

Council
3/24/94
4.1

MINUTES OF THE COUNCIL BUDGET WORK SESSION

February 26, 1994

Room 370

Councilors Present: Presiding Officer Judy Wyers, Deputy Presiding Officer Ed Washington, Richard Devlin, Jim Gardner, Mike Gates, Sandi Hansen, Jon Kvistad, Ruth McFarland, Rod Monroe, Terry Moore and George Van Bergen

Councilors Absent: Roger Buchanan and Susan McLain

Also Present: Metro staff Don Carlson, Casey Short, Gail Ryder, John Houser, Cathy Thomas, Judy Shioishi, Merrie Waylett, and Jennifer Sims. Gordon Oliver, The Oregonian, and Rick Hohnbaum, Metro Council candidate

Presiding Officer Wyers called the work session to order at 9:04 a.m.

1. General Budget Overview

Specific Budget Presentations

- o General Government/Support Service Functions (Review of Appropriate Funds and Identification of Major Issues/Changes)

Don Carlson, Council Administrator, gave the General Budget Overview (supporting narrative and tables in Exhibits A-F attached to these minutes for reference with other tables referred to in these minutes). He discussed new revenue funds due to Multnomah County's transfer to Metro of their parks system. He discussed the "base" and proposed budgets (see narrative for Exhibit A-2). He said the actual dollar difference between the base and the proposed budget was \$695,000, or the difference between whether a 6 percent or a 7 percent excise tax was imposed as well as possible local government dues. He also discussed disbursement of COLAs, merit increases and other personnel-related expenditures. He noted Councilor Monroe had asked that staff review the Metropolitan Exposition-Recreation Commission's (MERC) personnel rules which are administered separately from Metro's personnel rules. He discussed fund balances and other revenue sources.

Councilors present discussed whether or not local government dues would be possible to achieve in FY 1994-95.

Mr. Carlson discussed various and miscellaneous expenditures. He noted the cost of paying for Metro Regional Center would increase 91 percent from last year because bond proceeds would no longer be used to pay for debt service on the building. He explained this was the first year that all operating and debt service costs for the building would be paid for out of current income.

Councilor Van Bergen asked if contingency amounts given were realistic. Mr. Carlson said the Budget Committee would revisit contingency amounts in more detail during the budget process.

Councilor Washington and Mr. Carlson discussed how policy was set for various funds.

Councilor Van Bergen said the Unappropriated Balance could be used to reduce the excise tax rate. Mr. Carlson said an exception was that enterprise revenue had to be dedicated to specific programs.

Mr. Carlson gave an overview of General Fund, Exhibit B. He discussed differences between the 6 and 7 percent excise tax. He said the 7 percent excise tax would sunset September 1, 1994. He said the FY 1994-95 Proposed Budget was based on a 7 percent excise tax and therefore an ordinance would be necessary to amend the Metro Code to set that rate for the full fiscal year. He said the Council would have to decide that issue by June 2. Councilor Monroe said a 7 percent excise tax could be set on solid waste functions and operations only. He said a case could be made for that arrangement if it would replace another, broad-based "niche" tax.

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Councilors and staff discussed how the cost allocation plan worked. Councilor Van Bergen suggested that different departments have different rates for the cost allocation plan. Mr. Carlson said the cost allocation plan was based on departmental use. Councilor Van Bergen said a great deal of discretion was used with regard to the cost allocation plan. Councilor McFarland noted departments estimated the cost of the services they provided to the agency as a whole. Presiding Officer Wyers suggested using a legal billing or similar system to ascertain costs.

Jennifer Sims, Director of Finance & Management Information, discussed the cost allocation plan. She said some costs were very objective and easy to determine, such as the amount of copies the Print Shop provided. She said the cost of other services could be difficult to ascertain and used her position as an example. She said on a given day, she could provide work for one department or issue and said on another, she could do the same for ten different departments or issues. She said in her case, it would be difficult to allocate the costs of her services.

Councilor Washington asked how other governments dealt with cost allocation issues. Ms. Sims said all governments had the same difficulties with the issues. Ms. Sims said the "add back" package provided by Executive Officer Cusma at the February 24 Council meeting included a direct billing system to replace the current retroactive system of telling departments what they owed. Mr. Carlson said that proposal would be discussed during the budget process.

Mr. Carlson said the Office of Governmental Relations had been moved to the Support Services fund, but noted that all the former costs for that function (\$183,000) were allocated directly to the General Fund.

Presiding Officer Wyers asked if any planning functions could be moved to the Support Services fund. Mr. Carlson discussed that and other options. He said the Office for Metro Citizen Involvement (MCCI) could be moved to the Support Services fund because MCCI was a general agency function. He noted the Council Department carried a \$17,500 expenditure for publication of meeting notices and said that cost could be allocated to the agency as a whole. He said all such options would be reviewed during Council discussion of excise tax issues.

Mr. Carlson discussed election costs and details related to same.

Presiding Officer Wyers asked if an excise tax would be imposed on parks revenue. Mr. Carlson said the Council had to amend the Metro Code to include new facilities such as the parks and the Expo Center. Councilor Monroe said it was inconsistent to charge excise tax for Zoo ticket revenues and not on golf tickets for Glendoveer Golf Course. Casey Short, Senior Council Analyst, explained that the consolidation agreement with the City of Portland for regional recreational facilities prohibited the collection of excise tax on their revenues, but that the agreement for Multnomah County's parks did not.

Mr. Carlson gave an overview of Support Service Fund, Exhibit C. He noted increases in the allocation of costs to the Planning Fund and said those increases were based on the increased use of Support Services by the Planning Department.

Councilor Van Bergen said because of the Charter, funding planning was now mandatory, although no direction had been given on how much revenue should be devoted to planning functions.

Mr. Carlson noted the Graphics Division would be placed in the newly-proposed General Services Department under the Support Services Fund and said two remaining Public Affairs Department staff members would be folded into the newly-created Department of Public & Government Relations. Those present discussed public

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affairs functions. Mr. Carlson noted the auditor's report would be completed in time for the Budget Committee to make recommendations on funding for public affairs functions. Councilor Monroe discussed the auditor's response to dissolving the Public Affairs Department.

Mr. Carlson reviewed Building Management Fund, Exhibit D. He stated the budget was based on staff's assumption at this time that Metro Center would provide no revenue and would be "moth balled." He said the proposed budget did not assume other options for the building. Councilor Monroe said Doug Butler, Acting Director of Regional Facilities, was working on obtaining a single tenant to occupy the entire building.

Mr. Carlson reviewed Risk Management Fund, Exhibit E.

There was no discussion on Exhibit E.

Mr. Carlson reviewed General Revenue Bond Fund, Exhibit F. He said a debt service reserve had to be carried forward every year, but that otherwise, capital expenditures in this fund had been completed.

Presiding Officer Wyers recessed the work session at 11:20 a.m.

The work session reconvened at 11:28 a.m.

2. Solid Waste Programs

(Review of Solid Waste Funds and Identification of Major Issues/Changes)

John Houser, Senior Council Analyst, reviewed Solid Waste Revenue Fund, Exhibit I. He said the fund was \$29 million less than last year because expenditures were less than expected and because the St. Johns Landfill (SJL) closure account continued to decrease as it was spent on closure activities. He said solid waste revenues were \$1.6 million more than previously expected. He said personal services were increasing per Mr. Carlson's discussion earlier on COLAs, but said he had noticed higher than expected increases and planned to investigate that issue further. Councilor Monroe asked how having a 6 percent excise tax would affect the Solid Waste Department budget. Mr. Houser said a lower rate would impact enterprise revenues, but would not impact programs.

Mr. Houser discussed new refuse disposal charges based on new programs. He discussed changes in the yard debris disposal fee and said he would investigate those changes further. He said pass-through debt costs had dropped because they were tied to the now-defunct Metro/Riedel Composter Facility.

Councilor Moore asked if the charge for household hazardous waste (HHW) had increased. Mr. Houser said a new fee would begin July 1, 1994. Councilor Washington asked if there had been an increase in revenue via fines/forfeits from the Multnomah County illegal dumping program. Mr. Houser said there had been small increases, but planned to ask if and when revenues would substantially increase.

Mr. Houser discussed expected solid waste revenues for FY 1994-95 and the rate stabilization program. Presiding Officer Wyers said Solid Waste Department staff should provide good justification for that program. Mr. Houser discussed the rebate proposal.

Mr. Houser gave tonnage estimates for FY 1994-95 and discussed other items as proposed by staff.

Councilor Monroe asked about "put or pay." Councilor McFarland noted Metro lost \$503,000 in tipping revenues last year and said it was time to exercise flow control.

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Presiding Officer Wyers said Executive Officer Cusma had told her the proposed budget was based on Metro amending its contract with Oregon Waste Systems (OWS) and asked Mr. Houser to thoroughly research that issue.

Mr. Houser discussed the shift from local to regional recycling programs. Presiding Officer Wyers asked why both could not stay intact since local jurisdictions had ample funds for their programs. Mr. Houser said he would investigate those issues also.

Mr. Houser discussed the Recycling Information Center's (RIC) budget now housed under the Solid Waste Department. Mr. Houser finished his presentation and the Council agreed with and supported Mr. Houser's budget analysis to-date.

Councilor Devlin noted there had been no reductions in solid waste engineering support for three years and asked when those reductions might happen. Mr. Houser said closure of the St. Johns Landfill (SJL) was at peak effort and said there would be no reductions this year, but that administrative staff had stated that Metro staff in the field reduced the need for contract expenditures, avoided disagreement with the Department of Environmental Quality (DEQ) and justified Metro's point of view on closure activities. Mr. Houser said he would investigate those issues further.

Mr. Houser said three divisions would have significant changes in emphasis and/or staff and said he would determine exactly what projects staff would be working on. Presiding Officer Wyers asked how much more should be spent on data gathering.

Presiding Officer Wyers recessed the work session at 11:21 a.m.

The work session reconvened at 11:44 a.m.

3. Planning Programs

(Review of Planning Fund and Identification of Major Issues/ Changes)

Gail Ryder, Senior Council Analyst, reviewed the Planning Fund and identified major issues/changes (Planning Fund, Exhibit K). Ms. Ryder gave projections based on a 6 percent, or base, budget. Councilor Kvistad asked how much more in funds Metro would have if governmental dues could be counted on. Ms. Ryder said \$600,000, with most dues revenues appropriated back to the Data Resource Center (DRC). Ms. Ryder said the addback(s) package would put the excise tax at 7 percent.

Councilor Moore asked why the LCDC grant for a bike/pedestrian program was not included in the proposed budget. Ms. Ryder said she would investigate that issue.

Presiding Officer Wyers asked Ms. Ryder to attach dollar amounts to specific programs so that the Council could see the budget impact of each addition/deletion. Ms. Ryder said she had a listing on same and would provide that to the Council.

Ms. Ryder discussed how local governments felt about paying dues to Metro. She said local jurisdictions were tying the issue to Council salaries and the new building. Councilor Monroe said it was not fair to charge some governments and not others if the dues were voluntary and said also it was difficult to attach specific prices to services provided. Councilor Devlin said the dues could be restructured to pay for the costs of local governmental coordination activities such as the Metro Policy Advisory Committee (MPAC) and the Transportation Policy Alternatives Committee (TPAC). He said the dues could be less, but could be made to

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pay for more specific purposes. He said any revenues left over could be devoted to planning, rather than making planning functions a priority in the overall budget.

Councilor Washington said the definition of "timely," as referenced in the Charter, varied. He said his interpretation of timely for planning functions was to phase them in. Councilor Monroe said the Charter contained definite dates that projects/programs should be completed by. He said other items were at the discretion of the Planning and Budget Committees and the full Council. Presiding Officer Wyers said the range of compliance should be considered also. She said Metro could do a minimum and a maximum for certain projects based on budget constraints. Councilor Gardner noted the dates contained in the Charter were the latest dates by which projects had to be completed. He said adopting projects by the latest possible date was not timely action.

The Council discussed planning and Charter issues further. Councilor Kvistad said the Regional Land Information System (RLIS) should not be cut at all because it was a source of enterprise revenue and that data bases should be maintained. He concurred with Councilor Devlin on his assessment of the budget. He said planning functions could be funded more, but said other areas would have to be cut back.

Councilor Moore asked what RLIS staff did with the funds for marketing the Council allocated last year.

Ms. Ryder asked the Council for direction on the budget process. Councilor Monroe said she should give the Council the best understanding of how to fund all programs at varying levels. He said the Council needed complete information on the impact of whatever cuts might be made. Councilors and staff discussed the issues further.

4. Zoo Programs

(Review of Zoo Funds and Identification of Major Issues/Changes)

Casey Short, Senior Council Analyst, reviewed Zoo funds and identified major issues/changes.

Mr. Short referred to Zoo Operating Fund, Exhibit G, and said revenues and expenditures would be similar to last year. Councilors and staff discussed the Zoo's contract with Friends of the Zoo (FOZ). Mr. Short said he would examine the cost-effectiveness of the contract. Presiding Officer Wyers asked Mr. Short to investigate whether or not the products FOZ sold competed with products sold at the Zoo. Mr. Short noted the Zoo also had to produce \$2 million for its share of Westside light rail (LRT).

Mr. Short referred to Zoo Capital Fund, Exhibit H. Councilor Kvistad said he had just discovered Metro could use \$20 million of the Greenspaces bond measure for the Oregon Exhibit at the Zoo. Councilors and staff discussed that option. Mr. Short noted the Zoo Master Plan for the Oregon Exhibit asked for \$32 million, or \$12 million more than what the bond measure would ask for. Presiding Officer Wyers asked for information on how, or if, OMSI's departure had affected the Zoo's ticket revenues.

Mr. Short referred to and explained MERC Administration Fund, Exhibit P, and Spectator Facilities, Exhibit R. He discussed the financial status of the Portland Center for the Performing Arts (PCPA) and said there was some hopes for some Multnomah County hotel/motel tax revenues. Councilor Hansen said the hotel industry had to be convinced that was an appropriate use of tax dollars. Presiding Officer Wyers said the Council should determine needs and then communicate those needs very clearly.

Councilor Devlin asked if the increase in PCPA rental fees had helped. Mr. Short said they had, but were really inflationary adjustments of 3 to 4 percent. Presiding Officer Wyers asked the Budget Committee to

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discuss these and other regional recreational facilities issues. Those present discussed the Regional Arts Fund Task Force's recommendation. Councilors as a whole discussed how to fund regional recreational facilities. Councilor Monroe suggested he and Councilor Hansen and other interested staff meet to develop a policy statement on the latter issue. Councilor Hansen said that could be done at or by the full Council. Those present discussed the issues further. Those present asked Mr. Short to schedule a meeting with Metropolitan Exposition-Recreation Commission (MERC) representatives on the issues at a Regional Facilities Committee meeting. Presiding Officer Wyers said the Council would have to decide which facility should receive the hotel/motel tax, also.

Mr. Short explained the OCC Operating Fund, Exhibit Q, and the Coliseum Operating Fund, Exhibit V.

Presiding Officer Wyers recessed the work session at 2:50 p.m.

The work session reconvened at 2:58 p.m.

Mr. Short explained the Regional Parks and Expo Fund, Exhibit L. He discussed the add back package as proposed by the Executive Officer and said the fund structure for facilities newly transferred to Metro was complex and difficult to track.

Councilor Monroe asked about revenues from Glendoveer Golf Course. Those present discussed the lack of revenue sources to run the facilities in question over a long period of time. They also discussed what facilities Metro could impose excise taxes on if necessary. Councilor McFarland noted excise taxes could not be collected from Portland-owned facilities, or not until Phase II of the Consolidation Agreement was effective. Those present discussed the issues further.

Mr. Short reviewed trust fund issues.

Councilor Devlin noted Smith & Bybee Lakes were not listed in the Proposed Budget as a regional facility and asked that be corrected before the end of the budget process.

Discussion of Proposed Budget Directions for Budget Committee

Councilor Monroe asked Councilors present what issues the Budget Committee should focus on during the budget process. Councilor Moore asked the Budget Committee to explore government mandates, support, deadlines and Charter issues. She said it should be determined what was necessary to fulfill regional commitments and the framework process and said cuts could then be made at the general level. She said Metro had to start selling the concept of growth management.

Councilor Devlin said support service funds should not be categorized as general government funds. He said support services expenditures should be looked at carefully, but said Metro's financial management and personnel systems had improved. He said the Budget Committee could also evaluate the Council Department and Executive Management's expenditures. Councilor Gardner concurred with Councilor Moore's comments. He said the Charter stated Metro's primary mandate was planning. Councilor Monroe said his personal priority was to place planning functions at the top of the list. He said the proposed budget as submitted placed planning at the bottom. He said he planned to review support services and general government services for possible savings. Councilor Gates said the Council had to keep searching for an alternative source of funding. Councilor Moore said the Council did not have a full discussion on the Tax Study Committee's report as

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submitted. Councilor Monroe said once the Budget process was completed, and it was known how much money Metro needed, the Council could discuss the report.

The Council as a whole discussed tax revenue options as provided in the Tax Study Committee's report. Councilor Gardner said after the Budget process was completed, total funding sources and costs would be known and funds could be allocated towards planning needs. He said a new tax could not be imposed in the two weeks before the Council's final decision on the budget. Councilor Monroe said he had held approximately 30 briefings in different neighborhoods with citizens, business leaders, and government officials about a possible tax. He said because of those discussions, he realized that government dues was still a viable option. Councilor Gardner said MPAC had stated collecting dues was no longer a viable option.

Councilors present discussed revenue issues further. Councilor Devlin said even if dues were viable, they were not a major part of the solution, that local governments were waiting to see if Metro could come up with another revenue source, and that did they did not want Metro to impose a new tax because local governments wanted to try to impose real estate transfer taxes themselves. Councilor Gates said the MCCI could provide input on those issues also.

All items on the agenda having been attended to, Presiding Officer Wyers adjourned the work session at 3:45 p.m.

Respectfully submitted,

Paulette Allen
Clerk of the Council
BUDWS057.94

TOTAL METRO BUDGET (by fund)

<i>FUND</i>	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 BASE BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE BASE</i>	<i>% CHANGE PROPOSED</i>
General *	5,244,871	5,915,414	5,798,767	6,493,430	-2.0%	9.8%
Support Service *	5,992,132	6,802,525	7,595,910	7,624,111	11.7%	12.1%
Building Management	1,658,170	2,578,974	3,094,357	3,094,357	20.0%	20.0%
Risk Management	6,418,113	7,310,864	7,652,149	7,652,149	4.7%	4.7%
General Revenue Bond	16,323,325	5,180,925	3,517,075	3,517,075	-32.1%	-32.1%
Zoo Operating *	17,666,518	19,202,118	18,005,644	17,952,991	-6.2%	-6.5%
Zoo Capital	3,542,931	3,545,279	1,314,087	1,314,087	-62.9%	-62.9%
Solid Waste Revenue *	112,882,621	85,657,487	87,173,217	86,701,333	1.8%	1.2%
Rehab and Enhancement	2,763,038	2,844,201	2,770,923	2,770,923	-2.6%	-2.6%
Planning *	6,714,314	12,966,929	10,799,189	11,929,541	-16.7%	-8.0%
Regional Parks & Expo *		5,368,400	5,683,825	5,735,018	5.9%	6.8%
S & B Lakes Trust	2,078,968	2,842,764	3,505,754	3,505,754	23.3%	23.3%
Metro Greenspaces		1,000,000	1,000,000	1,000,000	0.0%	0.0%
Regional Parks Trust **			378,319	378,319	N.A.	N.A.
MERC Administration	747,620	627,740	640,112	640,112	2.0%	2.0%
OCC Operating	16,777,899	17,060,052	19,676,577	19,676,577	15.3%	15.3%
OCC Capital	4,834,241	2,700,000	1,419,255	1,419,255	-47.4%	-47.4%
OCC Debt	7,339,140	8,299,354	8,434,904	8,434,904	1.6%	1.6%
OCC Renew & Replace		705,000	2,115,000	2,115,000	200.0%	200.0%
Spec. Facilities Operating	11,426,171	9,891,491	8,060,759	8,060,759	-18.5%	-18.5%
Coliseum Operating	10,944,332	1,000,000	180,000	180,000	N.A.	N.A.
PCPA Capital ***	18,528				N.A.	N.A.
Zoo Revenue Bond ***		1,158,760			N.A.	N.A.
TOTAL	233,372,932	202,658,277	198,815,823	200,195,695	-1.9%	-1.2%

- * Funds affected by Base Budget
- ** New Funds
- *** Eliminated Funds

TOTAL METRO BUDGET
(by category of revenue and expenditure)

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 BASE BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE BASE BUDGET</i>	<i>% CHANGE PROPOSED BUDGET</i>
RESOURCES						
Fund Balance	79,991,767	67,143,658	64,504,298	64,504,299	-3.9%	-3.9%
Grants	3,422,635	11,073,070	9,477,345	9,476,845	-14.4%	-14.4%
Property Taxes	11,115,246	10,663,487	10,417,612	10,417,612	-2.3%	-2.3%
Excise Tax	4,527,103	5,256,914	4,908,767	5,603,430	-6.6%	6.6%
Enterprise Revenue	85,793,396	77,241,174	79,956,868	79,375,477	3.5%	2.8%
Intergov'tl Transfers	3,823,297	5,189,259	5,062,279	5,062,279	-2.4%	-2.4%
Donations & Bequests	422,536	1,937,500	2,021,600	2,021,600	4.3%	4.3%
Local Dues	583,847	597,563	0	600,000	N/A	0.4%
Bond Proceeds*	25,900,757	1,919,419	1,919,419	1,919,419	0.0%	0.0%
Interest	3,021,752	3,252,774	1,968,563	1,968,564	-39.5%	-39.5%
Interfund Transfers	11,818,269	15,517,380	16,534,430	17,201,926	6.6%	10.9%
Other	2,952,327	2,866,079	2,044,642	2,044,244	-28.7%	-28.7%
TOTAL RESOURCES	233,372,932	202,658,277	198,815,823	200,195,695	-1.9%	-1.2%
REQUIREMENTS						
Personal Services	29,328,799	32,631,980	33,437,040	34,148,256	2.5%	4.6%
Materials & Services	69,654,935	80,683,978	74,624,471	74,865,961	-7.5%	-7.2%
Capital Outlay	15,644,816	11,756,221	7,336,933	7,381,139	-37.6%	-37.2%
Debt Service	34,198,475	11,009,121	10,265,177	10,265,177	-6.8%	-6.8%
Transfers	11,819,644	15,550,895	16,534,410	17,201,906	6.3%	10.6%
<i>Support Services</i>	<i>5,585,722</i>	<i>6,467,839</i>	<i>6,940,391</i>	<i>6,968,592</i>	<i>7.3%</i>	<i>7.7%</i>
<i>Building Management</i>	<i>1,011,651</i>	<i>1,269,507</i>	<i>2,425,672</i>	<i>2,429,048</i>	<i>91.1%</i>	<i>91.3%</i>
<i>Risk Management</i>	<i>1,470,203</i>	<i>1,535,645</i>	<i>698,030</i>	<i>698,030</i>	<i>-54.5%</i>	<i>-54.5%</i>
<i>Other</i>	<i>3,752,068</i>	<i>6,277,904</i>	<i>6,470,317</i>	<i>7,106,236</i>	<i>3.1%</i>	<i>13.2%</i>
Contingency	0	10,120,416	11,785,377	11,833,581	16.5%	16.9%
Unappropriated Balance	72,726,263	40,905,666	44,832,415	44,499,675	9.6%	8.8%
TOTAL REQUIREMENTS	233,372,932	202,658,277	198,815,823	200,195,695	-1.9%	-1.2%
TOTAL FTE	812.66	762.04	750.96	764.71	-1.5%	0.4%

* FY 92-93 technically not bond proceeds to be spent on Metro project. These are bond receipts passed through agency for composter project financing.

TOTAL BASE AND PROPOSED FY 94-95 BUDGET

Major Changes/Issues

- ♦ **Fund Structure.** The Proposed Budget contains 21 separate funds to budget and account for Metro functions and programs. The proposed new and eliminated funds are as follows:

NEW FUND

Regional Parks Trust Fund

ELIMINATED FUND

Zoo Revenue Bond Fund

In addition, the Coliseum Operating Fund is effectively eliminated reflecting the decision to transfer the facility back to the City of Portland for operation by the Oregon Arena Corporation.

- ♦ Both the Base and Proposed Budgets are slightly reduced from the current year. In the Base Budget 10 Funds increase, 9 decrease and 1 remains the same. In the Proposed Budget 11 Funds increase, 8 decrease and 1 remains the same.
- ♦ The Base Budget affects only 6 Funds. For the General Fund the issue is primarily a revenue matter -- 6% or 7% Excise Tax rate. For the Planning Fund, the Regional Parks/Expo Fund and the Support Service Fund the issue is primarily an expenditure matter -- type and level of programs to be provided. For the Zoo Operating Fund and the Solid Waste Revenue Fund the issue is the amount of revenue available to the Fund. At a lower Excise Tax rate more revenue stays in each of these funds.
- ♦ Total Enterprise Revenues are slightly increased from the current year reflecting a slightly increased amount of solid waste anticipated at Metro facilities.
- ♦ Total annual Debt Service payments are reduced which reflects the recent refunding of Metro debt.
- ♦ Transfers to the Building Management Fund are increased substantially to reflect conservative estimates for lease income at the Metro Center Building and full payment of the debt service costs of the Metro Regional Center Building out of current income.
- ♦ Transfers to the Risk Management Fund are substantially reduced which reflects the advice of our actuary that the our environmental impairment reserves are adequate.
- ♦ Total Contingencies are increased by approximately 17% and Total Unappropriated Balances are increased by approximately 9%.

