832,778	103,807	0.56	2.77	\$0.28	17	45
039	SW Barthe Blvd bikeway	PDOT	BPD	\$280,000	\$8,112,778	138,410	0.74	3.68	\$0.35	19	45
040	CCTMP Congestion Monitoring System: Phase I - signal improvements	PDOT	TSM	\$224,313	\$8,336,891	0	0.55	5.66	\$0.37	21	44
041	Washington St.: 14th and 15th (Oregon City) - signal improvements	Clack. Co.	TSM	\$35,890	\$8,372,781	0	0.22	1.88	\$0.14	13	42
042	US 26 (Powell Blvd): Cleveland to Walters Rd. (Gresham) - signal improvements	ODOT	TSM	\$152,533	\$8,525,314	0	0.58	5.87	\$0.23	18	42
043	Cornell Road: 158th to 179th - bike lanes	Wash. Co.	BPD	\$295,088	\$8,820,402	75,433	0.40	2.01	\$0.67	21	40
044	Baseline Road: 185th to 231st - bike lanes	Wash. Co.	BPD	\$800,582	\$9,720,984	134,950	0.72	3.80	\$1.14	21	40
045	NW 185th Ave./Springville Rd.: Tamarack-PCC bike lanes	Wash. Co.	BPD	\$1,012,400	\$10,733,384	102,423	0.55	2.73	\$1.69	20	38

*1:BPD-Bicycle/Pedestrian; TDM-Transp. Demand Mgmt.; TSM-Transp. System Mgmt.; TRS-Transit; MSC-Misc.

*2:Match-89.725%/10.275% (except for Bike/Ped at 80%/20%)

ATTACHMENT C.

CMAQ Round 2
Regional Ranking Criteria

<u>Administrative</u>	<u>Possible Points</u>
1. System Completion	5
2. Critical Funds	5
3. Local Commitment	5
4. Long-Term Potential	<u>10</u>
Subtotal	25
<u>Technical</u>	
1. VMT Reduction	15
2. HC Reduction (kg/day)	25
3. CO Reduction (kg/day)	5
4. Cost Effectiveness (\$/kg/year)	<u>30</u>
Subtotal	<u>75</u>
<u>Total</u>	<u>100</u>

CMAQ PROJECT DESCRIPTIONS
Round 2: FY 95-97

Project

Code No. Project Description and Lead Agency

- 001 Transit-Oriented Development (TOD) - Phase II - The TOD will incorporate new land use designs with increased density, mixed uses, and transit, bike, and pedestrian-friendly amenities and access. (DEQ)
- 002 Regional TDM - An expanded Transportation Demand Management (TDM) program would include programs to attract new participants to ridesharing and other alternatives to the single-occupant vehicle mode. (Tri-Met)
- 003 Columbia Slough Intermodal Expansion Bridge - This intermodal expansion rail bridge would span the Columbia Slough waterway and connect North and South Rivergate, allowing rail movement to terminals without going through congested inner-city rail yards and neighborhoods. (Port of Portland)
- 004 Buses for service expansion - New, cleaner buses would be purchased to provide expanded transit service and mobility in the region. (Tri-Met)
- 005 Gresham Traffic Signal Coordination & Optimization Project - Development and installation of an integrated traffic signal interconnection and operation system. The system would coordinate traffic signal phasing to reduce travel times and improve traffic flow. (Gresham)
- 006 Mini-buses - Community based demand-responsive transit services would be provided for some areas which currently have no service. (Tri-Met)
- 007 Automatic Vehicle Location (AVL) System - Funding for the installation of AVL technology on transit vehicles. Vehicle information could be used to affect traffic signals and freeway ramp-metering signals to give transit vehicles priority and increase their operating speeds. (Tri-Met)
- 008 Arterial street capacity conversion - pedestrian improvements - Funds to retrofit some arterial streets by decreasing excess vehicular capacity and constructing bicycle, pedestrian, and transit improvements. (PDOT)