GENERAL FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 BASE BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE BASE BUDGET</i>	<i>% CHANGE PROPOSED BUDGET</i>
RESOURCES						
und Balance	676,575	608,500	850,000	850,000	39.7%	39.7%
xcise Tax	4,527,103	5,256,914	4,908,767	5,603,430	-6.6%	6.6%
terest	37,145	50,000	40,000	40,000	-20.0%	-20.0%
ther	4,048	0	0	0	N/A	N/A
TOTAL RESOURCES	5,244,871	5,915,414	5,798,767	6,493,430	-2.0%	9.8%
REQUIREMENTS						
ersonal Services	1,083,510	1,397,951	1,399,079	1,399,079	0.1%	0.1%
aterials & Services	523,716	545,028	515,165	515,165	-5.5%	-5.5%
apital Outlay	14,378	4,000	27,719	27,719	593.0%	593.0%
ransfers	2,870,207	3,273,270	3,303,847	3,999,349	0.9%	22.2%
Support Services	595,209	598,647	733,820	733,313	22.6%	22.5%
Building Management	155,444	222,373	409,612	394,827	84.2%	77.6%
Planning	1,910,188	1,780,738	1,639,290	2,298,891	-7.9%	29.1%
Parks/Greenspaces	•	646,672	496,135	547,328	-23.3%	-15.4%
Other	209,366	24,840	24,990	24,990	0.6%	0.6%
ontingency	0	427,500	552,957	552,118	29.3%	29.2%
nappropriated Balance	753,060	267,665	0	0	N/A	N/A
TOTAL REQUIREMENTS	5,244,871	5,915,414	5,798,767	6,493,430	-2.0%	9.8%
TOTAL FTE	19.09	16	16.5	16.5	3.1%	3.1%

BASE / PROPOSED FY 94-95 GENERAL FUND

Major Changes/issues

REVENUE

- ♦ Significant increase in the projected Fund Balance from current fiscal year. While this is positive news it's important to monitor this estimate as we proceed with the budget deliberations to assure its accuracy and reliability.
- ♦ Excise Tax rate varies -- Base at 6%/Proposed at 7%. The current Excise Tax rate is at 7% with a sunset provision effective on September 1, 1994 moving it to 6%. The Base Budget estimate assumes a 6% rate effective on August 4, 1994. The Proposed Budget estimate assumes a 7% rate for the entire fiscal year. For the latter to happen, an ordinance to continue the rate at 7% must be passed by the Council no later than June 2, 1994 (last regular meeting in May). Based on estimates each one percent of excise tax raises approximately \$800,000. The users of Metro facilities and services account for the following approximate proportions of Excise Tax receipts: Solid Waste, 85%; Zoo, 8%; Convention Center, 4%; Expo, 2%; and Others, 1%.

EXPENDITURES

- ♦ A revised department/program structure. Both the Base and Proposed Budgets provide for a significantly revised organizational arrangement in the General Fund. A summary of the major expenditures is as follows:

PROGRAM / DEPT.	FY 92-93 ACTUAL	FY 93-94 ADOPTED BUDGET	FY 94-95 BASE	FY 94-95 PROPOSED BUDGET
COUNCIL	1,040,782	1,132,211	1,132,184	1,132,184
FTE	10.0	10.0	10.0	10.0
EXEC. MGMT.	419,528	422,780	435,027	435,027
FTE	5.0	5.0	5.5	5.5
AUDITOR	0	0	79,752	79,752
FTE	0	0	1.0	1.0
GOVT. RELATIONS	161,294	141,988	0	0
FTE	1.75	1.0	0	0
ELECTIONS	(117,692)*	250,000	150,000	150,000
SPECIAL APPROP.	0	0	145,000**	145,000**
DISCRETIONARY				
TRANSFER	2,275,152	2,497,410	2,368,975***	3,078,478***

Footnotes on next page.

Footnotes:

* *Included in the Council Dept. Budget.*

** *Proposed Contract with Metro Arts Commission to Start Implementation of Regional Cultural Funding Task Force recommendations.*

*** *Includes a transfer of approximately \$232,000 to the Support Service Fund for Govt. Relations functions formerly budgeted in the General Fund (\$183,000) and portions of the Metro Center Costs for the Zoo, MERC and Parks reallocated to the General Fund (\$49,000).*

- ◆ Potential to shift additional agency-wide costs to the Support Services Fund for inclusion in the Cost Allocation Plan. The Base and Proposed Budgets move the Office of Governmental Relations to the Support Service Fund for combination with programs of the Public Affairs Department to create a new department. Both Budgets continue to rely on Excise Tax revenue to fund the activity. Election costs for the elected officials are proposed to be continued in the General Fund and General Fund resources are proposed to be used to pay for allocable costs for the Metro Center Building for the Zoo, MERC facilities and Parks/Expo. These costs add up to approximately \$382,000. Not all of it would be a saving of General Fund resources since part of these costs are allocable to the General Fund. Finally, it is important to balance such efforts with an understanding of the impact on the operating funds. Each increase in central service costs can divert resources away from direct program expenditures or cause a need to increase revenue in the operating fund.
- ◆ Sufficiency of budgeted election costs. If the Council decides to place a Greenspaces funding measure (or any other measure) on the ballot in FY 1994-95, there does not appear to be sufficient resources budgeted to the pay for these costs. The Finance Office has estimated that a measure on the September 1994 ballot (vote by mail election) would cost approximately \$150,000. Costs for such an election (a measure for a specific program or purpose) would not be eligible for inclusion in the Cost Allocation Plan.

SUPPORT SERVICE FUND

	FY 92-93 ACTUAL	FY 93-94 ADOPTED BUDGET	FY 94-95 BASE BUDGET	FY 94-95 PROPOSED BUDGET	% CHANGE BASE BUDGET	% CHANGE PROPOSED BUDGET
RESOURCES						
End Balance	168,136	133,936	380,519	380,519	184.1%	184.1%
Enterprise Revenue	162,250	200,750	275,000	275,000	37.0%	37.0%
Interfund Transfers	5,585,772	6,467,839	6,940,391	6,968,592	7.3%	7.7%
General Government	595,208	598,647	733,820	733,313	22.6%	22.5%
Zoo	704,298	1,048,727	1,196,364	1,167,187	14.1%	11.3%
Solid Waste	2,613,326	2,597,346	2,438,088	2,364,458	-6.1%	-9.0%
Planning	808,680	1,005,862	1,348,360	1,484,103	34.1%	47.5%
Parks/Expo		370,554	338,390	343,829	-8.7%	-7.2%
MERC	864,260	846,703	885,369	875,702	4.6%	3.4%
Interest	50,967	0	0	0	N/A	N/A
Other	25,007	0	0	0	N/A	N/A
TOTAL RESOURCES	5,992,132	6,802,525	7,595,910	7,624,111	11.7%	12.1%
REQUIREMENTS						
Personal Services	3,862,842	4,430,098	4,510,156	4,510,156	1.8%	1.8%
Materials & Services	1,306,983	1,281,985	1,421,470	1,456,470	10.9%	13.6%
Capital Outlay	168,170	94,166	7,600	40,390	-91.9%	-57.1%
Transfers	437,492	579,671	988,019	948,430	70.4%	63.6%
Building Management	390,765	507,283	937,159	897,570	84.7%	76.9%
Risk Management	46,727	72,388	50,860	50,860	-29.7%	-29.7%
Contingency	0	265,039	261,040	261,040	-1.5%	-1.5%
Unappropriated Balance	216,645	151,566	407,625	407,625	168.9%	168.9%
TOTAL REQUIREMENTS	5,992,132	6,802,525	7,595,910	7,624,111	11.7%	12.1%
TOTAL FTE	83.5	84.72	78.7	78.7	-7.1%	-7.1%

BASE AND PROPOSED FY 94-95 SUPPORT SERVICE FUND

Major Changes/Issues

REVENUE

- ♦ Basis for transfers. This is an internal service fund which primarily receives revenue from other operating funds based on a Cost Allocation Plan (pages A-14 and A-15 in Budget). There are basically two kinds of resources transferred into the fund. **Indirect** transfers are calculated based on a historical record of actual use of goods and services. **Direct** transfers are those items of a sufficient size and clarity of purpose that they are allocated to a specific identified program or fund. An example of a direct transfer is the allocation of costs for the governmental affairs program to the General Fund (\$183,287).

The major increases in indirect support service costs from the current year are to the Planning Fund (48% in the Proposed Budget); the OCC Operating Fund (37%); and the Spectator Facilities Fund (12%). Most of the other funds experience a decrease. It should be noted that a portion of the Planning Fund indirect costs are paid for by the General Fund because the overhead rate charged to federal grants has been set at 36% rather than the actual needed rate of 42%.

The Executive Officer has suggested changing the support service fund revenue system from a historically based plan to a direct charge plan. The most recent Add Package includes \$293,660 for a "Prudent Management Reserve" and \$50,000 for a "Direct Billing System". Both costs are proposed to be born by the General Fund.

EXPENDITURES

- ♦ Increase in fund expenditures as overall agency expenditures and FTE level off. The expenditures in this fund have increased substantially over the past few years as Metro has grown to assume additional responsibilities and continue to grow as total Metro expenditures and FTE stabilize as indicated below:

FUND/TOTAL EXPENDITURE	FY 90-91 ACTUAL	FY 91-92 ACTUAL	FY 92-93 ACTUAL BUDGET	FY 94-95 ADOPTED	FY 94-95 PROPOSED BUDGET
SUPPORT SERVICES	4,119,919	5,420,092	5,992,132	6,802,525	7,624,111
FTE	65.40	78.60	83.50	84.72	78.70
ALL METRO	218,914,764	275,137,745	233,372,931	202,658,277	200,195,695
FTE	701.00	788.82	812.66	762.04	764.71

♦ Substantially revised department/program structure. Both the Base and Proposed Budgets provide for a substantial change in organization as shown in the following summary of direct fund expenditures:

<i>PROGRAM / DEPT.</i>	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 BASE</i>	<i>FY 94-95 PROPOSED BUDGET</i>
FM&I	2,953,498	3,111,764	2,821,471	2,832,701
FTE	43.75	45.4	42.0	42.0
General Services -Regional Facilities	771,567	869,184	1,657,654	1,710,614
FTE	10.70	10.00	16.15	16.15
Personnel	516,617	601,177	605,802	605,802
FTE	10.30	11.30	10.30	10.30
General Counsel	407,474	460,091	477,723	481,323
FTE	6.00	6.00	6.00	6.00
Public Affairs	688,839	764,033	0	0
FTE	12.60	12.00	0.00	0.00
Public & Government Relations	0	0	376,576	376,576
FTE	0.00	0.00	4.25	4.25
Total Budget Expenditures	5,337,995	5,806,249	5,939,226	6,007,016
FTE	83.35	84.72	78.70	78.70

- ♦ Impact of proposed organizational changes. The Base and Proposed Budgets substantially alter the current work program provided by the Public Affairs Department. It is important to understand what services/functions will be retained and/or eliminated. What services/functions will be shifted to the operating departments. The Base and Proposed Budgets transfer services/functions to a new General Services Department. Is this reorganization desirable, or would some other reorganization be more cost effective?

BUILDING MANAGEMENT FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 BASE BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE BASE BUDGET</i>	<i>% CHANGE PROPOSED BUDGET</i>
RESOURCES						
Fund Balance	185,748	294,449	274,718	274,718	-6.7%	-6.7%
Enterprise Revenue	439,199	1,015,018	393,967	390,591	-61.2%	-61.5%
Interfund Transfers	1,011,651	1,269,507	2,425,672	2,429,048	91.1%	91.3%
General Government	155,444	222,373	409,612	394,827	84.2%	77.6%
Support Services	390,765	507,283	937,159	897,570	84.7%	76.9%
Solid Waste	232,122	194,199	427,520	409,639	120.1%	110.9%
Planning	227,578	275,152	502,807	575,042	82.7%	109.0%
Parks/Expo	0	30,000	94,238	96,497	214.1%	221.7%
MERC	5,742	40,500	54,336	55,473	34.2%	37.0%
Interest	21,572	0	0	0	N/A	N/A
TOTAL RESOURCES	1,658,170	2,578,974	3,094,357	3,094,357	20.0%	20.0%
REQUIREMENTS						
Personal Services	100,335	182,246	240,181	240,181	31.8%	31.8%
Materials & Services	774,593	1,098,670	975,999	975,999	-11.2%	-11.2%
Capital Outlay	51,553	50,000	60,000	60,000	20.0%	20.0%
Transfers	230,183	1,178,058	1,428,958	1,428,958	21.3%	21.3%
Gen'l Rev Fund MRC Debt	0	662,432	1,143,952	1,143,952	72.7%	72.7%
Gen'l Rev Fund Parking Debt	230,183	515,626	285,006	285,006	-44.7%	-44.7%
Contingency	0	70,000	70,000	70,000	0.0%	0.0%
Unappropriated Balance	501,506	0	319,219	319,219	N/A	N/A
TOTAL REQUIREMENTS	1,658,170	2,578,974	3,094,357	3,094,357	20.0%	20.0%
TOTAL FTE	3.1	4.2	5.5	5.5	31.0%	31.0%

PROPOSED FY 94-95 BUILDING MANAGEMENT FUND

Major Changes/Issues

REVENUE

- ♦ Substantially different revenue pattern to current year. The projected enterprise revenue is substantially reduced from the current year budget. This reflects a more conservative assumptions on the ability to lease space at the Metro Center Building. Conversely, the interfund transfers are substantially increased. This reflects the reduction in potential enterprise revenue and the payment of the entire debt service expense for the Metro Regional Center out of current income.
- ♦ Subsidy of the Metro Parking Structure. The Proposed Budget includes potential transfers from the General Fund (\$54,336) and the OCC Operating Fund (\$54,336). These resources will be used to make up any difference between anticipated parking fee income and parking facility operating costs.

EXPENDITURES

- ♦ Similar program structure. The Proposed Budget continues the current programs and the direct program costs are as follows:

PROGRAM / DEPT.	FY 92-93 ACTUAL	FY 93-94 ADOPTED BUDGET	FY 94-95 PROPOSED BUDGET
Metro Center	683,799	589,336	394,173
FTE	1.45	0.1	0.8
Metro Regional Center	165,278	621,910	807,915
FTE	145.00	3.85	4.25
Parking Structure	77,404	97,512	74,092
FTE	0.20	0.10	0.45
Total Direct Expenditures	926,481	1,308,758	1,276,180
FTE	146.65	4.05	5.50

- ♦ Full payment of Metro Center Debt Service out of current income. This is the first year in which the entire debt service costs for the Metro Regional Center (\$1,492,958) are paid out of current resources. Last year approximately \$750,000 were paid out of bond proceeds.

RISK MANAGEMENT FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 BASE BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE BASE BUDGET</i>	<i>% CHANGE PROPOSED BUDGET</i>
RESOURCES						
Fund Balance	4,663,045	5,485,219	6,674,119	6,674,119	21.7%	21.7%
Interest	257,200	290,000	260,000	260,000	-10.3%	-10.3%
Interfund Transfers	1,470,203	1,535,645	698,030	698,030	-54.5%	-54.5%
General Gov't	9,366	24,840	25,010	25,010	0.7%	0.7%
Support Services	46,727	72,388	50,860	50,860	-29.7%	-29.7%
Zoo	344,289	381,194	177,479	177,479	-53.4%	-53.4%
Solid Waste	507,210	607,894	83,069	83,069	-86.3%	-86.3%
Planning	25,426	42,053	34,050	34,050	-19.0%	-19.0%
Parks/Expo	0	78,000	90,859	90,859	16.5%	16.5%
MERC	537,185	329,276	236,703	236,703	-28.1%	-28.1%
Other	27,665	0	20,000	20,000	N/A	N/A
TOTAL RESOURCES	6,418,113	7,310,864	7,652,149	7,652,149	4.7%	4.7%
REQUIREMENTS						
Personal Services	157,692	225,151	263,815	263,815	17.2%	17.2%
Materials & Services	648,947	1,306,595	1,105,215	1,105,215	-15.4%	-15.4%
Capital Outlay	0	3,900	20,000	20,000	412.8%	412.8%
Contingency	0	200,000	200,000	200,000	0.0%	0.0%
Unappropriated Balance	5,611,474	5,575,218	6,063,119	6,063,119	8.8%	8.8%
TOTAL REQUIREMENTS	6,418,113	7,310,864	7,652,149	7,652,149	4.7%	4.7%
TOTAL FTE	3.07	4.05	4.35	4.35	7.4%	7.4%

GENERAL REVENUE BOND FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 BASE BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE BASE BUDGET</i>	<i>% CHANGE PROPOSED BUDGET</i>
RESOURCES						
Fund Balance	15,409,034	3,916,683	2,018,983	2,018,983	-48.5%	-48.5%
Interest	377,880	86,184	69,134	69,134	-19.8%	-19.8%
Interfund Transfers	230,183	1,178,058	1,428,958	1,428,958	21.3%	21.3%
Other	306,228	0	0	0	N/A	N/A
TOTAL RESOURCES	16,323,325	5,180,925	3,517,075	3,517,075	-32.1%	-32.1%
REQUIREMENTS						
Personal Services	193,212	68,704	0	0	-100.0%	-100.0%
Materials & Services	136,143	145,740	0	0	-100.0%	-100.0%
Capital Outlay	10,615,954	913,009	0	0	-100.0%	-100.0%
Debt Service	1,618,859	1,494,332	1,492,958	1,492,958	-0.1%	-0.1%
Contingency	0	400,339	218,412	218,412	-45.4%	-45.4%
Unappropriated Balance	3,759,157	2,158,801	1,805,705	1,805,705	-16.4%	-16.4%
TOTAL REQUIREMENTS	16,323,325	5,180,925	3,517,075	3,517,075	-32.1%	-32.1%
TOTAL FTE	2.95	1.05	0	0	-100.0%	-100.0%

ZOO OPERATING FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	5,558,568	5,711,864	4,601,830	-19.4%
Grants	29,804	120,000	110,000	-8.3%
Property Taxes	5,467,336	5,708,807	5,875,560	2.9%
Enterprise Revenue	6,078,324	6,899,690	6,707,536	-2.8%
Donations & Bequests	271,937	485,000	521,600	7.5%
Interest	230,268	228,475	138,055	-39.6%
Other	30,281	48,282	51,063	5.8%
TOTAL RESOURCES	17,666,518	19,202,118	18,005,644	-6.2%
REQUIREMENTS				
Personal Services	6,331,203	7,376,103	7,698,488	4.4%
Materials & Services	3,724,513	4,372,729	4,433,901	1.4%
Capital Outlay	591,201	777,281	564,570	-27.4%
Transfers	1,048,587	1,863,921	1,373,843	-26.3%
Support Services	704,298	1,048,727	1,196,364	14.1%
Zoo Capital	0	434,000	0	-100.0%
Other	344,289	381,194	177,479	-53.4%
Contingency	0	598,222	562,832	-5.9%
Unappropriated Balance	5,971,014	4,213,862	3,372,010	-20.0%
TOTAL REQUIREMENTS	17,666,518	19,202,118	18,005,644	-6.2%
TOTAL FTE		194.52	198.44	2.0%

PROPOSED FY 94-95 ZOO OPERATING FUND BUDGET

Major Changes/Issues

Overview

The fund balance is declining, with a projected operating loss of \$1.2 million in 1994-95. This follows a budgeted loss of some \$1.5 million in 93-94, for an erosion of 43.5% of the reserve funds in two years. The Council was advised last year that the Zoo expected to lose money until the 1997 opening of Westside Light Rail, but the context of Zoo finances should be set at the start of a discussion of its budget.

Resources

Net operating revenues are static, at 99.36% of 1993-94 budget, with the major revenue categories showing little projected change. Factors to be considered are the disruption of the parking lot and Canyon Road due to construction, the recent admission fee increase being in effect for the full year, introduction of small new exhibits but no major ones.

Expenditures

Total operating expenditures show a slight (2.2%) reduction from 93-94, from \$14.39 million to \$14.07 million. Included in the 1993-94 total, however, was a one-time transfer of \$434,000 to the Capital Fund to help pay for design work on the Oregon Exhibit. Without this expense, the 94-95 expenditures show a small increase of \$114,000.

Personal Services shows an increase of 4.4%, with an increase of 4 FTE (2%). Materials & Services increases only 1.4%, and Capital Outlay is down 27%. Excluding last year's transfer to the Capital Fund, the interfund transfer total is down 3.9%, with a 50% decrease in insurance costs outweighing a 14% increase to Support Services.

Issues

- In light of the proposed \$1.2 million shortfall and projected continuing losses, should the Zoo freeze budgeted FTE, as was done in 1991-92?
- Is the Zoo losing revenue through its current contract with the Friends of the Zoo?

ZOO CAPITAL FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	3,262,825	2,655,076	686,492	-74.1%
Donations & Bequests	149,099	350,000	500,000	42.9%
Interest	131,007	106,203	20,595	-80.6%
Interfund Transfer	0	434,000	0	-100.0%
Other	0	0	107,000	n/a
TOTAL RESOURCES	3,542,931	3,545,279	1,314,087	-62.9%
REQUIREMENTS				
Personal Services	59,956	88,949	15,300	-82.8%
Materials & Services	1,324	0	0	0.0%
Capital Outlay	932,640	3,199,000	1,148,787	-64.1%
Contingency	0	150,000	150,000	0.0%
Unappropriated Balance	2,549,011	107,330	0	-100.0%
TOTAL REQUIREMENTS	3,542,931	3,545,279	1,314,087	-62.9%
TOTAL FTE		1	0.17	-83.0%

PROPOSED FY 94-95 ZOO CAPITAL FUND BUDGET

Major Changes/Issues

Resources

Capital Fund revenues are down 63%, reflecting the spending down of dedicated capital resources. The fund balance is down 74%, while donations are budgeted to increase from \$350,000 to \$500,000 to support design of the Oregon Exhibit.

Expenditures

The only major project in this Fund for 94-95 is design work on the Oregon Exhibit, accounting for 88% of total expenditures (excluding contingency). There is some money budgeted to complete three other current projects (Research Building remodel, elephant yard improvements, and the People Mover trolley), but aside from work on the Oregon Exhibit, the Capital Fund will be virtually exhausted in the coming year. Capital improvements will have to be funded from the Operating Fund until additional capital funds are secured.

Issues

There are two issues in this Fund. The first concerns the budget for donations and bequests, and is simply a question of whether it is realistic to expect \$500,000 to support work on the Oregon Exhibit.

The other issue is the major issue at the Zoo, tied to the long-range financial concerns. What is the future of the Oregon Exhibit, and how is it going to be financed? If we spend a million dollars to plan this major new attraction, what will be the result of this expenditure? What is its status? Will the plans incorporated in the Master Plan need to be scaled back to meet the June 1997 deadline for completion or to recognize a shortage of funds?

SOLID WASTE REVENUE FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	28,115,582	25,465,337	26,596,332	4.4%
Grants	244,899	200,000	0	0.0%
Property Taxes	0	0	0	0.0%
Excise Tax	0	0	0	0.0%
Enterprise Revenue	55,385,647	54,021,768	55,973,307	3.6%
Intergovernmental Transfer	0	0	0	0.0%
Donations & Bequests	0	0	0	0.0%
Dues	0	0	0	0.0%
Bond Proceeds	25,900,757	1,919,419	1,919,419	0.0%
Interest	1,008,193	1,700,000	735,015	-56.8%
Interfund Transfers	19,038	0	0	0.0%
Other	2,208,505	2,350,963	1,477,260	-37.2%
TOTAL RESOURCES	112,882,621	85,657,487	86,701,333	1.2%
REQUIREMENTS				
Personal Services	4,089,883	5,133,714	5,617,633	9.4%
Materials & Services	45,026,244	51,795,617	49,746,066	-4.0%
Capital Outlay	1,680,796	2,730,610	2,311,670	-15.3%
Debt Service	28,655,215	3,823,536	3,229,579	-15.5%
Transfers	3,999,023	4,167,887	3,582,991	-14.0%
Contingency	0	6,027,571	8,297,521	37.7%
Unappropriated Balance	29,431,460	11,978,552	13,915,873	16.2%
TOTAL REQUIREMENTS	112,882,621	85,657,487	86,701,333	1.2%
TOTAL FTE	103.28	104.3	102.95	-1.3%

SOLID WASTE REVENUE FUND RESOURCES

RESOURCES	FY 92-93 ACTUAL	FY 93-94 ADOPTED BUDGET	FY 94-95 PROPOSED BUDGET	% CHANGE
Fund Balances	28,115,582	25,465,337	26,596,332	4.4%
St. Johns Closure	18,652,164	13,031,671	11,114,745	-14.7%
Renewal & Replacement	1,291,571	1,527,571	2,197,541	43.9%
Metro Central Construction	1,190,976	130,000	0	-100.0%
Metro Central Reserve	2,842,218	2,842,218	2,912,948	2.5%
Metro Central Debt	1,082,006	1,377,439	1,469,033	6.6%
General Account	3,056,647	6,556,438	8,902,065	35.8%
Grants	244,899	200,000	0	-100.0%
Refuse Disposal Charges	404,381	330,026	1,072,298	224.9%
Disposal Fees	25,267,146	24,490,577	25,883,606	5.7%
User Fees	23,177,763	22,704,075	23,536,566	3.7%
Regional Transfer Charge	6,027,871	5,800,631	4,762,806	-17.9%
Rehab & Enhancement	204,811	166,225	171,859	3.4%
Host Fees	184,325	259,398	264,040	1.8%
Tire Disposal Fee	25,003	54,195	53,695	-.9%
Yard Debris Disposal Fee	79,332	162,105	80,306	-50.5%
Franchise Fees	2,429	2,502	2,629	5.1%
DEQ Fees	884,711	861,482	743,197	-13.7%
Refrigeration Disposal Fee	12,586	52,034	29,827	-42.7%
HHW Disposal Fees	0	0	115,675	
Fines and Forfeits	1,929	25,000	25,000	.0%
Interest	1,008,193	1,700,000	735,015	-56.8%
Finance Charge	33,651	100,000	103,000	3.0%
Pass Through Debt	25,900,757	933,013	350,000	-62.5%
Miscellaneous Revenue	1,191,660	213,000	103,000	-51.6%
Revenue Bond Proceeds	0	1,919,419	1,919,419	.0%
Other	115,592	218,468	153,063	-29.9%
TOTAL	112,882,621	85,657,487	86,701,333	1.2%

PROPOSED FY 94-95 SOLID WASTE REVENUE FUND BUDGET

Major Policy Issues

The following are major policy issues identified during a preliminary review of programs funded through the Solid Waste Revenue Fund.

REVENUE ISSUES:

Solid Waste Disposal Rates

- Maintaining the current \$75/ton fee, with changes in component fees
- Rate buy-down in future years through creation of a rate stabilization account
- Changes in the self-haul rate (minimum rate increases from \$19 to \$25, with a 25% rebate for a covered load)
- Need for other fees (tire disposal, refrigeration) to cover program costs

Pelletizer at Metro Central

- Council policy related to potential Metro purchase
- Will economic and operational data be available should Metro have to make a purchase decision in October, when the operating contract could be rebid
- Purchase options

Tonnage Estimates

- Tonnage estimates in the proposed budget appear to be lower than the estimates for tonnage during the current fiscal year

Contingency/Unappropriated Balance

- Total of all contingency/unappropriated balance accounts proposed to increase by \$4.2 million (22%)
- Creation and Purpose of a Rate Stabilization Account

EXPENDITURE ISSUES

Operations Contracts At Metro Central and Metro South

- Both operating contracts are subject to rebid or extension during FY 94-95
- Proposed budget assumes that operating costs will remain the same at both facilities
- Staff Exploring Several Options Including:
 - Rebidding One or Both Contracts
 - Rebidding Both Facilities as a Single Bid
 - Negotiating Changes in Existing Contracts

Potential Shift of Waste From Metro South to Metro Central

- Operations and transportation costs in the budget does not reflect any shift in waste from Metro South to Metro Central
- Staff has indicated that it is working on a plan to divert between 60-70,000 tons/yr. from Metro South to Metro Central

Oregon Waste Systems Contract Amendment

- Budget does not reflect any fiscal impact for any amendment that might be approved

Existing Programs

- Shift in Emphasis of Regional and Local Recycling Programs from residential to commercial, construction demolition and yard debris programs
- Administration of RIC/Recycling Education Programs
- Proposed Renewal of Enforcement Contract with Multnomah County Sheriffs Office and the Council's need for information on costs and benefits of existing program

New Programs

- Budget Proposes a Collection and Disposal Program for CEG Wastes That would cost \$632,000, but be self-supporting. Little information is provided concerning size, scope or purpose of program

- Initial Implementation of New Strategies Related to Organic Wastes. Council has not yet approved the specifics of this program.
- HHW Collection System in the eastern and western portions of the watershed. Metro approved plans call for the establishment of some type of mobile collection capacity in these areas. The proposed budget calls for the continuation of the present program of periodic one-day collection events

Challenge Grants

- Budget Proposes increase of \$100,000 (from current \$350,000 to \$450,000). Council may wish to address need and purpose of increase and whether increased funds should or designated for specific purposes.

Staffing

- Council may wish to give direction concerning maximum or acceptable levels of salary increase for rep and non-rep employees. In a small number of cases, increases in proposed budget appear to be more than 10% greater than the amount in the 93-94 approved budget.
- Several department divisions appear to be shifting or expanding the focus of their work. For example, waste reduction activities are shifting from residential to commercial, additional engineering and monitoring resources are being directed to the St. Johns Landfill, and the planning and technical services division appears to be expanding its data gathering and analysis capacity. A budgetary review of the apparent reallocation of staff in these divisions may be appropriate.

St. John's Landfill

- Actual Annual Contribution to Closure Account appears to be \$100,000 than originally estimated
- Status of ongoing negotiations with DEQ regarding the closure plan and their potential impact on closure costs
- Status of the Tri-State contract which was bid at about \$3 million less than the estimated cost for the work

SOLID WASTE DEPARTMENT

(by Division)

<i>RESOURCES</i>	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
Administration	507,175	606,538	645,471	6.4%
Budget & Finance	1,229,111	1,445,177	1,469,475	1.7%
Operations	37,858,243	40,754,652	42,532,899	4.4%
Engineering	712,321	875,613	943,156	7.7%
Waste Reduction	1,798,176	1,461,137	1,775,365	21.5%
Planning & Technical Srvcs	518,708	861,438	905,467	5.1%
RIC & Education	500,558	577,276	591,366	2.4%
<i>TOTAL</i>	<i>43,124,292</i>	<i>46,581,831</i>	<i>48,863,199</i>	<i>4.9%</i>

REHABILITATION AND ENHANCEMENT FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	1,999,232	2,328,577	2,279,524	-2.1%
Grants	0	0	0	0.0%
Property Taxes	0	0	0	0.0%
Excise Tax	0	0	0	0.0%
Enterprise Revenue	0	0	0	0.0%
Intergovernmental Transfer	0	0	0	0.0%
Donations & Bequests	0	0	0	0.0%
Dues	0	0	0	0.0%
Bond Proceeds	0	0	0	0.0%
Interest	120,029	90,001	55,500	-38.3%
Interfund Transfers	464,065	425,623	435,889	2.4%
Other	0	0	0	0.0%
TOTAL RESOURCES	2,583,326	2,844,201	2,770,913	-2.6%
REQUIREMENTS				
Personal Services	0	0	0	0.0%
Materials & Services	376,381	686,918	918,637	33.7%
Capital Outlay	0	0	0	0.0%
Debt Service	0	0	0	0.0%
Transfers	19,038	39,048	42,253	8.2%
Contingency	0	419,533	150,000	-64.2%
Unappropriated Balance	2,367,619	1,698,702	1,660,033	-2.3%
TOTAL REQUIREMENTS	2,763,038	2,844,201	2,770,923	-2.6%
TOTAL FTE	0	0	0	0.0%

PLANNING FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 BASE BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE BASE BUDGET</i>	<i>% CHANGE PROPOSED BUDGET</i>
RESOURCES						
Fund Balance	175,517	335,000	92,663	92,663	-72.34%	-72.34%
Grants	3,147,932	9,555,470	8,408,662	8,408,162	-12.00%	-12.01%
Excise Tax	1,910,189	1,786,271	1,639,290	2,298,891	-8.23%	28.70%
Enterprise Revenue	644,692	247,500	268,374	214,500	8.43%	-13.33%
Donations & Bequests	1,500	50,000	0	0	-100.00%	-100.00%
Dues	583,847	597,563	0	600,000	-100.00%	0.41%
Interest	0	15,000	0	0	-100.00%	-100.00%
Interfund Transfers	249,646	324,125	340,200	265,325	4.96%	-18.14%
Other	991	56,000	50,000	50,000	-10.71%	-10.71%
TOTAL RESOURCES	6,714,314	12,966,929	10,799,189	11,929,541	-16.72%	-8.00%
REQUIREMENTS						
Personal Services	3,010,355	3,980,685	3,381,835	4,057,769	-15.04%	1.94%
Materials & Services	2,330,836	6,923,002	5,185,336	5,391,501	-25.10%	-22.12%
Capital Outlay	51,732	39,500	0	11,000	-100.00%	-72.15%
Transfers	1,061,684	1,437,567	1,885,217	2,093,195	31.14%	45.61%
<i>Support Services</i>	<i>808,680</i>	<i>1,005,862</i>	<i>1,348,360</i>	<i>1,484,103</i>	<i>34.05%</i>	<i>47.55%</i>
<i>Building Management</i>	<i>227,578</i>	<i>275,152</i>	<i>502,807</i>	<i>575,042</i>	<i>82.74%</i>	<i>108.99%</i>
<i>Risk Management</i>	<i>25,426</i>	<i>156,553</i>	<i>34,050</i>	<i>34,050</i>	<i>-78.25%</i>	<i>-78.25%</i>
Contingency	0	485,175	346,801	376,076	-28.52%	-22.49%
Unappropriated Balance	259,707	101,000	0	0	-100.00%	-100.00%
TOTAL REQUIREMENTS	6,714,314	12,966,929	10,799,189	11,929,541	-16.72%	-8.00%
TOTAL FTE	68.85	71.1	55.5	68.5	-21.94%	3.66%

PROPOSED FY 94-95 PLANNING FUND

Major Changes / Issues

REVENUE

- **Significant decrease in revenue.** Revenues for the base budget, which anticipates a 6% excise tax level and no local government dues, is nearly 17% below FY 93-94 adopted budget. The proposed budget, which anticipates a 7% excise tax and full participation for a voluntary local government dues assessment, is 8% below FY 93-94.
- **Upcoming budget amendment.** The department is about to receive or has received a significant increase in federal grant money that is over what was anticipated for FY 93-94. This money is for high capacity transit. A budget amendment will be before the Council shortly requesting personal services increases that total \$57,344. Remaining parts of the request are unknown at this time because the amendment is in the process of being prepared. The staff increases are reflected in the base and proposed budgets. Under the amendment two existing Senior Regional Planners (Meyer and Whitehall-Baziuk) become Program Supervisors and an existing Management Technician position, now vacant, is upgraded to Assistant Management Analyst level. Also, an Associate Transportation Planner, two Assistant Transportation Planners, and a Secretary are added for the remainder of the fiscal year for a collective total of 1.0 FTE.

EXPENDITURES

- **Reductions in staff.** Significant reductions in staff are anticipated in the base budget which reduces the staff by nearly 22% or 15.6 FTE. These reductions include: Administration Section, 1.7 FTE; Data Resource Center Section, 5.5 FTE; Travel Forecasting, 3 FTE; Transportation Planning Section, 1 FTE; and Growth Management Section, 9 FTE. Only the High Capacity Transit Section has an increase of 4 FTE. The proposed budget restores all but 2.6 FTE but redistributes staff assignments. The following table details the change in funding and staffing levels under all three scenarios:

<u>DIVISION/Section</u>	<u>FY 93-94</u>	<u>Base Budget</u>	<u>Proposed Budget</u>
Administration	\$521,310 9.7 FTE	\$1,010,459 8.0 FTE	\$1,112,356 11.0 FTE
TECHNICAL SERVICES:			
Data Resource Center	1,345,600 14.5 FTE	859,200 9.0 FTE	1,093,999 11.0 FTE
Travel Forecasting	1,928,983 11.0 FTE	1,152,670 8.0 FTE	1,315,087 10.0 FTE
TRANSPORTATION:			
Transportation Planning	1,865,786 8.0 FTE	1,393,970 7.0 FTE	1,500,987 8.0 FTE
High Capacity Transit	3,404,400 10.5 FTE	4,351,890 14.5 FTE	4,362,115 14.5 FTE
GROWTH MANAGEMENT:	3,900,849 15.0 FTE	2,031,000 6.0 FTE	2,545,000 11.0 FTE
Total	\$12,966,929 71.1 FTE	\$10,799,189 55.5 FTE	\$11,929,544 68.5 FTE

- Further impact on Administration Section:
 - Contract development will be slow
 - Contract compliance reviews less frequent
 - Billings will be delayed and reports not filed in a timely manner
 - Secretary support service will be inadequate
 - Federal lobbying efforts will need contractual support
 - There is a one-third reduction in personal computer support services, software and supplies.
- Further impact on Data Resource Center Section:
 - Elimination of \$15,000 for aerial photography
 - No FTE remaining for RLIS maintenance which will result in RLIS rapidly falling behind the pace of development and becoming outdated
 - Socio-economic databases and publishing reports documenting growth trends and providing research services reduced significantly
 - \$45,000 for collection of building permit and land development records eliminated
 - \$12,500 for the annual household survey used to update the key census variables eliminated and Annual Household Survey will not be conducted

Staffing reassignments of existing staff to manage annual updates of basic items

- DRC counter support eliminated affecting services to local jurisdictions, ODOT, and Greenspaces
- Local jurisdictions billed for costs of all services
- Severe restrictions to necessary new programming needs (e.g., 2040 Phase II, the earthquake preparedness project, and transportation surveys and LRT station area planning for the Westside)
- Loss of ability to operate Metro econometric model and its application for planning, economic development and analysis
- Restriction on ability to produce forecasts and growth simulations
- No computer upgrades

● Further impact on Travel Forecasting Section:

- Credibility of model may be in jeopardy if completion of analysis of household activity data take 3-4 years
- Restrictions in implementation of an enhanced regional count program
- Loss of material and services funds contributing toward purchase of an ARC/INFO and GRID license
- Restricts local government users use of PL or Section 8 funds and local match for STP funds

● Further impact on Transportation Planning Section:

- Restriction in ability to provide ODOT and local jurisdictions essential funding information to better schedule project implementation activities
- Restriction in providing comprehensive public involvement activities and improved public responsiveness
- Relinquishing Transportation Improvement Program coordination with Metro area jurisdictions responsibilities to ODOT
- Restricts ability to provide coordination between ODOT and local jurisdictions for development of safety, bridge and pavement management systems

● Further impact on High Capacity Transit Section:

- Reduces dues, software, travel and training

● Further impact on Growth Management Section:

- Reduction in management and coordination abilities
- Section Manager is upgraded to Senior Manager level
- Reduction in staff support for Future Vision effort, particularly public involvement
- Severe restriction in Urban Reserves program

- Only minimal activity to coordinate housing density with UGB and Urban Reserves program that will not lead to the adoption of the housing density element of the Regional Framework Plan
- Eliminates Water Supply Sources program completely
- Water Quality Planning reduced to bare legal minimum
- Elimination of Water Resource Policy Advisory Committee because of inability of staff response
- Reduces support development of a computerized regional emergency resources system and integration into Metro's RLIS database

- Proposed budget: The proposed budget anticipates excise tax revenue at a 7% level and full receipt of a voluntary local government dues assessment. While the excise tax level is fully within the control of the Council, local government dues are not. If the reaction at JPACT and MPAC is any indication of the sentiment of the local jurisdictions, full participation is very uncertain. There continues to be issues raised by some of the smaller jurisdictions, the City of Gresham, Clackamas and Washington County representatives linking this decision to the Council's decisions regarding the new and old building and Councilor salaries. Also strongly referenced is the belief that last year's participation was meant to be a "one-time" event. Also strongly noted is the fear that if the local jurisdictions continue to agree for "yet one more year" that Metro will never seek a stable source of funding for planning.

Attached is a table that illustrates by program the amount of discretionary excise tax (at 7% level) and voluntary local government dues, with full participation, added back under the proposed budget.

- Decision (Add) Packages: Four decision add packages were presented by the Executive Officer at the last Council meeting that are to be considered with the proposed budget. The four packages collectively need an additional \$340,000 of excise tax revenue. This could be accomplished by raising the excise tax by 0.49%. The four decision packages are in descending order of priority as follows:
 - Restoration of 2.0 FTE in Data Resource Center for RLIS Maintenance (\$120,000)
 - Restoration of 1.0 FTE in Data Resource Center for Data Services and Maintenance; research services for planning and transportation programs and socio-economic database maintenance (\$85,000)
 - Addition of 1.0 FTE to Travel Forecasting Section for Survey and Research; household activity data (\$70,000)
 - Addition of 1.0 FTE Assistant Regional Planner in Growth Management Section for Emergency Management freeing existing staff for work on Charter

implementation assignments (\$85,000)

- Funding level dilemma: Under the 1992 Metro Charter, planning is the primary focus of Metro as an agency. New requirements were placed on this agency to carry out this mandate - all anticipating receipt of a new revenue source to provide a stable source of funding for planning. In my opinion, the base budget, with its 22% reduction in staff and 17% reduction in funding, does not come even close to accommodating the needs anticipated by the Charter. The proposed budget provides more assistance, with an 8% funding reduction over current levels.

Whether the proposed budget adequately addresses the requirements of the Charter is open to question. The Charter states: "The Council shall (emphasis added) appropriate funds sufficient to assure timely (emphasis added) completion of those (planning) functions." Largely these are questions of timing and degree but I anticipate a strong argument that the proposed budget level is not sufficient to the requirements. Here are some of the questions you should consider as you deliberate on the adequacy of funding for the Planning Department at a 7% excise tax and full dues level:

- At what point in time should the individual components of the Regional Framework Plan, which must be adopted by Dec. 31, 1997, be completed? This fiscal year? Next?
- How much "local government coordination" is adequate? Or, how do we mandate the changes in comprehensive plans for local governments, that will be part of the regional framework plan, without greater staff support at Metro to extensively examine current comprehensive plans?
- Are we paying enough attention to "public involvement" needs identified under ISTEA? For Future Vision and Region 2040? And if not, can we afford to?
- Are we coordinating enough with Clark County, Washington? What about the high speed rail issue?
- Are resources adequate to complete the Region 2040 decision package at the level discussed at the Saturday work session last month?

As you direct your analysts to recommend cuts to "down-size" this agency, you may want to give special guidance regarding the Planning Fund. If down-sizing this department is appropriate in your mind, then a characterization of what level of down-sizing is what is needed today.

PLANNING FUND ADD-BACKS UNDER PROPOSED BUDGET

Section	Program	Amount	Sub-Total
ADMINISTRATION	Mgmt. & Coordination	\$92,000	\$101,897
	PC Support	\$5,000	
	Federal Lobbyist	\$15,000	
	Other Requirements	(\$10,103)	
DATA RESOURCE CENTER	Database Maintenance	\$90,375	\$354,875
	Forecasts & Modeling	\$81,500	
	RLIS Maintenance & Dev.	\$28,725	
	RLIS Support	\$86,250	
	Mgmt. & Coordination	\$68,025	
TRAVEL FORECASTING	Surveys & Research	\$20,330	\$109,419
	Trans. System Monitoring	\$40,000	
	Model Refinements	\$9,950	
	Technical Assistance	\$38,439	
	Materials & Services	\$700	
TRANSPORTATION PLANNING	Regional Transportation Plan	\$7,000	\$169,185
	Transp. Improvement Plan	\$65,000	
	Urban Arterial	\$12,000	
	Congestion Management	\$18,000	
	Willamette Crossing	\$35,000	
	Transportation Demand Mgmt.	\$2,670	
	Air Quality	\$2,000	
	Mgmt. Plan Coordination	\$17,400	
	Materials & Services	\$10,115	
HIGH CAPACITY TRANSIT	Materials & Services	\$10,225	\$10,225
GROWTH MANAGEMENT	2040 Phase II	\$6,000	\$514,000
	Future Vision	\$88,000	
	Urban Reserves	\$89,000	
	UGB Administration	(\$6,000)	
	Housing Density	\$189,000	
	Mgmt. & Coordination	\$81,000	
	Water Supply	\$52,000	
	Emergency Management	\$15,000	
TOTAL		\$1,259,601	\$1,259,601

REGIONAL PARKS AND EXPO FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance		187,372	329,965	76.1%
Grants		1,057,600	873,683	-17.4%
Enterprise Revenue		2,902,298	3,396,990	17.0%
Intergov'tl Transfer		169,259	416,300	146.0%
Donations & Bequests		5,500	0	-100.0%
Interest		41,151	26,726	-35.1%
Interfund Transfer		779,872	525,524	-32.6%
Other		225,348	114,637	-49.1%
TOTAL RESOURCES	0	5,368,400	5,683,825	5.9%
REQUIREMENTS				
Personal Services		1,978,484	2,152,822	8.8%
Materials & Services		2,495,947	2,182,921	-12.5%
Capital Outlay		233,415	517,236	121.6%
Transfers	0	548,554	612,737	11.7%
<i>Support Services</i>		370,554	338,390	-8.7%
<i>Building Management</i>		30,000	94,238	214.1%
<i>MERC Administration</i>		70,000	73,500	5.0%
<i>Other</i>		78,000	106,609	36.7%
Contingency		112,000	165,097	47.4%
Unappropriated Balance		0	53,012	n/a
TOTAL REQUIREMENTS	0	5,368,400	5,683,825	5.9%
TOTAL FTE		51.65	55.3	7.1%

PROPOSED FY 94-95 REGIONAL PARKS AND EXPO FUND

Major Changes/Issues

Overview

The major change is the existence of this Fund and the Regional Parks and Greenspaces Department, effective January 1, 1994. For purposes of this discussion, I will separate the activities of this department from Expo Center operations, which are managed by MERC. I also use the base budget numbers, rather than the proposed budget. The difference is \$40,020.

REGIONAL PARKS & GREENSPACES

Resources

Total resources are \$4.1 million, a 7.4% increase over 93-94. This includes a \$400,000 "Expo subsidy," which is listed in the Department's budget submittal but does not track through the Expo budget.

Other significant revenue points:

- Transfer of \$466,000 from the Multnomah County Natural Areas Fund (\$0 in 93-94). This is itemized as enterprise revenue because it's listed as "contract revenue."
- Enterprise revenues increase 21.2%, from \$1.56 million to \$1.89 million. This figure includes the \$466,000 transfer noted above; without this transfer, enterprise revenues show a decrease of 8.6%.
- Intergovernmental revenues increase from \$169,000 to \$416,000, almost exclusively from an increase in R.V. registration fee revenue that passes through Multnomah County.
- Grant revenues are down, reflecting expenditures of U.S. Fish & Wildlife grants from prior years.
- Interfund transfers are down, as the General Fund transfer is reduced by \$150,000 and a \$114,000 transfer from the Planning Fund is not continued.

Overall, it is difficult to track the revenues generated by the Multnomah County facilities, separate from revenues generated by (or dedicated to) the Greenspaces program. I will request clarification of this revenue split from the Department in the course of the budget process.

Expenditures

Operating expenditures increase marginally (1.8%), without including transfers and contingency. Personal Services increases 3.8%; Materials & Services is down \$300,000 (15%), while Capital Outlay increases \$300,000 (470%). A comparison of interfund transfers would be misleading at this point because transfers are budgeted at the Fund level, not by

program, and because there is not enough history to draw valid conclusions. The major readily identifiable change in expenditures is some \$300,000 set aside for land purchases, using money from the Natural Areas Trust Fund.

EXPO CENTER

Resources

Budgeted resources show an increase of \$33,000 (2.1%), to total \$1.58 million. No fund balance is separated for Expo, so I can't tell how much money is carried over from the County. There are also no interest earnings budgeted. The three major revenue categories of rental, concessions, and parking show significant increases (an aggregate increase of \$163,000, or 12%), while the "other" category decreases 54.5%. Some further justification of the shifts in revenues will be requested.

Expenditures

Personal Services increases \$113,000 (30%), with an increase from 8.5 to 11.7 FTE (38%). Materials & Services decreases slightly, and Capital decreases 10%. Total operating expenditures increase 7.1%.

Beyond the basic numbers, there are several questions that arise regarding where the Expo money goes. The issue of fund balance and interest earnings has already been raised. In addition, there is a discrepancy in budgeted figures for Unappropriated Balance: MERC's budget worksheets for Expo show an unappropriated balance of \$155,715, while the proposed budget has only \$55,715 in that category for the entire Fund.

Issues

The Fund and management structures established to assimilate the Multnomah County facilities contain a number of administrative problems that need to be worked out. It is awkward to split the management of this Fund between MERC and the Regional Parks and Expo Department, as shown in the discrepancy in the unappropriated balance figures. It would also be helpful to have clearer documentation of the sources of funds, between the Multnomah County facilities and programs and the Greenspaces programs. This issue was alluded to at the Regional Facilities Committee's briefing from the Department, where Councilors questioned the emphasis on the programs of the facilities in Multnomah County. Also, it should be determined whether the significant shifts in major revenue sources are attributable to normal fluctuations resulting from the transfer of programs from Multnomah County, or are some of these sources actually volatile?

The principal issue, however, is the question of finding funds for greenspaces acquisition and ongoing operations for the parks and open spaces. Work is actively proceeding on this question, and a determination of whether - and when - to put forth a bond measure should be made late this fiscal year or early in 94-95.