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- 009 Pedestrian to Transit: Phase III - Funds for the study, design and construction of capital improvements to the public right-of-way that will enhance pedestrian access to transit facilities. Phases I and II (CMAQ Round 1) involve study and design activities, with actual construction occurring during Phase III. (PDOT)
- 010 Pedestrian to MAX Capital Program - Evaluation of 12 suburban MAX stations from Gateway to Cleveland to develop a priority plan for pedestrian and bicycle improvements. (Gresham)
- 011 Eastside Bikeway/Trail Loop (Eastbank Esplanade) - Construction of a major urban bikeway/pedestrian trail in four segments. This segment would complete the Willamette Eastbank Esplanade. (Metro/Portland Parks)
- 012 Pedestrian parkway improvements - Construction of non-traditional pedestrian pathways along arterial streets that do not have existing curbs, gutters or sidewalks and are poorly suited to traditional sidewalk designs. (PDOT)
- 013 Swan Island Transit Demonstration - Funds to provide innovative transit service to serve the island's employment centers, which are currently not served by transit. (Port of Portland)
- 014 Central city arterial street bike lanes - Funds to retrofit six lane miles of arterial streets within the Central City area with bike lanes. (PDOT)
- 015 Eastside Bikeway/Trail Loop (Sullivan's Gulch) - Construction of a major urban bikeway/pedestrian trail in four segments. This segment is a trail along I-84 through Sullivan's Gulch from the Eastbank Esplanade to NE 47th. (Metro/Portland Parks)
- 016 Portland Area Telecommuting Project - Funds to assist public agencies and private employers in the Portland area to develop and implement telecommuting programs. (ODOE)
- 017 Eastside Bikeway/Trail Loop (OMSI-Springwater) - Construction of a major urban bikeway/pedestrian trail in four segments. This segment would connect the Springwater Corridor trail to the Eastbank Esplanade. (Metro/Portland Parks)
- 018 SE bicycle route connection to Eastbank Esplanade - Eliminate conflicts between bicyclists and pedestrians by providing separate facilities for each mode between the Eastbank Esplanade and SE Water Avenue. (PDOT)

ATTACHMENT D

- 019 Eastside Bikeway/Trail Loop (Springwater-Milwaukie) - Construction of a major urban bikeway/pedestrian trail in four segments. This segment would complete the Willamette Greenway/Eastside Trail link to Milwaukie. (Metro/City of Milwaukie)
- 020 Bikes on Tri-Met - Bike racks would be purchased and installed on all Tri-Met routes to provide new options to access the system and increase ridership. (Tri-Met)
- 021 Willamette River Bridges Improvement Package - bike lanes, sidewalks and wheelchair ramps - Funds for improvements to the Willamette River bridges to enhance access by bicyclists, pedestrians and disabled persons. Specific projects could include reconstruction of bridgeheads to provide sidewalks and bike lanes, and construction of wheelchair/bicycle ramps from the bridges to the street system. (Multnomah Co.)
- 022 NE 201st Ave. bicycle/pedestrian connector - Modification of NE 201st Avenue to provide bicycle lanes and sidewalks. This project would link existing bikeways on NE Halsey and NE Sandy and provide a safe pedestrian undercrossing of I-84 and the railroad line. (Multnomah Co.)
- 023 Strawberry Lane: Webster to I-205 - bike lanes - Construction of bike lanes on Strawberry Lane from Webster Road to I-205. The project would connect existing bike lanes on Webster to the bike path paralleling I-205. (Clackamas Co.)
- 024 Transit corridor operations demonstration project/signal improvements - Identification and implementation of improvements to reduce transit travel times on corridors outside of the Central City. Possible improvements include signal prioritization, adjustment of bus stop location, and special bus lanes. (PDOT)
- 025 Sunset Transit Center pedestrian improvements - Construction of pedestrian improvements in the vicinity of the planned westside transit center to link it to surrounding mixed use development and encourage pedestrian access to the transit system. (Tri-Met)
- 026 McLoughlin Blvd.: Harrison to SPRR Crossing (Milwaukie)- signal improvements - Relocation of traffic signals from Jackson and Jefferson Streets to Monroe and Washington Streets and intertie with existing and proposed signals. (Clackamas Co.)