A final issue for the budget process is the proposed add packages in the budget. There are four "restore packages" totalling \$40,000 in the Fund's budget, which represent the difference between the "base" and "proposed" budgets. There are also five "add" or "decision" packages totalling \$189,000, representing additions above the proposed budget. These will be determined in the budget process.

SMITH & BYBEE LAKES TRUST FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	1,987,040	1,289,064	3,328,952	158.2%
Grants	0	140,000	65,000	-53.6%
Intergov'tl Transfers	0	1,300,000	0	-100.0%
Donations & Bequests	0	47,000	0	-100.0%
Interest	76,800	48,000	87,201	81.7%
Interfund Transfer	15,045	18,700	24,601	31.6%
Other	83	0	0	0.0%
TOTAL RESOURCES	2,078,968	2,842,764	3,505,754	23.3%
REQUIREMENTS				
Personal Services	56,665	65,623	82,652	-83.6%
Materials & Services	71,415	504,950	161,230	-68.1%
Capital Outlay	313,289	450,000	221,000	-50.9%
Transfers	5,000	18,700	25,429	36.0%
Contingency	0	80,000	13,717	-82.9%
Unappropriated Balance	1,632,599	1,723,491	3,001,726	74.2%
TOTAL REQUIREMENTS	2,078,968	2,842,764	3,505,754	23.3%
TOTAL FTE		1	1.5	50.0%

SMITH & BYBEE LAKES TRUST FUND

Major Changes/Issues

Resources

The fund balance increases by \$2 million over 93-94 budget, and \$1.7 million over the actual 93-94 fund balance. The increase is \$1.6 million over the budgeted 93-94 ending fund balance. Other revenues decrease from 93-94, most notably \$1.3 million budgeted in 93-94 as "contract services (intergovernmental agreement):"

Expenditures

Personal Services increases with the requested addition of a half-time management intern at a cost of \$10,700. Materials & Services decreases 68%, with the reduction of Miscellaneous Professional Services from 485,000 to \$140,000. Capital Outlay decreases 50% to \$221,000. Contingency is down 83% from \$80,000 to \$13,700, and the unappropriated balance is budgeted at \$3 million.

Issues

There are no significant issues. Some line item changes will need further explanation, and the question of adding the half-time position will need to be discussed.

METROPOLITAN GREENSPACES FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Donations & Bequests	0	1,000,000	1,000,000	0.00%
TOTAL RESOURCES	0	1,000,000	1,000,000	0.00%
REQUIREMENTS				
Capital Outlay	0	1,000,000	1,000,000	0.00%
TOTAL REQUIREMENTS	0	1,000,000	1,000,000	0.00%
TOTAL FTE		0	0	0.00%

PROPOSED FY 94-95 METROPOLITAN GREENSPACES FUND

Major Changes/Issues

This Fund was created in FY 1991-92 for acquisition of open spaces using money raised through a bond measure or major capital contributions. It has not yet received such funds, but is being held in case such funds are raised. Budgeted appropriation is \$1 million, dependent on funding.

REGIONAL PARKS TRUST FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance			297,516	
Interest			10,803	
Other			70,000	
TOTAL RESOURCES	0	0	378,319	
REQUIREMENTS				
Personal Services	0		0	
Materials & Services			65,988	
Capital Outlay			0	
Transfers			3,960	
Unappropriated Balance			308,371	
TOTAL REQUIREMENTS	0	0	378,319	
TOTAL FTE		0	0	

Casey Short

PROPOSED FY 94-95 REGIONAL PARKS TRUST FUND BUDGET

Major Changes/Issues

This new Fund comes over from Multnomah County with the transfer of the parks. It contains four accounts dedicated to specific programs. Budgeted expenditures from the accounts are quite small, and there are no issues to raise. A discussion of the specifics of the Fund will be included in staff's Phase I review.

MERC ADMINISTRATION FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	0	0	0	
Interest	7,419	8,000	6,500	-18.8%
Interfund Transfer	739,868	619,740	633,612	2.2%
Other	333	0	0	
TOTAL RESOURCES	747,620	627,740	640,112	2.0%
REQUIREMENTS				
Personal Services	738,602	500,240	487,462	-2.6%
Materials & Services	9,018	47,500	112,650	137.2%
Capital Outlay	0	0	0	
Contingency	0	80,000	40,000	-50.0%
Unappropriated Balance	0	0	0	
TOTAL REQUIREMENTS	747,620	627,740	640,112	2.0%
TOTAL FTE		8.5	7.5	-11.8%

PROPOSED FY 94-95 MERC ADMINISTRATION FUND BUDGET

Major Changes/Issues

Resources

Funding for the MERC Administration Fund comes almost exclusively from transfers from other MERC Funds. Total resources increase slightly (2%), with increases in transfer amounts coming from the Convention Center (10.3%) and Expo (5.0%), and a decrease from Spectator Facilities (-9.2%).

Consistent with a Budget Note in the 93-94 budget, MERC has developed a methodology for calculating the transfers to this Fund. The exception is the Expo transfer, which has no history on which to base a transfer amount. Expo's transfer was simply increased 5% over 93-94, with the expectation that a basis for the transfer will be included in 1995-96.

Expenditures

Total budgeted expenditures increase 2% above 1993-94, including contingency. Without contingency, the increase is 9.6%.

Personal Services expenditures are reduced 2.5%, reflecting the elimination of one Accountant position. Total FTE are reduced from 8.5 to 7.5. The 94-95 personnel budget for this Fund represents considerable stability in comparison with the prior year, when the structure of MERC's administrative operation was in flux, awaiting a new General Manager.

Materials & Services increase 137%, from \$47,500 to \$112,650. MERC explains this increase by saying this is a more realistic calculation of these costs than in prior years. This explanation is plausible on its face, though we should see some corresponding reductions in relevant expenditures in the constituent Funds.

Contingency is budgeted at \$40,000, a 50% reduction from 93-94. The 93-94 amount, however, included \$10,000 for the original contingency amount plus \$70,000 from Expo. The Expo amount was placed in Contingency because the transfer of the facility was not complete when the budget was adopted. Since there has never been an expenditure from this Fund's contingency, the \$40,000 amount may be subject to reduction.

OCC OPERATING FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	6,469,663	6,795,416	8,202,133	20.7%
Enterprise Revenue	6,223,946	6,269,636	7,008,787	11.8%
Interest	260,993	275,000	285,657	3.9%
Intergov't Transfer - Hotel tax	3,823,297	3,720,000	4,180,000	12.4%
TOTAL RESOURCES	16,777,899	17,060,052	19,676,577	15.3%
REQUIREMENTS				
Personal Services	2,672,238	3,126,813	3,584,037	14.6%
Materials & Services	4,990,939	6,142,647	5,980,334	-2.6%
Capital Outlay	187,168	248,000	370,000	49.2%
Transfers	753,222	1,170,142	2,459,830	110.2%
Support Services	315,726	452,805	515,428	13.8%
Building Management	0	40,500	54,336	34.2%
MERC Administration	232,036	313,351	345,511	10.3%
OCC Renewal/Replacement	0	178,000	1,400,000	686.5%
Other	185,486	185,486	144,555	-22.1%
Contingency	0	500,000	475,000	-5.0%
Unappropriated Balance	8,174,332	5,872,450	6,807,376	15.9%
TOTAL REQUIREMENTS	16,777,899	17,060,052	19,676,577	15.3%
TOTAL FTE		90.2	97.33	7.9%

PROPOSED FY 94-95
OREGON CONVENTION CENTER OPERATING FUND BUDGET

Major Changes/Issues

Resources

Budgeted resources are projected to increase 15.3% over 1993-94, but this amount of increase is misleading. The actual beginning fund balance in 1993-94 was \$8.17 million, some \$1.4 million higher than the budgeted figure.

Enterprise revenues are budgeted at 11.8% over 93-94 budgeted figures, and 12.6% over 92-93 actuals. We can expect the current year's earned revenues to be higher than budgeted, but the increase in such income is declining as the facility approaches capacity.

Hotel/motel tax revenues are projected at \$4.18 million, a 12.4% increase over 93-94 budget and a 9.3% increase over 92-93 actuals. The figure for 94-95 does not include the proposed diversion of \$600,000 in hotel/motel taxes to support the PCPA. If this reallocation is approved, we would see the OCC revenue figure decreased by this amount.

Expenditures

Personal Services shows an increase of 14.6%, with an FTE increase of 7.1 positions (7.9%). The only issue here would be whether increases in staff continue to be justified in light of the flattening of revenues.

Materials & Services shows a 2.6% decrease over the amount in the 93-94 amended budget. However, the current year's budget for this category includes the one-time payment of \$722,000 for the Convention Center Local Improvement District, which Council approved in October, 1993. Deducting this payment from the 93-94 budget shows an increase of 10.3% for next year.

Capital Outlay increases 49%, from \$248,000 to \$370,000. Some justification for this increase will be requested.

Transfers show a 110% increase. The principal cause is a requested transfer of \$1.4 million to the OCC Renewal & Replacement Fund, in an effort to get that reserve up to the target level of \$2.5 million as soon as possible. The increase of 13.8% in the Support Services transfer is large, and there is also an increase in the Building Management transfer related to Metro Regional Center garage use.

The Unappropriated Balance establishes a new "Business Stabilization & Facilities Planning Account" of \$4.2 million, which is intended as a reserve against economic downturns.

Overall, the 94-95 budget shows a net loss of \$1.4 million in this Fund, which is, coincidentally, equal to the transfer to Renewal and Replacement. The Fund has no short-term problems, and management is prudently setting money aside for reserves. The long term picture is not quite so rosy, and will require careful oversight to ensure continued financial health.

SPECTATOR FACILITIES OPERATING FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	4,901,496	3,867,491	2,689,598	-30.5%
Enterprise Revenue	6,138,191	5,870,000	5,260,778	-10.4%
Interest	186,484	154,000	110,383	-28.3%
Interfund Transfer	200,000	0	0	0.0%
TOTAL RESOURCES	11,426,171	9,891,491	8,060,759	-18.5%
REQUIREMENTS				
Personal Services	3,846,579	4,043,979	3,965,886	-1.9%
Materials & Services	2,065,068	2,297,150	1,766,059	-23.1%
Capital Outlay	384,242	530,000	250,000	-52.8%
Transfers	608,977	668,157	626,980	-6.2%
Support Svcs	212,616	290,186	320,231	10.4%
Building Management	0	0	0	0.0%
MERC Administration	239,532	236,389	214,601	-9.2%
Other	156,829	141,582	92,148	-34.9%
Contingency	0	305,037	182,000	-40.3%
Unappropriated Balance	4,521,305	2,047,168	1,269,834	-38.0%
TOTAL REQUIREMENTS	11,426,171	9,891,491	8,060,759	-18.5%
TOTAL FTE		129.25	126.72	-2.0%

CIVIC STADIUM

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE BUDGET</i>
RESOURCES				
Fund Balance	1,633,832	1,392,296	893,230	-35.8%
Enterprise Revenue	1,766,930	2,320,000	1,610,720	-30.6%
Interest	72,837	50,000	35,383	-29.2%
TOTAL RESOURCES	3,473,599	3,762,296	2,539,333	-32.5%
REQUIREMENTS				
Personal Services	537,014	654,861	587,478	-10.3%
Materials & Services	1,096,325	1,399,435	1,032,429	-26.2%
Capital Outlay	76,884	350,000	250,000	-28.6%
Transfers	156,475	230,130	145,757	-36.7%
Support Svcs		97,416	74,207	-23.8%
Building Management		0	0	
MERC Administration		87,647	50,295	-42.6%
Other		45,067	21,255	-52.8%
Contingency	0	100,000	82,000	-18.0%
Unappropriated Balance	1,606,901	1,027,870	441,669	-57.0%
TOTAL REQUIREMENTS	3,473,599	3,762,296	2,539,333	-32.5%
TOTAL FTE		20.28	16.88	-21.7%

PERFORMING ARTS CENTER

	<i>FY92-93 ACTUAL</i>	<i>FY93-94 ADOPTED BUDGET</i>	<i>FY94-95 PROPOSED BUDGET</i>	<i>% CHANGE BUDGET</i>
RESOURCES				
Fund Balance	3,267,664	2,475,491	1,796,368	-27.4%
Enterprise Revenue	4,371,261	3,550,000	3,650,058	2.8%
Interfund Transfer	200,000	0	0	
Interest	113,647	104,000	75,000	-27.9%
TOTAL RESOURCES	7,952,572	6,129,491	5,521,426	-9.9%
REQUIREMENTS				
Personal Services	3,309,565	3,389,118	3,378,408	-0.3%
Materials & Services	968,743	897,715	733,630	-18.3%
Capital Outlay	307,358	180,000	0	-100.0%
Transfers	452,502	452,893	476,164	5.1%
Support Svcs		192,770	242,422	25.8%
Building Management		0	0	
MERC Administration		163,608	164,306	0.4%
Other		96,515	69,436	-28.1%
Contingency	0	205,037	100,000	-51.2%
Unappropriated Balance	2,914,404	1,004,728	833,224	-17.1%
TOTAL REQUIREMENTS	7,952,572	6,129,491	5,521,426	-9.9%
TOTAL FTE		108.97	110.84	1.7%

PROPOSED FY 94-95 SPECTATOR FACILITIES OPERATING FUND BUDGET

Major Changes/Issues

Resources

The Fund Balance continues to shrink. The reduction is \$1.2 million (30.5%) from budgeted 93-94 beginning balance, and \$1.8 million (40.5%) from the actual balance. Enterprise revenue at the Fund level is also down 10% from budget. Total resources are down next year 18.5% from budget.

CIVIC STADIUM - The loss of the Portland Beavers AAA baseball franchise has cut into the 1993-94 revenue stream and significantly affects projected 94-95 revenues. Current year's revenues will be down from budget (by an amount not yet determined), and next year's projections show reductions in the 30% range from 93-94 budget. These projections for 94-95 are based on the assumption that AAA baseball will be back in the spring of 1995, so the absence of baseball would make the revenue picture even worse.

PCPA - Enterprise revenues hold steady with 93-94 budget. The revenue problem at PCPA is that enterprise revenue cannot support the operations, and the fund balance declines. Even with mid-year reductions this year, PCPA will run \$1.3 million in the red.

Expenditures

Operating expenditures show a reduction of 12.3%, from \$7.54 million to \$6.61 million. Personal Services reductions are small (1.9%), with large reductions in Materials & Services (23%) and Capital Outlay (52.8%). Overall, the interfund transfers are down 6%, even with a 10% increase in the transfer to Support Services.

CIVIC STADIUM - All expenditure categories are down, ranging from a 10% decrease in Personal Services to a 37% decrease in Interfund Transfers. These reductions reflect the loss of AAA baseball, and as noted above, will be even greater if AAA baseball does not return in 1995.

Even with the reductions, half the fund balance allocated to Civic Stadium will be used in 94-95. The apparent conclusion here is that another year of status quo operations would exhaust the available resources. MERC management has advised the Regional Facilities Committee that a decision on AAA baseball will be made by the end of March, and MERC will return to the Council for further guidance on Stadium operations if there is not a commitment from the owner of the Calgary baseball team.

PCPA - Noteworthy changes in expenditures include:

Personal Services expenditures are static, and FTE's increase slightly (addition of 7 FTE in part-time staff offset reductions of 5 FTE in full-time).

The 18% decrease in Materials & Services is principally in the area of marketing and promotional activities.

No capital outlay is budgeted.

Interfund transfers increase 5%, including a 26% increase to Support Services.

ISSUES

The ongoing problem of funding the PCPA has now extended to Civic Stadium, with the loss of baseball. At current expenditure levels, the Spectator Facilities Fund will be exhausted by the end of 1995-96 (if not sooner). MERC is working to find additional revenues through a concert series at the Stadium and a number of alternatives

at PCPA identified in its business planning process. It is apparent, though, that these efforts won't be enough to sustain the facilities: a source of subsidy must be found.

There is a proposal being discussed which would culminate in Multnomah County amending its hotel/motel tax ordinance to allow \$600,000 to be dedicated to PCPA operations for three years. This money, in conjunction with parallel efforts to reduce the annual PCPA deficit to that \$600,000 amount beginning in 1995-96, is needed for PCPA, but there are still details to be worked out with the proposal. Among those are the questions of subsidy for the Stadium (or for making hotel tax funds available for the MERC system as a whole), and a potential restriction on transfer payments that is in the current proposal.

Civic Stadium is aging, and serious thought must be given to the question of how long it can stay open. Even if baseball returns, or another way is found to make ends meet, the \$1.3 million cost of replacing the artificial surface in the next few years now appears to be beyond MERC's or Metro's means.

In addition to the broader issues, there are a couple of short-term budget issues for 1994-95:

- Is it prudent to eliminate the capital budget for PCPA?
- Is it acceptable to concentrate the PCPA cuts on promotions and marketing? (Many of these cuts are being implemented in the current fiscal year.)
- Revenue projections and the capital budget at the Stadium are based on the presence of AAA baseball in 1995. Should the budget be based on such an uncertainty?

OCC RENEWAL AND REPLACEMENT FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance		0	690,000	N/A
Interest		27,000	25,000	-7.4%
Interfund Transfer		678,000	1,400,000	106.5%
TOTAL RESOURCES	0	705,000	2,115,000	200.0%
REQUIREMENTS				
Unappropriated Balance		705,000	2,115,000	200.0%
TOTAL REQUIREMENTS	0	705,000	2,115,000	200.0%
TOTAL FTE		0	0	

PROPOSED FY 94-95 OCC RENEWAL & REPLACEMENT FUND

Major Changes/Issues

Resources

The budgeted resources for this Fund increase 200% over 93-94, reflecting a large contribution of \$1.4 million from the Convention Center Operating Fund, and the carryover of existing funds from the current year.

Requirements

This Fund is a reserve for major capital replacement and improvements at the Convention Center. It is not going to be needed for this purpose in 1994-95, so all the money sits in the Unappropriated Balance.

Issues

None.

OCC PROJECT CAPITAL FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	4,522,822	2,640,000	1,371,260	-48.1%
Interest	154,044	60,000	47,995	-20.0%
Other	157,375	0	0	0.0%
TOTAL RESOURCES	4,834,241	2,700,000	1,419,255	-47.4%
REQUIREMENTS				
Personal Services	32,760	33,240	37,694	13.4%
Materials & Services	1,341,102	39,500	22,500	-43.0%
Capital Outlay	562,623	1,483,340	689,351	-53.5%
Transfers	93,094	605,920	49,710	-91.8%
Support Services	84,405	103,712	49,710	-52.1%
Building Management	7,117	0	0	0.0%
OCC Renewal/Replacement	0	500,000	0	-100.0%
Other	1,572	2,208	0	-100.0%
Contingency	0	0	100,000	n/a
Unappropriated Balance	2,804,662	538,000	520,000	-3.3%
TOTAL REQUIREMENTS	4,834,241	2,700,000	1,419,255	-47.4%
TOTAL FTE		0.5	0.5	0.0%

PROPOSED FY 94-95 CONVENTION CENTER PROJECT CAPITAL FUND

Major Changes/Issues

Resources

This Fund contains residual money from the bond issue and other funding sources used to pay for construction of the Convention Center. Resources consist solely of the fund balance and interest, and the Fund gets smaller every year as the money is used for eligible capital projects. Total resources are down 47%, reflecting expenditures on projects in 1993-94.

Expenditures

Personal Services is up 13%, although it covers the same FTE as last year. Materials & Services is reduced 43%, as some of the relevant expenditures were made on specific projects last year. The reduction also marks the change from Regional Facilities Department management to MERC management of the Fund, as MERC is not including many of the small line item costs here.

Capital Outlay is down 53.5%, reflecting the smaller fund balance which results from completion of certain purchases and projects. Interfund transfers are down 92%, with the major change being the elimination of a \$500,000 transfer to the OCC Renewal & Replacement Fund. This transfer was made as part of the complicated multi-Fund transfer to pay the Local Improvement District assessment early in FY 93-94.

The Fund includes a contingency of \$100,000, and an unappropriated balance of \$520,000, the latter being a reserve for a future arbitrage payment.

Issues

There are two issues with this Fund. The first concerns the LID payment made in 1993-94. Putting it as simply as I can, the OCC Operating Fund made the full payment of \$722,000, with the Capital Fund then transferring \$500,000 to the Renewal & Replacement Fund in an effort to partially cover the budgeted transfer to the R&R Fund. The difference of \$222,000 could probably be reimbursed to the Operating Fund with the money remaining in this Fund. The reason to do this would be to preserve flexibility, as the Capital Fund is restricted to certain expenditures, and the Operating Fund is more open.

The second issue is somewhat related. This Fund continues to have transfers to Support Services assessed, in amounts of \$66,000 in 93-94 and \$49,000 in 94-95. The sooner this Fund is spent out, leaving only the arbitrage reserve, the less it will have to pay out in transfers, resulting in bond proceeds going more directly for the purposes intended.

OCC PROJECT DEBT SERVICE FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	1,594,247	3,304,674	2,959,694	-10.4%
Property Taxes	5,647,910	4,954,680	5,425,210	9.5%
Other	29,561	0	0	
Interest	67,422	40,000	50,000	25.0%
TOTAL RESOURCES	7,339,140	8,299,354	8,434,904	1.6%
REQUIREMENTS				
Personal Services	0	0	0	
Materials & Services	0	0	0	
Capital Outlay	0	0	0	
Debt Service	3,924,401	5,530,803	5,542,640	0.2%
Unappropriated Balance	3,414,739	2,768,551	2,892,264	4.5%
TOTAL REQUIREMENTS	7,339,140	8,299,354	8,434,904	1.6%
TOTAL FTE		0	0	0.0%

PROPOSED FY 94-95 CONVENTION CENTER DEBT SERVICE FUND

Major Changes/Issues

Resources

Fund balance decreases 10%, from \$3.3 million to \$2.96 million. Property taxes increase 9.5%, from \$4.95 million to \$5.42 million.

Expenditures

The debt service payment is in accordance with the debt service schedule, and unappropriated balance must equal or exceed the payment scheduled for July 1. Fluctuations are small, reflecting marginal changes in interest earnings and property tax collections.

Issues

There are no real issues with this Fund. The only question I would raise is why the property tax levy is increasing \$470,000 over the prior year.

COLISEUM OPERATING FUND

	<i>FY 92-93 ACTUAL</i>	<i>FY 93-94 ADOPTED BUDGET</i>	<i>FY 94-95 PROPOSED BUDGET</i>	<i>% CHANGE</i>
RESOURCES				
Fund Balance	0	1,000,000	180,000	-82.0%
Enterprise Revenue	10,883,397	0	0	
Interest	60,935	0	0	
TOTAL RESOURCES	10,944,332	1,000,000	180,000	-82.0%
REQUIREMENTS				
Personal Services	3,092,967	0	0	
Materials & Services	6,327,756	1,000,000	180,000	-82.0%
Capital Outlay	72,542	0	0	
Transfers	693,137	0	0	
Support Svcs	251,513			
MERC Administration	268,300			
Other	173,324			
Contingency	0	0	0	
Unappropriated Balance	757,930	0	0	
TOTAL REQUIREMENTS	10,944,332	1,000,000	180,000	-82.0%
TOTAL FTE		0	0	

PROPOSED FY 94-95 COLISEUM OPERATING FUND BUDGET

Major Changes/Issues

Discussion

This Fund was created in 1993-94 to settle any outstanding liabilities from Metro's operation of Memorial Coliseum prior to its returning to City of Portland responsibility. Metro and the City agreed to reserve \$300,000 of Coliseum funds to pay such claims. Following closure of all outstanding claims, any remaining funds will be paid to the City.

Estimated beginning fund balance is \$180,000, which is appropriated in the Insurance line item.

There are a few questions to ask about the nature of settled and outstanding claims against this Fund, but there are no major issues for the Council to consider.

Council
3/24/94
4.1

MINUTES OF THE METRO COUNCIL

March 10, 1994

Council Chamber

Councilors Present: Presiding Officer Judy Wyers, Deputy Presiding Officer Ed Washington, Mike Gates, Sandi Hansen, Jon Kvistad, Ruth McFarland, Susan McLain, Rod Monroe, Terry Moore, George Van Bergen and Ed Washington

Councilors Absent: Roger Buchanan, Richard Devlin and Jim Gardner

Presiding Officer Wyers called the regular meeting to order at 4:04 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS

Donna Davis, citizen, 2930 SW Second Ave., Portland, testified on Metro's Region 2040 Program.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. CONSENT AGENDA

4.1 Minutes of February 24, 1994

REFERRED FROM THE REGIONAL FACILITIES COMMITTEE

4.2 Resolution No. 94-1912, For the Purpose of Correcting the Legal Description of Real Property Interests Transferred to Tri-Met to Allow Construction of the Westside Light Rail Line Including a Station to Serve the Metro Washington Park Zoo and Modifications to the Parking Lot

Motion: Councilor Moore moved, seconded by Councilor Monroe, for adoption of the Consent Agenda.

Councilor Moore asked that page 4, paragraph 3, of the February 24, 1994, minutes be corrected to read: "Mike Borreson, Washington County Department of Land Use and & Transportation, reviewed deed details and said the facility in question [~~would be deeded to the Tualatin Valley Recreation Association~~] could later be deeded to the Tualatin Hills Park & Recreation District if the District chose to accept it."

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was unanimous and the Consent Agenda was adopted with the minutes as corrected above.

5. ORDINANCES, FIRST READINGS

5.1 Ordinance No. 94-532, For the Purpose of Granting a Franchise to Pemco, Inc., For the Purpose of Operating a Petroleum Contaminated Soil Processing Facility and Declaring an Emergency

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-532 had been referred to the Solid Waste Committee for consideration.

5.2 Ordinance No. 94-533, For the Purpose of Amending Metro Code Sections 5.02.055 and 7.01.080 Relating to the Collection of User Fees and Excise Taxes from Franchised and Other Designated Solid Waste Facilities, and Declaring an Emergency

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-533 had been referred to the Finance Committee for consideration.

5.3 Ordinance No. 94-536, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding a Request from the North Portland Enhancement Committee to Provide Grants from the Rehabilitation and Enhancement Fund, North Portland Enhancement Account, for New Construction to Fund an Improvement Project at Delauney Family of Services and for Project Start-Up of the Multnomah Community Development Corporation; and Declaring an Emergency

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-536 had been referred to the Solid Waste and Finance Committees for consideration.

5.4 Ordinance No. 94-538, An Ordinance Amending Metro Code 2.06.030(b) and 2.06.030(b)(1); and Declaring an Emergency

The Clerk read the ordinance for a first time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-538 had been referred to the Finance Committee for consideration.

6. ORDINANCES, SECOND READINGS

6.1 Ordinance No. 94-531, For the Purpose of Amending Metro Code Chapter 5.02 to Adjust Disposal Fees Charged at Metro Solid Waste Facilities, Provide for Special Exemptions from Fees and Establish Covered Load Rebates (Public Hearing)

The Clerk read the ordinance for a second time by title only.

METRO COUNCIL

February 24, 1994

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Presiding Officer Wyers announced that Ordinance No. 94-531 was first read on February 24 and referred to the Solid Waste Committee for consideration. The Committee considered the ordinance on February 24 and referred it to the full Council for consideration.

Motion: Councilor McLain moved, seconded by Councilor Hansen, for adoption of Ordinance No. 94-531.

Councilor McLain gave the Solid Waste Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing.

No persons appeared to testify and the public hearing was closed.

Councilor Van Bergen said he did not approve of the \$25 deposit required and said the system had not been sensitive to self-hauler's needs as a whole.

Vote: Councilors Hansen, McFarland, McLain, Monroe, Moore, Washington and Wyers voted aye. Councilors Gates and Van Bergen voted nay. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 7/2 and Ordinance No. 94-531 was adopted.

6.2 Ordinance No. 94-522A, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule for the Purpose of Funding Legislative Increases in Elected Officials Salaries, Adding a Full Time Temporary Associate Analyst in the Council Department for the Remaining Year, and Declaring an Emergency

Motion: Councilor Monroe moved, seconded by Councilor Moore, to send Ordinance No. 94-522A back to the Finance Committee for additional work.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and the motion passed unanimously.

6.3 Ordinance No. 94-530, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding Outside Counsel Opinion on the Lease of Metro Center; and Declaring an Emergency (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-530 was first read on February 10 and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on February 23 and recommended it to the full Council for adoption.

Motion: Councilor Monroe moved, seconded by Councilor Gates, for adoption of Ordinance No. 94-530.

Councilor Monroe gave the Finance Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing.

No persons present appeared to testify and the public hearing was closed.

There was no Councilor discussion or questions.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and Ordinance No. 94-530 was adopted.

6.4 Ordinance No. 94-534, Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding Oregon Safety and Health Administration (OSHA) Required Safety Equipment; and Declaring an Emergency (Public Hearing)

The Clerk read the ordinance for a second time by title only.

Presiding Officer Wyers announced that Ordinance No. 94-534 was first read on February 10 and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on February 23 and recommended it to the full Council for adoption.

Motion: Councilor McLain moved, seconded by Councilor Moore, for adoption of Ordinance No. 94-534.

Councilor McLain gave the Finance Committee's report and recommendations.

Presiding Officer Wyers opened the public hearing.

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

Councilor Moore asked staff to report back if Metro did receive a grant to offset costs.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and Ordinance No. 94-534 was adopted.

7. RESOLUTIONS

7.1 Resolution No. 94-1922, For the Purpose of Extending the Contracts for Consultant Services Associated with the Completion of Tier I Alternatives Analysis for the South/North Corridor

Motion: Councilor Monroe moved, seconded by Councilor Gates, for adoption of Resolution No. 94-1922.

Councilor Monroe gave the Planning Committee's report and recommendations.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and Resolution No. 94-1922 was adopted.

Presiding Officer Wyers recessed the Metro Council and convened the Contract Review Board to consider Agenda Item No. 7.2.

7.2 Resolution No. 94-1914, For the Purpose of Authorizing an Exemption to Metro Code Chapter 2.04.060, Personal Services Contracts Selection Process, and Authorizing a Sole-Source Contract with Stop Oregon Litter and Vandalism (SOLV) for Sponsorship of the Annual "SOLV-IT" Cleanup Event on Saturday, April 23, 1994

Motion: Councilor Hansen moved, seconded by Councilor Gates, for adoption of Resolution No. 94-1914.

Councilor Hansen gave the Solid Waste Committee's report and recommendations.

Councilor Gates noted he had recorded a radio advertisement promoting the event.

Councilor Hansen gave statistics on the amount of garbage picked up in last year's event.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin, Gardner and Kvistad were absent. The vote was 9/0 and Resolution No. 94-1914 was adopted.

Presiding Officer Wyers recessed the Contract Review Board and reconvened the Metro Council.

7.3 Resolution No. 94-1915A, For the Purpose of Updating the Regional Solid Waste Management Plan to Include New Options for Managing the Region's Organic Waste

Motion: Councilor Monroe moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1915A.

Councilor Monroe gave the Solid Waste Committee's report and recommendations.

Councilor Moore asked if there were problems with defining zoning codes for recycling facilities and asked if there would be an attempt to make zoning codes compatible on a regional basis. The Council briefly discussed the issues. Councilor Moore encourage the Solid Waste Committee to review the issues with local jurisdictions.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1915A was adopted.

7.4 Resolution No. 94-1923, For the Purpose of Confirming the Reappointment of Mitzi Scott to the Metropolitan Exposition-Recreation Commission

Motion: Councilor Washington moved, seconded by Councilor McFarland, for adoption of Resolution No. 94-1923.

Councilor Washington gave the Regional Facilities Committee's report and recommendations:

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 9/0 and Resolution No. 94-1923 was adopted.

7.5 Resolution No. 94-1908A, For the Purpose of Funding Second-Year Metropolitan Greenspaces Education Grants Program

Motion: Councilor Hansen moved, seconded by Councilor McLain, for adoption of Resolution NO. 94-1908A.

Councilor Hansen gave the Regional Facilities Committee's report and recommendations.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1908A was adopted.

7.6 Resolution No. 94-1918A, For the Purpose of Entering Into a Memorandum of Understanding with the Friends of Forest Park for Receipt of a Land Donation and Related Easements

Motion: Councilor McFarland moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1918A.

Councilor McFarland gave the Regional Facilities Committee's report and recommendations.

Councilor McLain asked how long it would take to develop the management plan.

Charlie Ciecko, Director of Parks and Greenspaces, said the plan would be completed within FY 1994-95. The Council and Mr. Ciecko briefly discussed the management plan and the MOU. Councilor Moore explained how Forest Park and its trail system started. Councilor Hansen discussed donations given. She said almost \$700,000 had been donated to buy the property. Presiding Officer Wyers asked who would have responsibility for operations and maintenance until the title was transferred. Mr. Ciecko said that issue was still under discussion.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1918A was adopted.

7.7 Resolution No. 94-1919, For the Purpose of Establishing a Process for Considering and Executing Options to Purchase Land for the Regional Parks and Greenspaces System

Motion: Councilor Moore moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1919.

Councilor Moore gave the Regional Facilities Committee's report and recommendations.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1919 was adopted.

7.8 Resolution No. 94-1911, Giving Authorization to General Counsel to Pursue Legal Action Against Jetta Products and (If Needed) M&M Productions

Motion: Councilor Van Bergen moved, seconded by Councilor Moore, for adoption of Resolution No. 94-1911.

Councilor Van Bergen gave the Finance Committee's report and recommendations.

Vote: Councilors Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilors Buchanan, Devlin and Gardner were absent. The vote was 10/0 and Resolution No. 94-1911 was adopted.

Presiding Officer Wyers recessed the Metro Council and reconvened the Contract Review Board to consider Agenda Item No. 7.9.

7.9 Resolution No. 94-1913, For the Purpose of Authorizing a Request for Proposals for Design/Build Competition for Procurement of Exterior Signage for Metro Regional Center

Motion: Councilor McLain moved, seconded by Councilor Hansen, for adoption of Resolution No. 94-1913.

Councilor McLain gave the Finance Committee's report and recommendations.

The Council briefly discussed the resolution.

Vote: Councilors Gates, Hansen, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers voted aye. Councilor Kvistad voted nay. Councilors Buchanan, Devlin and Gardner were absent. The vote was 9/1 and Resolution No. 94-1913 was adopted.

Presiding Officer Wyers adjourned the Contract Review Board and reconvened the Metro Council.

8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

The Council as a whole discussed Council salaries per the 1992 Metro Charter.

The Council as a whole discussed starting times for Budget Committee meetings. Councilor Monroe said the majority of Councilors could attend current starting times and said the times should not be changed during the Budget process.

Jack McGowan, president, SOLV-IT thanked the Council for their support of SOLV and its activities. The Council and Mr. McGowan discussed SOLV-IT activities and the history of that organization further.

All business having been attended to, Presiding Officer Wyers adjourned the regular Council meeting at 5:40 p.m.

Respectfully submitted,

Paulette Allen
Clerk of the Council
MCMIN94.069

PLANNING COMMITTEE REPORT

Council
3/24/94
4.2

**CONSIDERATION OF RESOLUTION NO. 94-1917, CERTIFYING THE
PORTLAND METRO AREA IS IN COMPLIANCE WITH FEDERAL
TRANSPORTATION PLANNING REQUIREMENTS**

Date: March 22, 1994

Presented by: Councilor Devlin

Committee Recommendation: At the March 17 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution 94-1917. Voting in favor: Councilors Kvistad, Gardner Devlin, Gates, Monroe, Moore and Washington. Absent: Councilor McLain.

Committee Issues/Discussion: Richard Brandman, Assistant Planning Director for the Transportation Planning Division, presented the staff report. This resolution is a companion to Resolution 94-1916 which approves the Unified Work Program for FY 1994. This resolution officially certifies the region's compliance with federal transportation planning requirements and is an integral piece in seeking federal funding. It is Metro's responsibility to "self-certify" such compliance and the federal government's responsibility to accept or reject that certification.

Councilor Monroe clarified that the federal government has indicated that this may be the last year that the region will "self-certify".



METRO

DATE: March 18, 1994

TO: Metro Council
Executive Officer
Agenda Recipients

FROM: Paulette Allen, Clerk of the Council

RE: AGENDA ITEM NO. 5.1; ORDINANCE NO. 94-523A

Ordinance No. 94-523A and supporting documentation attached here have been published separately from the Council agenda packet for March 24 due to the volume of documentation.

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

ORDINANCE NO. 94-523A, REVISING METRO CODE CHAPTER 2.02,
PERSONNEL RULES, FOR NON-REPRESENTED AND REPRESENTED EMPLOYEES

Date: March 17, 1994

Presented by: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its March 8, 1994 meeting the Governmental Affairs Committee voted 3-0 to recommend Council adoption of Ordinance No. 94-523A. Councilors Gates, Van Bergen, and Wyers voted in favor. Councilor Buchanan was absent.

COMMITTEE DISCUSSION/ISSUES: The Governmental Affairs Committee considered Ordinance No. 94-523 on five occasions, at its meetings of December 2 and 16, 1993; January 11, February 22, and March 8, 1994. Personnel Director Paula Paris was present at each meeting to discuss the ordinance.

At the December 2 meeting Ms. Paris described the purpose of the revision to the Personnel Code, as noted in the staff report. In a public hearing, Scott Higgins, Tim Collins, and Ann Zeltmann testified in opposition to a proposal in the ordinance that would limit transfer of leave credits from employees to an employee suffering from a long-term, catastrophic illness. The limitation would allow only vacation leave to be transferred, and not sick leave credit. Councilor Wyers asked Ms. Paris for an analysis of the potential fiscal effects of the policy; Councilor Gates requested a comparison of public and private sectors on the transfer of leave policy. Ms. Paris provided both reports prior to the next meeting.

At subsequent meetings the committee considered the comments of Council Analyst Casey Short, contained in his memo of December 2, 1993, entitled "Personnel Code Revision." Major issues discussed by the committee included the sick leave transfer; the proposal that cost of living adjustments be eliminated from the pay plan, and the timing of implementing such a change; and the applicability of the Code Chapter to represented employees.

Discussion among committee members, Ms. Paris and Mr. Short resulted in the following changes to the ordinance as originally presented:

Section 2.02.035(d) - Clarifies language on Executive Officer's authority to change classification specifications, to say that the authority is limited to making administrative changes.

Section 2.02.060(b)(3) - Establishes a maximum annual merit increase, which may not exceed 8%.

Section 2.02.060(d) - Eliminates provision permitting award of employee bonuses.

Section 2.02.065(e) - Restores language governing the policy for payroll deduction for charitable contributions. The

proposed ordinance deleted this language from the current Code.

Section 2.02.110 - Provides that permanent full-time employees shall receive insurance benefits; permanent part-time employees, budgeted at 0.5 FTE or more, shall receive pro-rated benefits, commensurate with their FTE level.

Section 2.02.145 - Allows employees to transfer accrued sick leave hours to another employee who has a "catastrophic, long-term, or chronic illness."

Section 2.02.170(e) - Defines "Administrative Leave."

Other issues that were discussed, but which did not result in amendments, included Councilor Gates' concern that the change in pay policies for non-represented employees (elimination of cost of living increases, replaced by merit increases only) become effective on July 1, 1995. He said this would give a clear message that the change would take place, and therefore give guidance in the collective bargaining process scheduled for the spring of 1995, but would not change the policy for non-represented employees prior to those contract negotiations. The committee chose to retain the proposed language.

Councilor Van Bergen questioned whether the drug and alcohol policy was legal, as it does not require pre-employment testing but does allow testing if a reasonable suspicion exists that an employee is in violation of the policy. General Counsel Dan Cooper said the policy is legal, and there is sufficient precedent for the "reasonable suspicion" policy.

Councilor Van Bergen asked if volunteers could be liable for damages arising from their work as volunteers for Metro; he cited a recent decision concerning volunteers for the Boy Scouts. Mr. Cooper said Metro volunteers are covered by Metro, and Metro's liability is limited to \$300,000 under the provisions of the Tort Claims Act. Councilor Wyers asked if Metro could exclude volunteers based on a pre-existing condition. Mr. Cooper said Metro could do so. In response to a question from Councilor Wyers, Mr. Cooper said he would provide information to the committee regarding whether Metro could require volunteers to sign a waiver of liability.

Councilor Wyers asked if it would be appropriate and legal for Metro to adopt a policy limiting employees' ability to leave Metro employment to go to work for a company having an interest in Metro issues - a so-called "revolving door" policy. Mr. Cooper said Metro's authority to do so would be limited under any circumstances, in that the agency could not prohibit employees from working for such companies outside the Metro region. He suggested that consideration of such a policy could be taken up outside the context of this ordinance, and the committee concurred.

Councilor Wyers asked whether personnel policies for Council employees should be included in the ordinance, and asked when

such policies need to be adopted. Mr. Cooper said such policies could be included in the ordinance or be adopted separately, by ordinance or resolution. Councilor Wyers directed staff to prepare a resolution governing Council Department employees for consideration at the next committee meeting.

Finally, the ordinance was broadened to include separate provisions governing represented and non-represented employees. Ms. Paris reported that she had discussed with union representatives the issues involved in having two Code sections specifically separating provisions for represented and non-represented employees, versus having one Code section governing all employees which included disclaimers in the relevant sections which stipulated that terms of collective bargaining agreements superseded the Code provisions. She said the union representatives preferred two separate sections, and subsequently agreed to language she drafted establishing sections governing represented employees.

The new sections on represented employees are contained in sections 2.02.300-.470. This addition required deletion of the numerous paragraphs in the original ordinance that referred to the rights of employees represented in bargaining units, and further required changes in the table of contents and titles. The committee amended the new section to include in Section 2.02.350 a statement calling for representatives of the Council to be involved in collective bargaining contract negotiations. The added language reads, "The Executive Officer, Personnel Director, and Labor Relations Officer will meet with designated Councilors prior to the expiration date of collective bargaining contracts to discuss fiscal direction regarding pay and benefits for negotiations with the unions."



METRO

Date: March 1, 1994

To: Councilor Mike Gates, Chair
Governmental Affairs Committee

From: Paula Paris, Personnel Director

Re: Personnel Code for Represented Employees

At the request of the Committee, I have met with Casey Short, Council Analyst, to review and analyze the portion of the Personnel Code revisions pertaining to represented employees. The following analysis describes the differences for the represented portion of the Code from the non-represented portion:

1. All language, with few minor exceptions to differentiate between represented and non-represented status, is the same as the proposed revised language for the non-represented portion of the Code.

2. New language (highlighted) has been added to 2.02.305 Purpose (h)(i) and 2.02.350 Pay Plans to further identify the represented status of the employees covered by this portion of the Code.

3. The following sections are covered in collective bargaining agreements and are not included in the represented portion of the Code:

- Insurance and Retirement
- Work Schedules
- Overtime Compensation
- Holidays
- Vacation
- Vacation Credit and Accrual Rate
- Sick Leave (only Sick Leave Transfer section is included)
- Leave of Absence Without Pay
- Other Leaves of Absence With Pay
- Layoff
- Personnel Records
- Grievance Procedure

4. The following sections are management prerogatives, are not mandatory subjects of bargaining, and are not included in the represented portion of the Code:

- Exemptions
- Recruitment and Appointment
- Temporary Employees
- Zoo Visitor Services Employees
- Volunteers

5. Educational Opportunities remains current Code language for represented employees. Both Drug and Alcohol Abuse Policy and Educational Opportunities are mandatory subjects of bargaining and will be negotiated next spring for successor contracts with both LIU Local 483 and AFSCME.

Both LIU Local 483 and AFSCME Local 3580 have approved the new portion of the Code and the language therein, and join us in recommending approval of the amended new Personnel Rules for Represented Employees portion of Chapter 2.02 of the Code.

I have included copies of the entire revised Ordinance 93-523A, Personnel Code, Chapter 2.02, including all revisions made by the Committee (underlined), and including the represented portion.

I have also included a clean copy of the entire Ordinance, which may be easier to read for your review.

cc: Committee Members

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REVISING)	ORDINANCE NO. 94-523A
METRO CODE CHAPTER 2.02, PERSONNEL)	Introduced by Rena Cusma,
RULES, <u>FOR NON-REPRESENTED</u>)	Executive Officer
<u>AND REPRESENTED EMPLOYEES</u>)	

THE METRO COUNCIL HEREBY ORDAINS:

Chapter 2.02, Personnel Rules, is amended to read as follows:

CHAPTER 2.02 PERSONNEL RULES
~~PERSONNEL RULES FOR NON-REPRESENTED EMPLOYEES~~
~~{(SECTIONS 2.02.000 — 2.02.299)}~~

SECTIONS:

2.02.001	Personnel Rules for Non-Represented Employees
2.02.005	Purpose
2.02.010	Administration of the Rules
2.02.015	Amendment
2.02.020	Separability
2.02.025 [230]	Exemptions
2.02.030 [030]	Definitions
2.02.035 [115]	Position Classification Plan
2.02.040 [125]	New Positions
2.02.045 [130]	New Classifications
2.02.050 [135]	Reclassification of Existing Positions
2.02.055 [145]	Pay Plans
2.02.060 [160]	Salary Administration [Guidelines]
2.02.065 [165]	Pay[roll] Policies [Procedures]
2.02.070 [260]	Affirmative Action Policy
2.02.075 [095]	Nepotism
2.02.080 [040]	Recruitment and Appointment
2.02.085 [045]	Probationary Period
2.02.090 [265]	Temporary Employees
2.02.095 [055]	Job Share
2.02.100 [225]	Orientation
2.02.105 [215]	Workers' Compensation Insurance
2.02.110 [220]	Insurance and Retirement

2.02.115 [065]	Transfers and Demotions
2.02.120 [050]	Work Schedules [Attendance: Hours of Work]
2.02.125 [170]	Overtime Compensation
2.02.130 [175]	Holidays
2.02.135 [180]	Vacation
2.02.140 [185]	Vacation Credit and Accrual Rate
2.02.145 [190]	Sick Leave
2.02.150	Family Medical Leave
2.02.155	Pregnancy Leave/Transfer
2.02.160	Parental Leave
2.02.165 [195]	Leave of Absence Without Pay
2.02.170 [200]	Other Leaves of Absence With Pay
2.02.175 [100]	Preamble: Conduct, Discipline, Termination and Appeal
2.02.180 [105]	Disciplinary Actions
2.02.185 [070]	Layoff
2.02.190 [075]	Resignation
2.02.195 [060]	Personnel Records
2.02.200 [110]	Grievance Procedure
2.02.205 [250]	Service Awards
2.02.210 [210]	Educational, Training and Development Policy [Opportunities]
2.02.215	Drug/Alcohol Abuse Policy
2.02.220 [285]	Smoking Policy
2.02.225 [205]	Conference, Memberships, Conventions
2.02.230 [085]	Employee Organizations and Representation
2.02.235 [090]	Political Activity
2.02.240 [280]	Ethical Requirements for Employees, Officers, Elected and Appointed Officials
2.02.245 [275]	Zoo Visitor Services Employees
2.02.250	Volunteers
2.02.255	Acknowledgement of Receipt of Personnel Policies
2.02.300	Personnel Rules for Represented Employees
2.02.305	Purpose
2.02.310	Administration of the Rules
2.02.315	Amendment
2.02.320	Separability
2.02.325	Definitions
2.02.330	Position Classification Plan
2.02.335	New Positions
2.02.340	New Classifications
2.02.345	Reclassification of Existing Positions
2.02.350	Pay Plans

2.02.355	Salary Administration
2.02.360	Pay Policies
2.02.365	Affirmative Action Policy
2.02.370	Nepotism
2.02.375	Internal Recruitment
2.02.380	Probationary Period
2.02.385	Job Share
2.02.390	Orientation
2.02.395	Workers' Compensation Insurance
2.02.400	Transfers and Demotions
2.02.405	Sick Leave Transfer
2.02.410	Family Medical Leave
2.02.415	Pregnancy Leave/Transfer
2.02.420	Parental Leave
2.02.425	Preamble: Conduct, Discipline, Termination and Appeal
2.02.430	Disciplinary Actions
2.02.435	Resignation
2.02.440	Service Awards
2.02.445	Education Opportunities
2.02.450	Smoking Policy
2.02.455	Conference, Memberships, Conventions
2.02.460	Employee Organizations and Representation
2.02.465	Political Activity
2.02.470	Ethical Requirements for Employees, Officers, Elected and Appointed Officials]
2.02.470[5]	Acknowledgement of Receipt of Personnel Policies
[2.02.025	Variances] (included in 2.02.010)
[2.02.035	Legal Interpretations] (included in 2.02.010)
[2.02.080	Travel Expense] (to be included in Executive Order)
[2.02.120	Titles and Specifications] (included in 2.02.030)
[2.02.140	Effect on Incumbents of Positions Being Reclassified] (included in 2.02.055)
[2.02.150	Analysis of Pay Plan] (included in 2.02.050)
[2.02.155	Administration of Pay Plan] included in 2.02.050)
[2.02.235	Positions Exempt] (included in 2.02.020)
[2.02.240	Conditions of Exemptions] (included in 2.02.020)
[2.02.245	Safety Program] (included in Risk Management Procedures)
[2.02.270	Employment Contracts] (included in 2.02.005)

2.02.001 Personnel Rules for Non-Represented Employees: Sections 2.02.001 to 2.02.299 of this Code shall be known as and may be cited as the "Metro Personnel Rules for Non-Represented Employees". As used in sections 2.02.001 to 2.02.299, references to "Rules" or "Chapter" shall be deemed to be references to these Metro Personnel Rules for Non-Represented Employees.

2.02.005 Purpose: The purpose of this chapter is:

(a) [t]To provide [systematic and equitable procedures and regulations relating to the hiring, compensation, hours of work, leave, safety, training, working conditions, promotions, transfer, discipline, removal and other matters affecting the status of employees of Metro. This chapter is provided to maintain uniformity and equity in personnel matters, and to encourage each employee to give his/her best service to the organization and citizens served by Metro.] and maintain a system of personnel administration for all non-represented employees, seasonal employees, and temporary employees, [and represented employees where specified,] in which the appointment and retention of persons in Metro employment shall be achieved on the basis of promoting the public welfare and implementing Metro's responsibilities,

(b) To establish and maintain a position classification plan which shall group all positions into classifications based upon their duties and responsibilities,

(c) To provide for a compensation plan which shall include for each classification a minimum and/or maximum salary rate and such intermediate salary rates as the Council considers necessary and equitable.