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- 027 Johnson/McKinley: I-205 to Webster - bike lanes - Construction of bike lanes on Johnson/McKinley/Lake roads from the Webster bike lanes to the I-205 bike paths. (Clackamas Co.)
- 028 Sunset Transit Center pedestrian/bike bridge - This project would provide a bicycle/pedestrian connection between the Sunset Transit Center and the Cedar Hills shopping center. The bridge would span the Sunset Highway, a distance of 320 feet. (Tri-Met)
- 029 Burnside Bridge/SE Ankeny Street bikeway connection - This project would finance construction of a safer connection for bicyclists between the Burnside Bridge and the existing Ankeny Street bikeway. (PDOT)
- 030 Concord Ave.: Oatfield to River Rd. - bike lanes - Completion of the bike/pedestrian way on Concord Avenue between River Road and Oatfield. (Clackamas Co.)
- 031 Barbur Blvd: Sheridan to Hamilton - bike lane and sidewalks - Construction of bike lanes on Barbur Boulevard between Sheridan and Hamilton, including restriping, tunnel structure, sidewalks and other improvements. (ODOT)
- 032 Cedar Hills Blvd: Parkway Ave. to Butner Rd. - bike lanes and sidewalks - Construction of sidewalks and bike lanes on both sides of Cedar Hills Boulevard between Parkway Avenue and Butner Road. The project would provide a north-south connection to the east-west feeder system and sidewalks to the south that currently exist. (Washington Co.)
- 033 Barnes Road: St. Vincent's Hospital to Catlin Gable School - signal improvements - Funds to install interconnected conduit and wiring, and upgrade controller software for signals at this location. (Washington Co.)
- 034 Murray Blvd: Science Park to Cornell Road - bike lanes - Construction of six-foot bike lanes on both sides of Murray Boulevard between Science Park Drive and Cornell Road. The project would connect existing bike lanes on Murray Boulevard and programmed bike lanes on Cornell Road. (Washington Co.)
- 035 Greeley Avenue bikeway improvement - This project would provide a direct connection along Greeley Avenue between North Portland and the Central Business District via the Broadway Bridge. (PDOT)

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- 036 NE 188th Ave./Rockwood MAX Transit Center Enhancement - Design and construction of improvements to the MAX Transit Center to make pedestrian/bicycle access more convenient and attractive. Proposed improvements include shelters, benches, lighting, and other pedestrian/bicycle amenities. (Gresham)
- 037 Front Avenue bicycle path - This project will increase capacity for north-south bicycle travel within the Central City and reduce conflict between pedestrians and bicyclists along the Waterfront Park/Harbor Wall esplanade. (PDOT)
- 038 NE 185th Avenue bikeway - This project would complete the addition of bicycle lanes on NE 185th Avenue between NE Marine Drive and NE Sandy Boulevard. (PDOT)
- 039 SW Bertha Blvd. bikeway - This project would connect the two existing bikeways on SW Bertha Boulevard and SW Beaverton-Hillsdale Highway between SW Vermont and SW Capitol Highway. (PDOT)
- 040 CCTMP Congestion Monitoring System: Phase I - signal improvements - This project includes the installation of count station vehicle detectors at 15 to 20 locations in the Central City, improving the ability of the City to monitor traffic volumes and congestion in the area. (PDOT)
- 041 Washington St.: 14th and 15th (Oregon City) - signal improvements - Replacement of separate mechanical signal controllers at these intersections with a single computerized controller to smooth traffic flow. (Clackamas Co.)
- 042 US 26 (Powell Blvd): Cleveland to Walters Rd. (Gresham) - signal improvements - Funds to design and construct integrated signal detectors and controllers to improve traffic flow and reduce delays in the corridor. (ODOT)
- 043 Cornell Road: 158th to 179th - bike lanes - Construction of six-foot bike lanes on both sides of Cornell Road between NW 158th and NW 179th Avenues. The project would connect existing bike lanes on 158th and programmed bike lanes on Cornell Road west of 179th Avenue and east of 158th Avenue. (Washington Co.)
- 044 Baseline Road: 185th to 231st - bike lanes - Construction of six-foot bike lanes on both sides of Baseline Road between NW 185th and NW 231st Avenues. The project would connect existing bike lanes on 185th and programmed bike lanes on Baseline Road between 231st and Main Street in Hillsboro. (Washington Co.)