(d) To promote efficiency, economy, and public responsiveness in the operation of Metro, and

(e) To provide that the employees covered by these rules shall be subject to proper employee conduct, the satisfactory performance of work, and the availability of funds.

(f) The provisions in this chapter do not constitute a contract of employment. Moreover, in order to meet future challenges, the Council retains the flexibility to change, substitute, and discontinue the policies and benefits described herein, at any time, with or without notice to employees. No person shall be deemed to have a vested interest in, or legitimate expectation of, continued employment with Metro, or any policy or benefit described herein or otherwise generally followed by Metro. No contract of employment can be created, nor can an employee's status be modified, by any oral or written agreement (except a valid collective bargaining agreement), or course of conduct, except by a written agreement signed by the Executive Officer and the employee, and subject to any approval requirements for contracts established by the Metro Code.

(g) Nothing contained in this section or elsewhere in the chapter shall be construed as any guarantee of hours worked per day or per week. [This chapter shall apply to all employees

of Metro except in the following circumstances:

~~(1) Employees who are in certified or recognized bargaining units shall have all aspects of their wages, hours, and other terms and conditions of employment determined by collective bargaining agreements, except with regard to the recruitment and selection of applicants for initial appointment to a position, and except as clearly identified within a specific provision of this chapter that a specific provision does apply to such employees.~~

~~(2) Where a collective bargaining agreement contains any type of grievance resolution procedure, that procedure, including any procedural and/or substantive limitations placed upon it by the collective bargaining agreement, shall be the sole and exclusive remedy for employees in that bargaining unit, and The grievance procedure established by this chapter shall not apply to those represented employees for any purpose.]~~

(Ordinance No. 81-116, Sec. 1)

2.02.010 Administration of the Rules: ~~[Except as provided in subsection (d) below t]~~

(a) The Executive Officer shall be responsible for:

(a1) Administering or delegating the administration of all the provisions of this chapter, and whenever a question arises as to the meaning or interpretation of provisions of this chapter, the interpretation given by the Executive Officer or his/her designee shall be final and binding.

(b2) Reviewing and recommending to the Council necessary changes to this chapter;

(e3) Publishing a Personnel Procedures Manual to implement the provisions of this chapter;

(db) ~~[Until such time as the Metropolitan Exposition Recreation Commission adopts personnel rules pursuant to the authority granted by Section 6.01.040(h), the Commission shall be responsible for the administration of these Personnel Rules for employees of the Commission. After the adoption of such rules by the Commission, t]The Metro Exposition Recreation Commission shall adopt personnel rules consistent with and subject to Sections 6.01.040(h)(m) of the Code [administer its personnel system in accordance with its duly adopted personnel rules]~~ notwithstanding any provision of this chapter to the contrary. For this purpose, the authority and duties of the Executive Officer to employ, manage and terminate employees referred to in this chapter shall reside with the Commission for employees of the Commission.

(Ordinance No. 81-116, Sec. 2; amended by Ordinance No. 87-232, Sec. 1; amended by

Ordinance No. 89-325A, Sec. 3)

2.02.015 Amendment: This chapter shall be amended solely by the Council~~[—A], however, administrative amendments which deal solely with correcting grammatical or typographical errors, or correcting position titles to reflect properly processed reclassifications and title changes [or correcting departmental name changes to accurately reflect current organizational structure] may be approved by the Executive Officer. All proposed amendments to this chapter [dealing with policy] and/or benefit changes will be required to be adopted by the Council. [This ordinance shall provide means to recruit, select, develop and maintain an effective and responsive work force, and shall include policies and procedures for hiring and advancement, training and career development, job classification, salary administration, retirement, employee benefits, discipline, discharge and other related matters which are pertinent to the maintenance and effective operation of the Metropolitan Service District (Metro). Furthermore, this chapter shall be implemented and, if necessary, revised in a spirit of good faith, and shall be subject to review and comment by Metro employees prior to any amendment. If practical, proposed amendments shall be posted in each general work area ten (10) working days in advance of the Council meeting in which they are to be considered. Employee access to]~~ If practical, copies of [the] proposed amendments shall be provided [by their distribution] to all Directors of departments~~[, Personnel Office and to the Chairman of the Employees Association, in addition to the posting required above. Employee responses, if any, shall be reported to Council coincidental with Council consideration of the proposed amendments.]~~ at least ten (10) days in advance of the Council meeting in which they are to be considered.

(Ordinance No. 81-116, Sec. 3)

2.02.020 Separability: If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

(Ordinance No. 81-116, Sec. 4)

~~[2.02.025 Variances: The Executive Officer shall have the power to vary or to modify the strict application of the provisions of this chapter in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships on either the agency or employee or both. All approved variances shall be subject to Council ratification, and shall be reported to the Council in written summary form at the next regular meeting following the date of approval. [The chairperson of the Employees' Advisory Committee shall receive a written summary of the variance prior to this meeting.]~~

(Ordinance No. 81-116, Sec. 5)

~~[2.02.035 Legal Interpretations: When it is found necessary to seek a legal opinion as to the interpretation or intent of this chapter, it shall be incumbent upon the Executive Officer to respond to said requests as soon as is practicable.]~~

(Ordinance No. 81-116, Sec. 7)

2.02.025 [230] Exemptions:

(a) Notwithstanding any provision of this chapter, [certain] Council employees shall be exempt from and shall not be subject to [the following portions of] this chapter [unless:] except as expressly determined by a resolution adopted by the Council, limited however to budgeted funds allocated to the Council Department.

~~[(a) Sections 2.02.040, 2.02.045 and 2.02.070.]~~

~~(b) Sections 2.02.100 through 2.02.110.~~

~~(c) Sections 2.02.115 through 2.02.140.~~

~~(d) Sections 2.02.145 through 2.02.170.]~~

(b) Notwithstanding any provision of this chapter, employees in the office of the Executive Officer shall be exempt from and shall not be subject to this chapter except as expressly determined in writing by the Executive Officer, limited however to budgeted funds allocated to the Office of the Executive Officer.

(c) Notwithstanding any provision of this chapter, employees in the office of the Auditor shall be exempt from and shall not be subject to this chapter except as expressly determined in writing by the Auditor, limited however to budgeted funds allocated to the Office of the Auditor.

(Ordinance No. 81-116, Sec. 46)

~~[2.02.235 Positions Exempt: The exemptions designated in Section 2.02.230 herein shall apply to the following positions:~~

~~(a) Executive Aide to the Executive Officer (1).~~

~~(b) Administrative Aide to the Executive Officer (1).~~

~~(Ordinance No. 81-116, Sec. 47)~~

~~2.02.240 Conditions of Exemptions: Notwithstanding exemptions provided in Section 2.02.230, employees in exempt positions (a) and (b) of Section 2.02.235 shall receive such salaries or compensation as may be determined by the Executive Officer, limited however, to budgeted funds allocated to the Executive Management Department for personnel designated in Section 2.02.235 of this chapter.]~~

~~(Ordinance No. 81-116, Sec. 48)~~

2.02.030 Definitions of Personnel Terms: [As used in this chapter, as well as in day-to-day personnel matters, the following terms shall have the meanings indicated:]

- (1) ~~"Auditor" means the elected Auditor of Metro or his/her designee.~~
- ~~[(4) "Administrative Leave" means leave with pay granted by the Executive Officer for employees who work in classifications which are exempt from overtime pay.~~
- ~~(2) "Appointment" includes all means of selecting or employing any person to hold any positions subject to this chapter. Appointment does not include promotion.~~
- ~~(3) "Anniversary Date" means the anniversary of the date on which an employee reached the Entry Merit Rate described in the Salary Plan for the position currently held.~~
- ~~(4) "Appeal" means an oral or written request to a department head or the Executive Officer for reconsideration of a decision adverse to an employee's interests.~~
- ~~(5) "Appointing Power" means the Executive Officer or his/her designee.]~~
- ~~[(6) "Central Personnel File" means a file which contains complete personnel records of all Metro employees.] (moved to #22)~~
- ~~[(7) "Class" means a group of positions sufficiently alike in responsibilities and authorities to require similar qualifications.~~
- ~~(8) "Class Specification" means a written description of each class of positions including a class title and a statement of objectives, duties, responsibilities, recruiting requirements and minimum qualifications as required by uniform selection guidelines. Positions, not individuals, are classified.~~
- ~~(9) "Continuous Service" means uninterrupted employment with Metro. Reasonable absences due to sick leave, disability, layoffs, military leave or other approved leaves as provided for in this chapter, do not constitute an interruption in continuous service. Continuous service shall only apply to regular and regular part-time employees.]~~
- ~~(40)2) "Council" means the elected governing body of Metro.~~
- ~~[(11) "Days" means calendar days unless specifically provided otherwise.~~
- ~~(12) "Demotion" means a transfer of an employee from a position in one class to a position in another class having a lower maximum salary rate. Demotion during probation in a promotive position does not reflect~~

~~discredit upon the employee.]~~

- (43) "Department" means a major functional unit of Metro.
- (44) "Department [Head] Director" means a person responsible for the administration of a department or his/her designee.
- ~~[(15) "Deputy Executive Officer" means the appointed Deputy Executive Officer selected by and responsible to the Executive Officer for the administration of the Metro organization.]~~
- ~~(16) "Disciplinary Action" means imposition of certain personnel actions (e.g., reprimand, warning, suspension, dismissal, reduction in pay or demotion) as a result of conduct in violation of this chapter.~~
- ~~(17) "Dismissal" means the termination of employment of a regular employee for cause or of a probationary employee as specified in these rules.]~~
- (185) "Division" means a major functional unit of a department.
- ~~[(19) "Division Head" means a person responsible for the administration of a division.]~~
- (206) "Employee" means [anyone] an individual who is salaried or who receives wages for employment with Metro.
- ~~[(21) "Examination" means a test for the purpose of evaluating an applicant for an employment vacancy. "Examination" includes completion of employment application forms.]~~
- (227) "Executive Officer" means the elected Executive Officer of Metro or his/her designee.
- (238) "Exempt Position" means a position exempt from mandatory overtime compensation.
- (249) "Fiscal Year" means a twelve (12) month period beginning July 1, and ending June 30.
- (2510) ~~["Flex-time"]~~ "Flexible Work Schedule" means an alternative work schedule ~~[of a full-time salaried employee]~~ other than the ~~[regular 8:00 a.m. to 5:00 p.m., Monday through Friday, workday and workweek]~~ established normal work schedule, but which includes the same number of total hours per pay period as other full-time positions. ~~[Approval of a~~

~~supervisor is required.]~~

(2611) "Full-time" means a position in which ~~[has daily, weekly and monthly hours as established by the Council for full-time work and which position is provided for in the adopted budget.]~~ the scheduled hours of work are forty (40) hours per week and which is provided for in the adopted budget.

~~[(27) "Grievance" means an oral or written expression of dissatisfaction with some condition of employment or management decision affecting such employment, submitted by an employee or group of employees for the purpose of obtaining adjustment of said cause of dissatisfaction.]~~

(2812) "Hourly Rate" means the rate of compensation for each hour of work performed. ~~[It is determined by dividing the annual regular salary by the regular number of hours worked each year (2,080):]~~

(2913) "Immediate Family" means the husband, wife, son, daughter, father, mother, brother, sister, father-in-law, mother-in-law, grandparents or any relative living in the employee's household.

~~[(30) "Interview" means a formal consultation to evaluate the qualifications of an employee or a prospective employee. The consultation includes the employee or prospective employee and the employer.]~~

(31) ~~"Jobshare" means a full time position designated by the Executive Officer which is or may be shared by two employees.~~

(32) ~~"Labor Organization" means the certified representative of employees in a recognized bargaining unit.]~~

(3314) "Layoff" means a separation from employment because of organizational changes, lack of work, lack of funds, or for other reasons not reflecting discredit upon the employee.

~~[(34) "Leave of Absence" means time off from work for reasons within the scope and purpose of this chapter and regulations upon prior approval of the Executive Officer.]~~

(35) ~~"Merit Salary Increase" means an increase based on performance from one pay rate to a higher rate within the established merit salary range for the class or position occupied by the employee.~~

(36) ~~"Month" means one (1) calendar month.~~

- ~~(37) "Nonoccupational Disability" means disability from an accident or sickness suffered or contracted by the employee which cannot be attributed to the performance of assigned duties with Metro.~~
- ~~(38) "Occupational Disability" means disability from an accident or sickness suffered or contracted as a result of the performance of assigned duties.~~
- ~~(39) "Open Competitive List" means a list of persons who have been found qualified by an open competitive recruitment and examination for the job classification for which they have applied and their level of qualification in that class.~~
- ~~(40) "Overtime" shall be considered as time worked by an employee in excess of the scheduled workday or workweek for full time employment (8 hours in one day or 40 hours in one week). If an employee is scheduled for a 10 hour and 4 day work week, the payment of overtime must be based on work in excess of 10 hours per day or 40 per week. (ORS 279.340)]~~
- (15) "Non-Exempt" position means a position that is eligible for overtime compensation.
- (16) "Non-Represented Employee" means an employee who is not in a recognized or certified bargaining unit.
- (41) (17) "Part-time" means a position in which the [daily, weekly or monthly hours of which are less than the hours established for full time positions but] scheduled hours of work are less than forty (40) hours per week but at least twenty (20) hours or more per week and which is provided for in the [annual] adopted budget.
- ~~[(42) "Pay Plan" means the compensation plan formally adopted by the Council annually as the Pay Plan for employees of Metro.]~~
- (43) (18) "Permanent Employee" means an employee [appointed for more than six (6) months duration as provided for in the annual budget] who is appointed to fill a budgeted position and who is not temporary or seasonal. However, the term permanent does not confer any form of tenure or other expectation of continued employment.
- (19) "Permanent Position" means a budgeted position which is not temporary or seasonal. However, the term permanent does not confer any form of tenure or other expectation of continued employment.
- (44) (20) "Personnel Action" means the written record of any action taken [with

~~reference to appointment, compensation, promotion, transfer, layoff, dismissal or other action affecting~~ affecting the employee or the status of his/her employment.

(4521) "Personnel ~~[Manager]~~ Director" means the employee appointed by the Executive Officer to administer the provisions of this chapter.

(22) "[~~Central~~] Personnel File" means an employee's official personnel file which ~~[contains complete personnel records of all Metro employees]~~ is kept in the Office of Personnel ~~[Department]~~.

(4623) "Personnel Procedures Manual" means a manual developed ~~[or to be developed]~~ by the Office of Personnel ~~[Department]~~ ~~[Division]~~ and approved by the Executive Officer to implement the policies and provisions of this chapter.

~~[(47) "Position Number" means the line item number in the budget assigned to each position listed under Personal Services. Position number change means a change in the line item number in the budget assigned to each position listed under Personal Services. Such change may include a transfer from one division or department to another.]~~

(4824) "Probationary Period" means a continuation of the screening process ~~[working test period]~~ during which an employee is required to demonstrate fitness for the position to which the employee is appointed or promoted. Successful completion of any probationary period is for Metro's internal screening process only and does not confer any form of tenure or other expectation of continued employment. ~~[by actual performance of the duties of the position.]~~

(4925) "Probationary Employee" means an employee serving any period of probation.

(5026) "Promotion" means the change of an employee from a position in one classification to a position in another classification having a higher maximum salary rate.

~~[(51) "Promotional List" means a list of persons presently in the employ of Metro who have been qualified by promotional examination for appointment to a position in a particular class.]~~

~~(52) "Provisional Appointment" means an appointment, pursuant to this chapter, to a position in the absence of an open competitive list.~~

~~(53) "Range" means a level in the Pay Plan. Each classification is allocated to one of the ranges in the Plan. "Range change" means the action of moving a classification from one pay range to another pay range. This action requires Council approval.]~~

(5427) "Reclassification" means a change in classification of a position by raising it to a class with a higher rate of pay, reducing it to a class with a lower rate of pay, or changing it to another class at the same rate of pay, based upon [an evaluation of] the duties currently assigned to [an incumbent in] an existing position or to be assigned for a vacant position. ~~[, relative to the duties associated with other positions in the appropriate classes.]~~ If the position is filled, the incumbent employee is reclassified along with the position.

~~[(55) "Reemployment" means the appointment of a former employee to a position in a class where the employee held regular status.]~~

(5628) "Regular Employee" means an employee who has successfully completed the required initial probationary period occupying [or appointed to a full-time or part-time position which is included in the Classification and Compensation Plan for regular employees and which position is provided for in the annual Budget] a permanent position.

(5729) "Reinstatement" means the return of an employee to a [previous] position following a separation of employment [an approved leave of absence or when ordered by the Executive Officer or a court of competent jurisdiction].

(30) "Represented Employee" means an employee who is in a recognized or certified bargaining unit.

(5831) "Resignation" means voluntary separation from employment.

(32) "Seasonal employee" means an employee who is employed during peak seasons of the year and who may be scheduled as needed during the remainder of the year.

(5933) "Separation" is the cessation of employment with Metro [This action does] not reflecting discredit upon the employee.

(6034) "Status" refers to the [rank] standing of an employee [relative to the probation period].

~~[(61) "Suspension" means the temporary separation of an employee from~~

employment with Metro.]

(6235) "Temporary Employee" means a[n] nonstatus employee appointed for the purpose of meeting emergency, nonrecurring, or short-term workload needs, or to replace an employee during an approved leave period, [to perform a specific task, or to participate in a series of projects] for a period not to exceed 1,0440 hours [over a six (6) month period] within a fiscal year, [This definition] excluding[es] interns, work-study students, and CETA employees, or similar federal and state employment programs.

(6336) "Termination" means the cessation of employment with Metro [employee is relieved of the duties of a position which had a specified duration or existed for a period of need].

~~[(64) "Transfer" means a change of an employee from one position to another in the same class, or to a position in a comparable class within the same salary range (subject to rule on appointment) and may include a change from one department or geographic location to another.~~

~~(65) "Underfill" refers to the affirmative action appointment of a candidate to a position in a classification for which the candidate does not possess the minimum experience qualifications for the purpose of allowing the candidate to gain the necessary experience to qualify. Underfill applies to internal promotional opportunities only.~~

~~(66) "Voluntary Demotion" means a demotion requested by an employee in order to retain employment when a layoff is imminent or for other reasons where the action is entirely voluntary on the part of the employee.]~~

(37) "Volunteer" means an individual serving in a non-paid voluntary status.

(38) "Work Schedule" means the assignment of hours of work by a supervisor.

~~[(67) "Workday" means the regularly scheduled 8-hour workday from 8:00 a.m. to 5:00 p.m. with one (1) hour off for lunch except where flexible hours are approved by the supervisor. "Flexible hours" in this context are those hours scheduled as an alternative to the regular 8:00 a.m. to 5:00 p.m. workday. "Workday" or "working days" as used in this chapter in relation to notice and filing requirements shall mean business days rather than days actually worked.~~

~~(68) "Workweek" means the regularly scheduled forty (40) hour workweek from Sunday through Saturday.]~~

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~
(Ordinance No. 81-116, Sec. 6)

2.02.035 [145] Position Classification Plan:

(a) The purpose of the classification plan is to provide an inventory of specifications for each classification. The plan shall be developed and maintained so that all positions substantially similar with respect to duties, responsibilities, authority and qualifications are included within the same class, and so that the same range of compensation will apply. Each permanent position shall be allocated to an appropriate classification on the basis of the duties and responsibilities of the position.

(b) Classification titles shall be used in all personnel, budget and financial records.
(moved from 2.02.120)

(ac) ~~[A-Position]~~ The Classification Plan ~~[covering Regular, Regular]~~ shall cover permanent full-time and permanent part-time positions, ~~[and Temporary Employees shall be]~~ as adopted and amended by the Council ~~[to provide an equitable and logical arrangement of job classifications which will facilitate the identification, compensation and filling of positions].~~

(d) ~~[Administrative procedures to implement the Classification and Pay Plans will be established by the Executive Officer or designee(s). Classification specifications, titles and classification numbers may be changed by the Executive Officer.]~~ The Executive Officer or his/her designee shall establish administrative procedures to implement the Classification and Pay Plans. The Executive Officer may make administrative changes to classification specifications, title, and classification numbers. (moved from 2.02.120(c).

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

~~[(b) The Classification Plan shall consist of positions in Metro defined by class specifications, and identified by the class titles. The Classification Plan shall be developed and maintained so that all positions substantially similar with respect to duties, responsibilities, authority and character of work are included within the same class, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.]~~

~~(e) Copies of the Classification Plan shall be made accessible to employees by distribution to all department directors, the Chairperson of the Employees Association and the Personnel Office.]~~

(Ordinance No. 81-116, Sec. 23)

~~[2.02.120 Titles and Specifications:~~

~~(a) — The Position Classification Plan shall include titles for the various classifications as a guide toward equal pay for equal work. [Classification titles shall be used in all personnel, budget and financial records. (moved to 2.02.115(b).]~~

~~[(b) — Each position shall be allocated to an appropriate class on the basis of the duties and responsibilities of the position.~~

~~(c) — The Classification Plan shall include a Class Specification containing the class title, the class code, the principal duties, the knowledge and abilities required as minimum qualifications and the education, training and/or experience required for successful performance in the job. [Classification titles and code numbers may be changed by the Executive Officer. (move to 2.02.115(d).] [Changes in the duties and minimum qualifications require Council approval.]~~

(Ordinance No. 81-116, Sec. 24)

2.02.040 [125] New Positions: [New positions are authorized by the Council.] Any new positions added to the Budget require Council approval. [Procedures for processing requests for new positions shall be contained in the Personnel Procedures Manual.]

(Ordinance No. 81-116, Sec. 25)

2.02.045 [130] New Classifications: [New classifications are authorized by the Council.] Any new classification added to the classification plan requires Council approval. [Procedures for processing requests for new classifications shall be contained in the Personnel Procedures Manual.]

(Ordinance No. 81-116, Sec. 26)

2.02.050 [135] Reclassification of Existing Positions: Reclassification of an existing position from one existing classification to another existing classification may be approved by the Executive Officer provided the reclassification can be accomplished with the limitations of the current budget. [Procedure for processing requests for reclassification of existing positions shall be contained in the Personnel Procedures Manual.]

(Ordinance No. 81-116, Sec. 27)

~~[2.02.140 Effect on Incumbents of Positions Being Reclassified:~~

~~(a) — Should a permanent incumbent of a position that has been reclassified upward not~~

qualify for the new class, upon continuing approval of the appointing authority, the incumbent may remain in the position.

(b) ~~When a position is reclassified downward, upon continuing approval of the appointing authority, a permanent incumbent may remain in the position in his/her former class by overfilling for a period not to exceed six (6) months from the effective date of the reclassification. If, at the expiration of the six (6) month period, the incumbent still remains in the position, the employee, at his/her option, shall either take a voluntary demotion to the new class, or be laid off. (moved to 2.02.055(E))~~

[(e) ~~When a group of positions in the same class are reclassified downward as a part of an agency wide class study, the rates of the incumbents in the positions shall be continued and no change in salary shall occur until the annual adjustments to the Pay Plan bring the employees' rates in the new class within the new range. At that time, incumbents will become eligible for salary adjustments.] (moved to 2.02.055(F))~~

(Ordinance No. 81-116, Sec. 28)

2.02.055 [145] Pay Plans:

(a) The Executive Officer shall prepare Pay Plans for [regular, regular part-time] permanent positions and seasonal appointments [; and temporary employees] which shall [prescribe] establish a salary range with a minimum and a maximum [range] salary rate of pay appropriate for each class. [Said] The Pay Plans shall be approved by the Council. The Pay Plans shall [identify] establish the [status] eligibility of each [position relating] classification to receive overtime compensation as indicated by exempt or non-exempt status.

(b) The [rate or range for each class] Pay Plans shall equitably reflect the difference in duties and responsibilities, and shall be related to compensation for comparable positions within the [same] job market.

(c) [The Pay Plan shall be made accessible by the Personnel Office to employees by distribution to all department directors and the Employees Association.] The Executive Officer shall [study Metro employee compensation at least once] review the Pay Plans annually and include recommended revisions within his/her proposed budget. Said [study] review may cover such items as changes in the Consumer Price Index and in salaries and benefits received by employees in the labor market.

(d) The Executive Officer shall administer the Pay Plans based on the need and expectations of Metro along with suitable employee performance.

(e) [Pay Plans for represented employees are developed through collective bargaining and are subject to ratification by the Council.]

(f) The Executive Officer may propose an agency-wide classification/compensation study for non-represented employees to assess classifications and evaluate compensation. The implementation of study recommendations require Council approval.

(Ordinance No. 81-116, Sec. 29)

~~[2.02.150 — Analysis of Pay Plan:] [The Executive Officer shall study Metro employee compensation at least once annually. Said study may cover such items as changes in the Consumer Price Index and salaries and benefits received by employees in the labor market. The Executive Officer will report the findings of said study at least once annually to the Council with recommended actions.] (moved to 2.02.145(c))~~

(Ordinance No. 81-116, Sec. 30)

~~[2.02.155 Administration of Pay Plan:] [Upon initial appointment to a position, each employee should receive a salary at the beginning step of the salary range for the class to which the position is allocated. Appointment at the beginning step should be the rule, with appointments above that level being the exception for outstanding qualifications and experience, and subject to approval of the Executive Officer.](moved to 2.02.160)~~

(Ordinance No. 81-116, Sec. 31)

2.02.060 [160] Salary Administration [Guidelines]:

(a) ~~[The salary plan is designed to allow an employee the opportunity for growth and adjustment to a new position, and to earn salary increases on a planned basis. Except as provided in subsections(d)(4) and (d)(12) of this section, or as a result of a change pursuant to other sections of these rules, employees'] [e]Current salary shall be used to calculate merit increases. Merit increases shall be the only regular annual additions to an individual employee's rate of pay. [and cost of living adjustments] Any annual revisions to the pay plans shall be added only to the salary range of a classification, shall be cumulative, and shall not be added to an employee's individual rate of pay. However, no employee's rate of pay shall be lower than the beginning rate of a salary range after a fiscal adjustment is made.~~

~~[(b) — All salary increase personnel actions require the supervisor's recommendation, and the approval of the department head and Personnel Manager prior to providing such increase to the employee.~~

~~(c) — Payroll procedures and policies are established and maintained by the Manager of Accounting.]~~

(db) Administrative Policies [Procedures]:

(1) (moved from 2.02.155) Upon initial appointment to a position, each employee should receive a salary at or 5 percent above the beginning salary rate [step up

~~to the entry merit step~~] of the salary range for the class to which the position is allocated. Appointment at or 5 percent above the beginning salary rate [step] should be the ~~[rule]~~ general practice, with appointments above that level being the exception for outstanding qualifications and experience, and subject to departmental personal services budget resources and approval of the hiring Department Director with concurrent notification to the Executive Officer.

(42) Employees hired at or promoted to the beginning salary rate [step] of a salary range ~~[or between the beginning step and the entry merit rate are eligible to]~~ shall receive a 5 percent salary increase ~~[to the entry merit rate]~~ after successful completion of six (6) continuous months of probationary service. The ~~[First Step]~~ increase of five (5) percent ~~[to the entry merit rate]~~ shall be initiated by the Office of Personnel ~~[Department]~~ on the appropriate date. ~~[unless the department head provides Personnel with a negative performance evaluation and a request to temporarily withhold said increase. This does not absolve the appointing authority from performing an evaluation at the point the employee reaches the entry merit rate.]~~ When an employee is appointed over the 5 percent above the beginning salary rate ~~[the entry merit rate]~~ he/she is not eligible for a salary increase for one year, unless the Executive Officer approves an extra meritorious salary increase based on outstanding performance after successful completion of six (6) consecutive months of probationary service.

(3) After an employee has reached 5 percent above the beginning salary rate, ~~[the entry merit rate,]~~ he/she is eligible for annual [salary] merit increases in one (1) percent increments, not to exceed a total of eight (8) percent in any evaluation year, up to and including the maximum salary rate shown for the assigned salary range based on satisfactory performance which shall be effective on his/her anniversary date only. ~~[Criteria for providing the increases are in the following subsections:]~~

~~[(4) The Incentive Salary Rate increases of 1 percent to 3 percent is to be administered by the Executive Officer in conjunction with the Personnel Manager and the appropriate department head. This salary rate is to be used to reward outstanding employees and/or to assist in retaining employees. Incentive salary increases require the approval of the Executive Officer.]~~

(54) All merit increases have to be authorized and approved by the Department ~~[head]~~ Director and reviewed as to form by the Personnel ~~[Manager]~~ Director prior to implementation. A decision by the Department Director to grant or withhold a [salary] merit increase will be communicated to the employee in writing. ~~[by the Department head.]~~

(65) [Salary] Merit increases (except as noted in subsection (dB)(2) of this

section) must be submitted to the Personnel [Division] Director with [an employee] a performance evaluation [form]. Department [heads] Directors shall make every effort to complete the employee's evaluation by the employee's anniversary date. If the evaluation is not completed by that date, any merit increase assigned shall be retroactive to [that date] the employee's anniversary date not to exceed one year of retroactivity.

~~[(7) The Merit Rate is the rate which is set annually by the Council according to agency salary policies relating to comparable and competitive rates of pay found in the labor market for similar work, and which rate reflects the impact of the cost of living for the Portland metropolitan area. When the Maximum Merit Rate is adjusted, the entire salary range must be adjusted and the individual's salary should be adjusted by the same rate. This adjustment will maintain the internal balance between salary ranges for each class and maintain the employee's salary within the assigned salary scale.]~~

~~[(8) It will be general practice to hire new employees at the beginning step, but promoted employees may be assigned a salary within the appropriate range in line with Metro Personnel Rules and policies.]~~

(96) Criteria to be considered in recommending and granting merit [salary] increases should include but not be limited to:

- ~~[Length of service]~~ Planning and organizing work, and meeting deadlines
- Competency and judgment
- Growth in and ability to handle[ing] job responsibilities
- Attitude
- Specific actions toward self-improvement, as necessary
- Recognition of excellence
- Productivity increases of tangible quantities and/or qualities
- Creative and innovative contributions
- Cost and budgetary savings realized, if any
- Affirmative Action & BEO responsibilities
- Safety practices

~~(107) [This criteria shall apply to salary increases given in the merit range of the salary schedule.] The Personnel [Manager] Director shall review [the supervisor's and department head salary increase actions, and shall assure that the criteria on the] performance evaluations [forms are followed] to assure that appropriate criteria are included. [Employees will be considered for merit increases upon the anniversary date on which they reached the entry merit rate for the position currently held.]~~

(118) When an employee is promoted or reclassified to a position in a classification with a higher maximum salary rate, the employee shall be placed on the beginning salary rate [step] of the salary range or receive an [adjustment] increase of 5 percent, whichever is greater.

(9) A promoted employee shall receive a five percent (5%) increase upon successful completion of his/her six month probationary period. The anniversary date shall be changed to reflect the effective date of the completion of this probation.

(10) A reclassified employee shall not serve a probationary period. An employee reclassified to a position in a classification with a higher maximum salary rate shall not receive a salary increase after completion of six months in the new classification. The employee's anniversary date shall reflect the effective date of the reclassification.

(11) When an employee is reclassified to a position in a classification with a lower maximum salary rate, the employee's salary rate shall not be reduced as long as the employee's current salary rate is within the lower salary range. If the employee's salary rate is above the new salary range, the employee's rate of pay shall remain the same (red-circled) until annual adjustments to the Pay Plan bring the employee's rate within the new classification range. At that time, the employee will become eligible for merit increases.

(12) When an employee is voluntarily demoted to a position in a classification with a lower maximum salary rate, the employee's salary rate shall not be reduced as long as the employee's current salary rate is within the lower salary range. If the employee's salary rate is above the new salary range, the employee's salary will be reduced to the highest rate of the new range. In no case, shall an employee's current salary rate be increased upon voluntary demotion.

~~[Appointment at the beginning step or an adjusted 5 percent rate should be the rule, with appointments above that level being the exception for outstanding qualifications and experience and subject to the approval of the Executive Officer. If such 5 percent increase places the employee between the beginning step and the entry merit rate, the employee will be placed at the entry merit rate after completion of six (6) months of satisfactory service.]~~

~~[(12) The Executive Officer, upon request by the department head and supported with proper documentation of all relevant issues, may reduce an employee's merit salary. Such decrease shall be no more than five (5) percent the amount awarded on the last anniversary date and in no case~~

~~shall go below the entry merit rate for the classification in which the employee is working. The salary decrease will occur on the employee's anniversary date in conjunction with a performance evaluation. An evaluation shall be made of the employee's performance after six (6) months with the opportunity to reinstate the merit increase if performance warrants it. All such reductions shall be subject to the Grievance Procedure.] (moved to discipline section).~~

(c) A Department Director may assign an employee, in writing, to work "out of class". Whenever an employee is assigned to work temporarily in a higher classification for a period in excess of ten consecutive work days, he/she shall be considered as working "out of class" in a higher position and shall be paid from the date of assignment at five percent (5%) above his/her current rate of pay or at the beginning salary rate in the range designated for the higher classification if the employee is at the top of his/her salary range. An employee shall not remain in an acting capacity for a period exceeding six months within a twelve month period. If a Department Director needs to extend the work out of class period beyond six months, extenuating circumstances must be given in writing to the Executive Officer for approval and forwarded to the Personnel Director. A work out of class assignment, for up to six months, shall not be considered as time served for purposes of the effective date for reclassification or promotion.

~~[(d) **Bonus:**] A [one-time] non-cumulative award of a bonus of up to [\$300] \$500 may be [made] approved by the Executive Officer, upon written recommendation of the employee's supervisor and [d]Department [head] Director supported by facts establishing reasonable justification for the award and subject to departmental personal services budget resources. A bonus award shall not be made in lieu of an employee's annual merit [salary] increases and shall not be given more than once in a fiscal year.]~~

(d) (Moved from 2.02.165(e) When, as part of a classification/compensation study, the salary range for any classification is increased [or decreased] , individual employees [salary rates] shall be placed within the new range at their current rate of pay or on the beginning salary rate [step] of the new salary range if the beginning salary rate is higher than his/her current rate of pay. [or receive an increase of 5%, whichever is greater, [adjusted in proportion to the amount of increase [or decrease] without a change in the employees established anniversary date.

(e) (moved from 2.02.140(c) When the salary range for [a group of positions or for] an entire classification [in the same class are reclassified downward] is decreased as a part of a[n-agency-wide] classification/compensation study, the rates of the incumbents in the positions shall be continued (red-circled) and no change in salary shall occur until the annual adjustments to the Pay Plan bring the employee's rates in the new class within the new range. At that time, incumbents will become eligible for salary adjustments.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining~~

~~agreement, the collective bargaining agreement shall govern.]~~

(Ordinance No. 81-116, Sec. 32)

2.02.065 [165] Pay[roll] Policies [Proceedures]:

(a) Permanent [Metro] employees shall be paid according to the Pay Plan adopted by the Council and administered by the Executive Officer. ~~[Adjustments to the Pay Plan may be made upon recommendation of the Executive Officer and approval by the Council.]~~ (moved to 2.02.145(a))

(b) Employees shall be paid twice monthly ~~[biweekly or monthly with a mid-month draw].~~

(c) ~~[Payday shall occur biweekly or semimonthly.]~~ In the event the normal payday falls on a holiday, payday shall occur the workday before the holiday. If the normal payday falls on a Saturday or a Sunday, payday shall be the prior Friday.

(d) Payroll procedures shall be established and implemented by the Finance and Management Information Department, Accounting Division.

(~~de~~) Payroll deductions will be made for income tax withholding, Workers' Compensation insurance and employee contributions to employee benefits, and may be made for the United Way Fund, payments to the Employee's Credit Union and other agencies as approved by the Executive Officer at the request of the employee;

(1) Charitable solicitations of Metro employees while on the job during working hours shall be conducted in compliance with this section. No other solicitations of Metro employees while on the job during working hours by a charitable organization shall be permitted.

(2) The Executive Officer with consultation of District employees shall by Executive Order establish rules and procedures to implement this section including procedures for applications, time and length of solicitation campaigns and payroll deductions. The procedures shall specify that all solicitations shall be made during a single campaign period lasting no longer than thirty (30) days and that employees may sign payroll deduction cards for charitable donations only during a two (2) week period following the end of the solicitation campaign period. The Executive Officer once each year shall certify all charitable organizations recognized by Metro for the purpose of conducting a fund drive among the employees of the District. The Executive Officer's action shall be based on the criteria stated in subsection (3) of this section.

(3) Charitable organizations recognized to conduct a fund drive among Metro

employees while on the job during working hours shall:

- (A) Be a fund-raising organization which raised funds for ten (10) or more charitable agencies.
 - (B) Disburse funds only to agencies whose charitable activities are primarily in the geographical areas of [the] Metro[politan Service District] and which have an office located within the District.
 - (C) Be exempt from taxation under Internal Revenue Service Code Section 501(c)(3).
 - (D) Be in compliance with the Charitable Trust and Corporation Act and the Oregon Solicitation Act (ORS 128.618 through 128.898). All charitable organizations who have made the required filings under such laws and have no enforcement action pending against them shall be presumed to be in compliance with such laws.
 - (E) Have a policy prohibiting discrimination in employment and fund distribution with regards to race, color, religion, national origin, handicap, age, sex and sexual preference in the Charitable Organization and all its grantee agencies.
 - (F) Provide an audited annual financial report to [the] Metro[politan Service District] for distribution to its employees sixty (60) days prior to the charitable campaign.
- (4) Payroll deductions for employee charitable contributions shall be allowed only for charitable organizations in compliance with this Section.]

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

~~[(e)] (moved to 2.02.055(d) [When the salary range for any classification is increased or decreased, individual employees salary rates shall be adjusted in proportion to the amount of increase or decrease without change in the employees established anniversary date.]~~

~~[(f) — Bonus:] (moved to 2.02.055(c) [A one time award of a bonus of up to \$300 may be made by the Executive Officer, upon written recommendation of the employee's supervisor and department head supported by facts establishing reasonable justification for the award. A bonus award shall not be made in lieu of an employee's annual merit salary increase.]~~

(Ordinance No. 81-116, Sec. 33; amended by Ordinance No. 89-302A, Sec. 1, 2, 3 and 4)

2.02.070 [260] Affirmative Action Policy:

(a) Policy Statement: ~~[The Council recognizes that it has a responsibility to provide equal employment opportunities regardless of race, color, national origin, religion, physical or mental handicaps, sex or age, so as to eliminate waste in the utilization of human resources.]~~ Metro states as its policy a commitment to provide equal employment opportunities without regard to race, color, religion, national origin, sex, age, disability, sexual orientation, or marital or familial status, except where a bona fide occupational qualification exists.

(b) Affirmative Action Program: The Council has adopted an affirmative action policy and program which is set forth in a separate document which is available throughout Metro facilities. All employees are encouraged to familiarize themselves with Metro's affirmative action policies.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

(Ordinance No. 81-116, Sec. 53)

2.02.075 [095] Nepotism: Notwithstanding Metro's affirmative action policy and program, no member of an employee's family (husband, wife, son, daughter, mother, father, brother, sister, in-laws of any kind, aunt, uncle, niece, nephew, stepparent, or stepchild) shall be employed in a position of exercising supervisory, appointment, or grievance adjustment authority over the other family member.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

~~[(a) No appointing authority shall make, approve or continue the employment, appointment, promotion or transfer of an otherwise eligible candidate or employee to a position in which the candidate or employee would be subject to or responsible for the direct or indirect supervision or review, including personnel evaluation, salary or position changes, discipline and any other personnel action, of a person related as closely as a first cousin, whether the relationship is by blood or through marriage, and shall include husbands of sisters-in-law and wives of brothers-in-law. Any candidate or employee employed, appointed, promoted or transferred to a position in violation of this rule shall be immediately transferred or terminated from such position. These provisions shall not apply to any person appointed prior to date of adoption of this chapter.]~~

~~(b) No relative shall be employed if such action would constitute a violation of any~~

~~law of the state of Oregon, or of the United States, or any rule promulgated pursuant thereto with which Metro is required to comply.]~~

(Ordinance No. 81-116, Sec. 19)

2.02.080 [040] Recruitment and Appointment:

~~(a) All promotions and appointments to vacancies shall be made solely on the basis of merit, efficiency and fitness. These qualities shall be job related and shall be determined through careful and impartial evaluation of the following:~~

- ~~(1) The duties and responsibilities to be performed;~~
- ~~(2) The applicant's level of training relative to the requirements of the position;~~
- ~~(3) The applicant's level of education relative to the requirements of the position;~~
- ~~(4) The applicant's level and amount of experience relative to the requirements of the position;~~
- ~~(5) The results of an oral interview and examination; and~~
- ~~(6) The results of reference checks.~~

~~(b) Except for purposes of Affirmative Action, no question in any examination, in any application form, or by any Metro employee, official or department head shall be so framed as to attempt to elicit information concerning race, color, ancestry, national origin, sex, sexual orientation or political or religious affiliation.~~

~~(c) All statements submitted on the employment application or attached resume shall be subject to investigation and verification prior to appointment.]~~

~~(a) Recruitment efforts will be coordinated by the Office of Personnel [Department] in cooperation with the hiring department. Recruiting publicity will be distributed through appropriate media and/or other organizations to meet affirmative action guidelines. Such publicity will indicate that Metro is an affirmative action, equal opportunity employer and will be designed to attract a sufficient number of qualified applicants.~~

~~(db) Internal Recruitments: A regular [and temporary full-time] employee who has successfully completed his/her initial probationary period may [are encouraged to] apply for [any] vacant positions and will be considered as an internal applicant [for which they are qualified]. Temporary [full-time] employees must have completed a competitive recruitment and~~

selection process through the Office of Personnel [Department] [and have been employed at least three (3) months] to be considered [for] as an internal [in-house] applicant. [promotional hiring preference.] All applications will be considered without prejudice to their present positions. Regular, regular part-time and temporary [full-time] employees who apply will be given first consideration in filling a vacant position. [(moved to General Recruitment)If the position is not filled as a result of promotional recruitment, recruitment outside the agency will commence.] Notice of [promotional] internal recruitment shall be posted not less than five (5) working days to allow for receipt of applications. [Promotional applicants will be provided with a written response on the status of their application by the division or department head in whose division the vacancy exists before outside recruitment is commenced.] [This subsection shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]

(c) General Recruitment: If the vacancy is not filled as a result of internal [promotional] recruitment, recruitment outside the agency will commence. The period of general recruitment shall be not less than ten (10) working days to allow for receipt of applications.

(ed) Pursuant to the terms and intent of ORS 268.180(5), ORS 268.210 and ORS 268.215, all appointments of employees shall be the sole responsibility of the Executive Officer subject to the provisions of this chapter. However, [because the duties associated with certain positions include an independent and concurrent policy impact on both the Council and the Executive Officer,] the appointment of all Department Directors and the General Counsel, or other positions who report to both the Council and the Executive Officer, [or promotion of persons to fill the following positions] must be confirmed by a majority of the Council prior to the effective date of each such appointment or promotion:

- (1) General Counsel
- (2) Government Relations Officer (lobbyist)
- (3) Public Affairs Director
- (4) Deputy Executive Officer
- (5) Solid Waste Director
- (6) Zoo Director
- (7) Convention Center Project Director
- (8) Planning & Development Director
- (9) Transportation Director
- (10) Director of Finance & Management Information
- (11) Director of Regional Facilities]

(e) All appointments of employees to the Office of the Executive Officer shall be the sole responsibility of the Executive Officer.

(f) All appointments of employees to the Council Department shall be the sole responsibility of the Presiding Officer of the Council.

(g) All appointments of employees to the Office of the Auditor shall be the sole responsibility of the Auditor.

(h) Direct appointments of, staff in the Office of the Executive Officer, Department Directors, staff in the Office of the Auditor, and staff in the Council Office, may be made without going through the normal recruitment and selection process. All appointed staff in the Office of the Executive Officer and appointed Department Directors shall serve at the pleasure of the Executive Officer. All appointed staff in the Office of the Auditor shall serve at the pleasure of the Auditor. All appointed staff in the Council Department shall serve at the pleasure of the Council.

~~[(f) "Provisional Appointment" means an appointment, pursuant to this chapter, to a position in the absence of a list of eligibles. Provisional appointments cannot exceed ninety (90) days. A person appointed provisionally is eligible to compete for the position when recruitment is opened during the aforementioned ninety (90) day period.]~~

(Ordinance No. 91-378A, Sec. 5)

(Ordinance No. 81-116, Sec. 8; amended by Ordinance No. 84-183, Sec. 1; amended by Ordinance No. 87-218, Sec. 1; and Ordinance No. 88-255, Sec. 1)

2.02.085 [045] Probationary Period: The probationary period shall be a continuation of the screening process and shall provide the supervisor an opportunity to observe the employee's work, to instruct and aid the employee in adjustment to the position, and to reject any employee who does not demonstrate fitness for the position. The successful completion of probation is for Metro's internal screening process only, and does not confer any form of tenure or other expectation of continued employment.

(a) ~~[Except as provided in subsection (B) of this section,]~~ ~~a~~All [original] initial appointments and all promotions to [regular and regular] permanent full-time and permanent part-time positions shall be subject to a standard probationary period of six (6) consecutive months of service. ~~[Such period shall not apply to transferees who are transferred after satisfactory completion of their probationary period.]~~

(b) ~~[In cases where a probationary employee is transferred prior to the end of the probationary period, the employee must complete his/her initial probationary period. [Or where a period longer than six (6) months is necessary to demonstrate an employee's qualifications, the probationary period may be extended by the Executive Officer; however, no probationary period shall be extended beyond twelve (12) months from the date of appointment. The employee shall be notified in writing of any extension and the reasons therefore.]~~ Promotions: Employees who do not successfully complete their promotional six month probationary period, may be demoted at any time during the promotional period, and be reinstated into the position held prior to promotion if that position is vacant or if that position is filled by an employee in an initial probationary period. If that position is not filled by a person in his/her initial probationary period, the employee may be reinstated into any vacant position in the classification

held prior to the promotion and the employee will serve a probationary period of three months in the new position. If no such positions are available, the employee shall be laid off.

(c) ~~[During the probationary period the employee shall not be eligible for vacation leave but shall earn vacation credit during probation to be taken after probation.]~~
Reclassifications: No employee's position shall be reclassified until such time as he/she has successfully completed his/her initial six month probationary period in the classification into which he/she was hired. Employees whose positions are reclassified, upon successful completion of the initial probationary period, shall not serve an additional probationary period.

(d) ~~[During the probationary period, the employee will be provided with a work plan and guidance from the supervisor in carrying out the plan. The employee's performance will be reviewed periodically to determine how the employee is progressing in meeting the performance standards of the particular position. Upon satisfactory completion of the probationary period, the employee shall be considered as having demonstrated qualifications for the position, shall gain regular status and shall be so informed on a Completion of Probationary Performance Evaluation rating form.]~~ Transfers: Transfers to another position in the same classification with the similar duties, do not require an additional probationary period. Transfers to a position in the same classification with significantly different duties shall require a three month probationary period. Employees who do not successfully complete the three month probationary period, may be reinstated into the position held prior to transfer, if the position is vacant or if the position is filled by an employee in an initial probationary period. If that position does not exist as described above, the employee may be reinstated into any vacant position in the classification held prior to the transfer. If no such positions are available, the employee shall be laid off. In cases where a probationary employee is involuntarily transferred prior to the end of the probationary period, the employee must complete his/her initial probationary period. (moved from (b) above)

(e) ~~[In the case of an original appointment, a probationary employee may be terminated without cause at any time without hearing or appeal and without previous, lesser disciplinary action. The employee shall be given fourteen (14) days written notice of termination pursuant to Section 2.02-105(g).]~~ Demotions: An employee must have completed his/her initial six month probationary period prior to requesting a voluntary demotion, and shall not serve a new probationary period upon demotion.

(f) ~~[In the case of promotional appointments, the promoted employee may be demoted at any time during the probationary period, and be reinstated in a position in the class from which he/she was promoted, even though this may necessitate the layoff of the employee occupying the position.]~~ (moved to (b) above). Vacation leave credits based upon or earned in connection with time worked shall accumulate during an employee's initial probationary period. Upon successful completion of the initial probationary period, employee will be credited with vacation leave accumulated during the probationary period and will be eligible to take accrued vacation leave with pay as authorized. An employee who terminates for any reason during the initial probationary period shall not be entitled to vacation leave payment.

(g) Any authorized leave without pay during any probationary period will extend the probationary period by the amount of time the employee is on such leave.

(h) Employees serving the initial six month probationary period may be disciplined or terminated without cause, with or without prior notice. Nothing in this section shall be construed as implying or requiring that cause must exist for the discipline or termination of a regular status employee.

[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]

(Ordinance No. 81-116, Sec. 9)

~~[2.02.080 Travel Expense: When employees are required to travel on official business, Metro will pay the actual cost of travel and the actual cost of meals or per diem as set by the Executive Officer, whichever is less. No such payment shall be made without receipts for actual expenses. Reimbursement for expenses incurred shall be determined and paid as follows:~~

~~(a) Travel on official business by a single individual should be via public carrier or Metro-owned vehicle. If the employee is authorized to use a private vehicle, mileage shall be paid at the same rate set by the Council for Councilors. This rate includes insurance, but not storage expense of the vehicle, which is an eligible expense.~~

~~(b) When travel by Metro-owned vehicle or by public carrier is practical, but the employee elects to use the employee's own vehicle, the employee shall not be reimbursed.~~

~~(c) Reimbursement for travel and subsistence on official trips outside the metropolitan area by bus, train or airplane shall only be the amount of actual and reasonable expense incurred during the performance of official duty as a Metro employee for the benefit of Metro. Metro will pay the actual costs of travel and meals or per diem as set by the Executive Officer. The actual cost of conference registration fees will be paid. The actual costs of accommodations will be paid as well as taxi or bus fare. Metro will not pay for first class air travel unless tourist class is not available. Airline tickets should be ordered and paid for directly by Metro. Advances for anticipated trip costs may be made upon approval of the Executive Officer or the person designated by the Executive Officer.~~

~~(Ordinance No. 81-116, Sec. 16; Ordinance No. 90-334)] (included in current Executive Order)~~

2.02.090 [265] Temporary Employees:

(a) Temporary employees appointed prior to the effective date of this Ordinance and who are still employed as temporary employees without a break in service after the effective date of

this Ordinance, shall ~~[be eligible for]~~ continue to receive all employee benefits ~~[according to the Metro Temporary Employment Program adopted August 1979.]~~ granted to them since their current appointment as a temporary employee, not to exceed 1044 hours.