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- 045 NW 185th Ave./Springville Rd.; Tamarack-PCC bike lanes - Construction of bike lanes on both sides of NW 185th Avenue between Tamarack Way and Springville Road, and on both sides of Springville Road between NW 185th Avenue and the entrance to the PCC Rock Creek Campus. The project connects programmed bike lanes on NW 185th from Sunset Highway to Tamarack Way. (Washington Co.)
- 046 Oleson Road - bike lanes and pedestrian paths - Funds to provide five-foot pedestrian paths and six-foot bike lanes on both sides of Oleson Road between Vermont Street and Beaverton-Hillsdale Highway for a distance of approximately seven-tenths of a mile. This project would connect to sidewalks and bike lanes on some adjacent facilities.
- 047 Cornell Road (NW Portland) - bike lanes - Funds to develop uphill shoulder bike lanes on NW Cornell Road from NW 30th Street to Miller Road. The project would link the growing Northwest hills area to the Northwest portion of Downtown Portland.
- 048 Commuter electric auto park-and-ride/transit pass project - Modest range electric vehicles would be leased to commuters with a monthly transit pass included in the lease. Commuters would use the vehicles to commute from home to a park-and-ride lot, where the car would be connected to a recharging station, while the commuter boarded a bus or light rail for the remainder of their commute. (PDOT)
- 049 CCTMP transit priority treatments - signal improvements - This project would identify and implement improvements to reduce transit travel times on corridors in the Central City. (PDOT)
- 050 Gresham Parking and Demand Management Plan - Transportation System Plan Study to develop a demand management program. Strategies to be evaluated include ridesharing programs and parking, parking policies and fees, transit pass subsidies, and flexible working hours. (Gresham).

FUNDING PRIORITY TOTALS
Breakdown by Jurisdiction and Project Type

ATTACHMENT E

8/12/83

BY JURISDICTION	Round 1 (FY92-94)		Round 2 (FY95-97)		Grand Totals	
	No. of Projects	CMAQ \$ Total	No. of Projects	CMAQ \$ Total	No. of Projects	CMAQ \$ Total
Clackamas County	1	\$160,000	1	\$229,600	2	\$389,600
DEQ	4	\$3,059,623	1	\$1,835,000	5	\$4,894,623
Gresham	1	\$64,000	2	\$1,300,000	3	\$1,364,000
Metro	0	\$0	2	\$675,200	2	\$675,200
Multnomah County	2	\$144,000	1	\$1,000,000	3	\$1,144,000
ODOE	0	\$0	1	\$240,463	1	\$240,463
ODOT	0	\$0	0	\$0	0	\$0
Oregon City	1	\$520,405	0	\$0	1	\$520,405
PDOT	5	\$1,972,272	1	\$1,000,000	6	\$2,972,272
Port of Portland	2	\$409,725	1	\$1,000,000	3	\$1,409,725
Tri-Met	4	\$5,049,724	4	\$5,297,750	8	\$10,347,474
Washington County	1	\$200,000	1	\$896,000	2	\$1,096,000
TOTALS	21	\$11,579,749	15	\$13,474,013	36	\$25,053,762

BY PROJECT TYPE	No. of Projects	CMAQ \$ Total	No. of Projects	CMAQ \$ Total	No. of Projects	CMAQ \$ Total
Bicycle/Pedestrian: Transit-supportive	4	\$488,000	3	\$2,470,400	7	\$2,958,400
Bicycle/Pedestrian: Other	5	\$2,200,000	5	\$2,800,800	10	\$5,000,800
Transit Oriented Development: Phases I & II	1	\$1,646,454	1	\$1,835,000	2	\$3,481,454
Transp. Demand Mgmt. (TDM): Other	6	\$2,667,525	2	\$940,463	8	\$3,607,988
Transit	4	\$4,477,278	2	\$4,127,350	6	\$8,604,628
Transp. System Mgmt. (TSM)	1	\$100,492	1	\$300,000	2	\$400,492
Columbia Slough Intermodal Expansion Bridge	0	\$0	1	\$1,000,000	1	\$1,000,000
TOTALS	21	\$11,579,749	15	\$13,474,013	36	\$25,053,762