~~[(b) Definition: Temporary Employee means any employee appointed to perform a specific task or to participate in a series of projects for a period not to exceed 1,040 hours over a six (6) month period. This definition excludes interns, work study students, and CETA employees.]~~

~~(eb) Status of Temporary Employees: Temporary employment [will be expected to terminate upon completion of the task or project. No commitments will be made by Metro to retain the employee past the termination date of the project in question] shall be used for the purpose of meeting emergency, nonrecurring, or short-term workload needs, or to replace an employee during an approved leave of absence. A temporary employee may be given a nonstatus appointment without open competition and consideration only for the purposes enumerated in this section. Temporary appointments shall not be used to defeat the open competitive recruitment and selection process. Temporary employment shall not be used as any portion of a required probationary period.~~

~~(c) Term of Appointment: The term of temporary employment may not exceed [six (6) months] 1044 hours within a fiscal year without approval of the Executive Officer who may grant up to a [six (6) month] 1044 hour extension. A temporary employee shall not become a permanent employee upon working more than 1044 hours. [provided, however, accrued hours shall not exceed 2,080 over a twelve (12) month period. Continuation of employment beyond one (1) year may only occur upon appointment to a regular position authorized under a currently approved budget.]~~

~~(d) Benefits: Benefits required by law such as Workers' Compensation and Social Security will be paid for all temporary employees. [Temporary employees are allowed vacation leave and sick leave according to the same rules as regular employees.] No additional benefits will be paid or given to temporary employees. [except for designated holidays as provided for in this chapter.]~~

~~[(e) A newly employed temporary employee shall receive pay for an observed holiday if the employee has worked at least 30 consecutive work days prior to the occurrence of a legal holiday or if the employee has worked all of the working days of the month in which the holiday occurs; and a temporary employee leaving Metro employment will receive a paid holiday for any legal holiday provided the employee has worked five consecutive days or more beyond the occurrence of the said legal holiday.]~~

~~(e) Eligibility for Regular Employment: Temporary employees may [will be allowed to] compete for regular positions on the same basis as applicants from outside the agency. Temporary [full-time] employees [who have been employed at Metro three (3) consecutive months and who have gone through a competitive recruitment and selection process through the~~

Office of Personnel [Department] for the current temporary [full-time] position will be [given] considered as in-house [promotional hiring preference] applicants for vacant positions for which they apply through the internal recruitment process. [possess the qualifications. If appointed into a regular position, employment time spent in previous full-time temporary positions may be counted toward the accumulation of vacation and personal holiday time if there has been no break in service.]

[(g) — All sections of this chapter not inconsistent with the terms of the section including the pay and classification procedures will apply to temporary employees.]
(Ordinance No. 81-116, Sec. 54)

2.02.095 [055] Job Share: Any full-time position may be designated as a job share position by the Executive Officer at the request of a Department Director. A job share position is a full-time position which is shared by two employees. Benefits for such position shall be apportioned between the position occupants in proportion to time worked by each; however, such apportioning may be altered upon written agreement of position occupants and approval by the Personnel [Manager] Director. In no event, however, shall the benefits of a job share position exceed the benefits of any other full-time position.

[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]

(Ordinance No. 81-116, Sec. 11)

2.02.100 [225] Orientation: [There shall be an orientation program.] All new permanent employees shall be provided with a copy of this chapter and insurance plans and Metro shall periodically provide them with orientation sessions.

(Ordinance No. 81-116, Sec. 45)

2.02.105 [215] Worker's Compensation Insurance:

(a) All employees shall be covered for medical expenses and disability benefits for compensable injuries or illness resulting from employment.

(b) Payment of medical expenses and lost time disability benefits is determined by the worker's compensation administration in accordance with ORS 656 [insuranc e-carrier, State Accident Insurance Fund, on the basis of the doctor's statement and the Workers' Compensation Insurance schedule of the State of Oregon.]

(c) The cost of Workers' Compensation Insurance shall be paid by Metro with the exception of the employee contribution mandated by the Workers' Compensation Law of the State of Oregon.

(d) During an employee's absence due to an on-the-job injury or occupational illness, the employee may utilize sick leave or vacation credits to augment any benefits paid by the Workers' Compensation fund.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

(Ordinance No. 81-116, Sec. 43)

2.02.110 [220] Insurance and Retirement:

(a) ~~[All probationary, regular and regular part-time]~~ Permanent full-time employees shall receive ~~[health, life, disability, vision and dental]~~ insurance ~~[- and shall be members of one of Metro's retirement plans]~~ benefits, as provided in the budget, on the first day of the month following their first full month of employment. Co-payments by employees may be required. Job share positions are eligible for one set of benefits which are split between the two employees sharing the position. ~~[Continuous service as defined in this chapter shall apply in determining length of service for purposes of an employee's retirement plan, except as otherwise required by each such plan.]~~

(b) Permanent part-time employees who are budgeted at .50 FTE or more only, shall receive insurance benefits on a prorated basis, as provided in the budget, on the first day of the month following their first full month of employment. The prorated amount an eligible part-time employee will receive shall be commensurate with the budgeted FTE of their part-time position. An eligible part-time employee may pick up the remaining FTE portion and remaining cost up to 100% of insurance benefits at his/her request.

(c) Metro will pay the required employer contribution for an eligible employee's PERS (Public Employee Retirement System) account, and will also pick up the employee's six percent (6%) contribution. For only those current employees remaining in the former eleven percent (11%) plan, Metro will pay the employer five percent (5%) portion and pick up the employee six percent (6%) portion.

(Ordinance No. 81-116, Sec. 44)

2.02.115 [065] Transfers and Demotions:

(a) ~~[All vacant positions are subject to normal recruitment procedures.]~~ Transfers: A lateral transfer is the voluntary or involuntary movement of an employee from one position to another position in the same classification, or the voluntary or involuntary movement of an incumbent employee's position. Lateral transfers within the same classification and with the same duties do not require a new probationary period. Lateral transfers within the same classification but with significantly different duties require a three month probationary period.

An employee's salary rate will remain the same for all lateral transfers.

(1) Involuntary Transfer: [If] A lateral transfer [is] of an incumbent employee without the consent of the incumbent employee may be made due to operational needs or as a result of disciplinary action, but the [employer] incumbent employee must be given [the employee] ten (10) calendar days prior notice. The incumbent shall be transferred with the position. [Upon written request of the employee, the Personnel Manager may investigate the transfer to determine if it is being made for reasons other than the good of the service. Transfers must be completed with no more than a ten (10) day break in service.]

(2) Voluntary Transfer: Regular employees may apply for a transfer to a vacant position by applying through the established internal recruitment process only.

(b) Voluntary Demotion: A regular employee may apply for a voluntary demotion by applying through the established internal recruitment process only.

~~[(b) Disability Reassignment: As an alternative to appointment from an open competitive or promotional list, a position may be filled for the duration of an employee's disability (temporarily or permanently) by the reassignment of a regular or probationary employee to another position upon request, with the consent of the Executive Officer and department heads involved and the Personnel Division, if the employee is unable to perform the duties of the position because of an on-the-job accident or disability. An employee so disabled may be reassigned to a position in a different classification, if it is determined by the Personnel Manager that the employee is both capable and qualified to perform the duties of the new position.]~~

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

(Ordinance No. 81-116, Sec. 13)

2.02.120 [050] [Attendance: Hours of Work] Work Schedules:

(a) The normal work schedule shall be 40 hours, Monday through Friday, and the normal work day shall be 8:00 a.m. to 5:00 p.m. Some departments have work schedules and hours which may vary. In order to provide the best service to the public, Department Directors may establish operating schedules for departments which vary from the normal work schedule. Nothing contained in this section or elsewhere in this chapter shall be construed as any guarantee of hours of work per day or per week.

(b) Flexible Work Schedules: Department Directors may establish employee work schedules which vary from the normal work schedule. All flexible work schedules must be

approved by the Department Director.

(c) Meals and Breaks: Full-time employees shall be allowed at least a thirty (30) minute, not more than an hour, meal break. Such meal breaks shall be scheduled in the middle of a work day as practicable. All employees are entitled to at least a ten (10) minute break period when working a continuous four (4) hour work period.

~~[(a) — Employees shall be in attendance at their work in accordance with the sections of this chapter regarding hours of work, holidays and leaves of absence.~~

~~(b) — Employees shall not absent themselves from work for any reason, other than those specified in this chapter authorizing sick leave, without making prior arrangements with their supervisor. Supervisors may authorize employees to work a flexible schedule which does not require continuous attendance during the workday or a report on each absence, when appropriate to the nature and level of the position.~~

~~(e) — Any unauthorized absence of an employee from duty may be deemed to be an absence without pay and may be cause for disciplinary action. Absence without approval in excess of three (3) workdays shall constitute abandonment of position.~~

~~(d) — Meals: All employees shall be granted a non-paid lunch period of one (1) hour during each full work shift subject to past practice. Whenever possible, such meal periods shall be scheduled in the middle of a shift.~~

~~(e) — Rest Periods: A rest period of ten (10) minutes shall be permitted for all employees for each full half shift subject to the workload of the department. Such rest periods shall normally be on a scheduled basis so that activities of the department shall be staffed at all times.]~~

(Ordinance No. 81-116, Sec. 10)

2.02.125 [170] Overtime Compensation:

(a) When [Ø]overtime [may be allowed, and] is authorized, overtime compensation shall be paid[, both pursuant to ORS 279.340 and 279.342, and pursuant to this section: Compensation for overtime shall be paid] only to employees who are not exempt[ed] from [the provision of ORS 279.340 by ORS 279.342] overtime as established in the Pay Plan.

~~[(b) — Except as a result of shift rotation, overtime shall be considered time worked by an employee in excess of the scheduled workday or workweek for full time employment. Time worked beyond their regular schedules by employees on schedules of less than full time shall be considered as additional time worked rather than overtime until such time exceeds the regular schedules for full time employment.~~

~~(e) — Department and division heads shall assign to each employee regular work duties and responsibilities which normally can be accomplished within the established workday and~~

~~workweek. No overtime shall be worked by nonexempt employees without the approval of the department head or his/her designee.]~~

~~(db) [Exempt employees who work more than forty (40) hours in one week shall be eligible for equal time off not to exceed eight (8) hours in one week upon approval of their supervisor and provided it can be accommodated with their workload.] No overtime shall be paid to overtime exempt employees. Time worked on a holiday may be taken at a later date. It is understood that an overtime exempt employee may have to work on occasion beyond normal business hours, and that some extra work hours beyond a usual work day or work week are part of the job expectations for an overtime exempt employee. At the Department Director's discretion, flexible work hours may be utilized to accommodate a reasonable balance of work hours. Recorded time off shall be consistent with Administrative Leave.~~

~~(e) — Working during the lunch hour and during coffee breaks is not considered as overtime and no overtime payment shall be made for such time worked as defined in ORS 279.340; provided however that if a non-exempt employee is required by the supervisor to work through the lunch hour, he or she shall be entitled to leave work at the conclusion of eight (8) hours work or be eligible for overtime compensation pursuant to the provisions of this section.~~

~~(f) — No person shall be discriminated against or disciplined for refusing to work overtime where in the opinion of the department head another qualified employee is available to perform the work.~~

~~(g) — Designation of eligibility for overtime compensation shall be included in the pay plan for each position and revised annually based on the duties and responsibilities outlined in the class specification.]~~

~~(hc) For purposes of computing overtime, hours worked shall include only time actually worked by the employee, and shall not include holiday pay, vacation pay, sick pay, or other compensable leaves. [For the purposes of computing overtime, hours worked shall include observed holidays, vacation leave, compensatory time, paid sick leave and time on the job.]~~

~~(id) Compensation for authorized overtime shall be at the rate of time-and-one-half for time actually worked in excess of the forty (40) hours in a workweek or eight (8) hours in a workday and may be paid [either] in cash if budgeted funds are available or, if the employee agrees as compensatory time off, at the discretion of the [d]Department [head] Director. Compensatory time must be taken as leave within six (6) months or paid in cash within the fiscal year that it is earned. Such payment shall be at the employee's rate of pay being earned at the time of payment. When a non-exempt employee is terminated, the employee shall be given cash compensation for the overtime the employee has accrued and not used.~~

~~(i) — When cash payment for overtime is authorized, such payment shall be made no later than the next pay day following the pay period in which the overtime is worked.]~~

(ke) Overtime hours worked shall not be used to [earn] expand employee benefits or to [serve-out] shorten probationary or annual merit increase periods. Compensatory time off in lieu of overtime pay will be counted as regular time worked in computing wages and toward earning employee benefits and to serve out probation and merit increase periods.

(Ordinance No. 81-116, Sec. 34)

2.02.130 [475] Holidays:

(a) Probationary [~~regular~~] and regular [~~part-time~~] employees of Metro shall be entitled to the following [designated] holidays listed with pay; however, floating holidays cannot be utilized by employees until they have successfully completed their initial probationary period:

- (1) New Years Day;
- (2) [~~Washington's Birthday~~] Martin Luther King Jr. Birthday;
- (3) President's Day
- (34) Memorial Day;
- (45) Independence Day;
- (56) Labor Day;
- (67) Veterans Day;
- (78) Thanksgiving Day;
- (89) Christmas Day;

(910,11) Two floating holidays are allowed each fiscal year on days of each employee's choice, subject to schedule approval of the supervisor. [~~Employees hired after January 1 of each fiscal year shall be entitled to one such holiday in that fiscal year.~~] For purposes of this section, a floating holiday is any day chosen by the employee and approved by the supervisor which would otherwise be a regular scheduled work day. The floating holidays are non-cumulative from fiscal year to fiscal year and must be taken by the employee within the fiscal year in which they accrue. No payment for floating holidays accrued and not taken shall be provided for any employee upon termination of employment for any reason. [~~If the employee's supervisor does not schedule the holiday leave prior to the last week of the fiscal year, the employee shall be allowed to take the holiday leave within the last week of the fiscal year. The employee may determine which day of the last week he/she will be absent. Such absence will not reflect discredit on the employee.~~]

(b) If any such holiday falls on a Sunday, the following Monday shall be given as that holiday. If any such holiday falls on a Saturday, the preceding Friday shall be given as a holiday.

(c) Holidays which occur during vacation or sick leave shall not be charged against such leave.

(d) ~~[Additional days designated by the Congress of the United States as legal holidays for all citizens shall be observed by Metro.]~~ Regular part-time employees shall receive holiday pay on a prorated basis, based on their hours of work.
(Ordinance No. 81-116, Sec. 35)

2.02.135 [180] Vacation: [(a)] The following provisions are applicable to [non-represented regular and non-represented regular part-time] permanent employees only. [Appropriate contract provisions shall apply to those employees represented by an employee union.]

(ba) ~~[Subject to the provision on probation, a]~~ All regular and regular part-time employees shall be granted annual vacation leave with pay.

(eb) ~~[Regular and regular part-time employees who have been employed by Metro for more than six (6) consecutive months]~~ Upon successful completion of their initial probationary period, employees may be granted accrued vacation leave by approval of the Department [head or his/her designee] Director. Department [head] Director vacations shall be approved by the Executive Officer. ~~[Special consideration of vacation needs of employees can be considered by the department head or the Executive Officer upon request.]~~

(ec) Employees shall not accumulate more than 250 hours of vacation leave. If the operating needs of the department prohibit granting a vacation leave request, additional hours in excess of the 250 hour limit, may be accrued or may be compensated, at the discretion of the Department Director, and with the written approval of the Executive Officer. Such written authorization shall be filed in the Finance and Management Information Department, Accounting Division with a copy to the Office of Personnel [Department].

~~[(e) — Any employee who is about to lose vacation credit because of accumulation limitations may, by notifying the department head five (5) days in advance, absent themselves to prevent loss of this time. Such action taken by the employee shall not constitute a basis for disciplinary action or loss of pay. Vacation leave shall not accrue during a leave of absence without pay, or educational leave with pay, the duration of which exceeds fifteen (15) consecutive calendar days. Any employee who is granted a leave of absence without pay shall first be scheduled for any vacation leave and/or compensatory time that has accrued to the employee before commencing leave without pay.]~~

(fd) Department Directors [heads or their designees] shall schedule vacation [for their respective staff with consideration for seniority, the desires of the staff and for the work requirements] requests consistent with the operational needs of the department. Vacation schedules may be amended to allow the department to meet emergency situations.

(ge) An employee who has successfully completed his/her initial probationary period, and terminates for any reason, shall be entitled to payment for accrued unused vacation leave. In no case shall payment be more than the maximum allowable 250 hour accrual limit. An employee who terminates for any reason during the initial probationary period shall not be

~~entitled to any accumulated vacation leave payment. [Any regular or regular part-time employee who resigns, retires, is laid off or dismissed from employment with Metro shall be entitled to immediate lump-sum payment for accrued and unused vacation at his/her existing salary rate provided, however, that such lump-sum payment shall not be made if separation occurs prior to the completion of the initial probationary period including any extensions.]~~

(Ordinance No. 81-116, Sec. 36; amended by Ordinance No. 91-426, Sec. 1)

2.02.140 [485] Vacation Credit and Accrual Rate: The vacation credit and accrual schedules for ~~[regular and regular part-time]~~ permanent employees are as follows:

<u>Total Years of Continuous Service</u>	<u>Accrual Rate Per Pay Period</u>	<u>Equivalent Annual Hours for Full-Time Employees</u>
Date of Hire through completion of 3rd years	5.00 hours	120 hours
4th years through completion of 7th years	6.00 hours	144 hours
8th [plus] years through completion of 11th years	7.00 hours	168 hours
12th [plus] years or more	8.00 hours	192 hours

[Regular] Permanent part-time employees shall accrue vacation under the above schedule at a rate proportionate to the time worked per week.

(Ordinance No. 81-116, Sec. 37; amended by Ordinance No. 82-139, Sec. 1; Ordinance No. 91-426, Sec. 2)

2.02.145 [490] Sick Leave:

(a) [Regular] Permanent employees shall earn sick leave with pay at a rate of 104 hours per year (.05 hours per hour worked); such sick leave shall accrue in an unlimited amount.

(b) [Regular] Permanent part-time employees shall earn sick leave with pay proportionate to the amount of FTE for the position in the budget [time-worked]; such sick leave shall accrue in an unlimited amount.

(c) Employees may use accrued sick leave when temporarily unable to perform work duties by reason of personal illness, injury, disability, medical or dental care, or illness, injury, or disability of a person living in the employee's household. Sick leave is not to be used for personal time off or to extend holidays or vacation leave. No payment for accrued sick leave

shall be provided for any employee upon termination of employment for any reason. [are eligible to use sick leave for the following reasons:

(1) ~~Personal illness or physical disability;~~

(2) ~~Illness or physical disability in the employee's household requiring the employee to remain at home.~~

(3) ~~Medical appointments and office visits.]~~

[(d) — Sick leave shall be charged as follows: Employees working a regular workweek shall be charged leave on the basis of one (1) day sick leave for each duty day absent; except when such absence is the result of quarantine, in which case no charge shall be made. Not less than one (1) hour of sick leave may be charged for any portion of workday missed due to sickness.]

(ed) Abuse of the sick leave privilege shall be cause for disciplinary action. An employee who is unable to report to work because of any of the reasons set forth in the above subsection of this section shall report the reason for his/her absence to his/her supervisor. Sick leave with pay may not be allowed unless such report has been made. The supervisor may require sick leave [beyond three (3) days] to be supported by a physician's statement attesting to the illness.

(fe) [Regular] Permanent full-time employees who use twenty-four (24) hours or less of sick leave within one (1) fiscal year period, and who are not at the 250 hour vacation accrual limit, shall accrue eight (8) additional hours of vacation leave in exchange for eight (8) hours of sick leave at the end of the fiscal year period. [Regular] Permanent part-time employees who use [twenty-four (24)] twelve (12) hours or less of sick leave within one fiscal year, and who are not at the 250 hour vacation accrual limit, shall accrue four (4) additional hours of vacation leave in exchange for four (4) hours of sick leave. Permanent employees must work a full fiscal year in order to be eligible for this exchange of accrued hours.

(gf) Transfer of Leave Credits: Sick leave is provided as a benefit to each employee as insurance for period of illness. Under normal circumstances benefits are not transferrable; however, upon written request of a regular employee to the Executive Officer, the voluntary transfer of sick leave hours may be authorized on a limited, carefully monitored basis as follows: [upon request of an employee, the Executive Officer may authorize transfer of sick leave credits on a limited, carefully monitored basis when extenuating circumstances exist. Each request will be reviewed and approval granted on a case-by-case basis.]

(1) Each request will be reviewed and approval granted or denied on a case by case basis by the Executive Officer.

(2) Requests must be due to a catastrophic, long-term, or chronic illness of the

requesting employee only.

(3) The requesting employee must have no more than forty (40) hours, combined accrued sick leave hours and accrued vacation leave hours, at the time of the request.

(4) Upon approval per (1) above, the requesting employee, or another employee he/she has designated, may initiate a request to Metro employees for the transfer of accrued sick leave hours.

(5) Employees wanting to voluntarily transfer accrued sick leave hours to the requesting employee may do so only as follows:

(A) the transferring employee's Director must authorize the transfer of hours by signature, such authorization will indicate the transfer of hours can be accomplished within the departmental fiscal year budget;

(B) the transfer of accrued sick leave hours cannot exceed a total of 40 hours per transferring employee for each individual requesting employee for each fiscal year;

(C) ~~[if the transferring employee's vacation leave balance has reached the capped limit, the employee cannot uncap his/her accrued hours to allow for a transfer of hours; transferred hours must be deducted from accrued hours at or below the allowable cap]~~ under no circumstances shall the transferring employee's sick leave balance be reduced to below 120 hours of accrued sick leave because of the voluntary transfer of sick leave hours to another employee.

(6) Normal leave accruals will not continue for requesting employees while they are on paid leave status as a result of transferred hours. However, health and welfare benefits provided for any other employee on paid leave status will continue for the requesting employee for as long as they remain on paid status.

(7) Any transferred sick leave hours unused by the requesting employee shall be returned to all transferring employees' sick leave accrual balances on a pro-rated basis.

(8) Copies of approved requests and approved transfers of hours must be sent to the Finance and Management Information Department, Accounting Division for implementation and to the Office of Personnel [Department]. ~~[Sick leave is provided as a benefit to each employee as insurance for periods of illness. Under normal circumstances benefits are not transferrable; however, upon request of an employee, the Executive Officer may authorize transfer of sick leave credits~~

~~on a limited, carefully monitored basis when extenuating circumstances exist. Each request will be reviewed and approval granted on a case-by-case basis.]~~

~~[This subsection shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

(Ordinance No. 81-116, Sec. 38; amended by Ordinance No. 82-139, Sec. 2)

2.02.150 Family Medical Leave: Metro provides family medical leave of up to twelve (12) weeks within a one-year period for eligible employees when a serious health condition requires inpatient care or continuing treatment by a health care provider and makes the employee unable to work, and/or because of the birth of a child, or the placement of a child for adoption or foster care in the employee's home, and/or for the care of family members who suffer serious health conditions. For the purpose of this leave, family members are defined as a seriously-ill spouse, parent, parent-in-law, or child, or a sick minor child requiring home care. At the employee's discretion, the leave shall be paid from accrued personal leaves (including vacation leave, sick leave, compensatory time leave, personal holiday leave), or be unpaid. Except for limited circumstances, Family Medical Leave runs concurrent with other leaves.

(a) The employee shall be entitled to take family medical leave without being penalized for taking such leave.

(b) An employee returning from family medical leave shall be reinstated with no greater or lesser right in employment than if the employee has not taken the leave (pursuant to Chapter 939, Oregon Laws 1991).

(c) All full-time and part-time employees who have completed at least 180 calendar days of employment while averaging at least twenty-five (25) hours of work per week are eligible to request the leave.

(d) Employees have the option of using their accumulated leave balances during the family medical leave. Health and welfare coverage will continue at the same level of benefits and contributions for employees on Family Medical Leave as for other benefit-eligible employees. If employees fail to return from leave, except because of their own or a family member's serious health condition or another circumstance beyond their control, Metro can recover health premiums it paid during the leave. These monies may be recovered from the final paycheck if there is one, or by a lawsuit.

(e) Eligible employees may take a maximum of twelve (12) weeks of family medical leave within a one-year period. Each one-year period begins on the date of the first day of actual leave taken. Leave may be taken continuously or, under certain circumstances, on a reduced workweek schedule, or intermittently.

(f) When the employee can anticipate that the serious health situation is going to arise, the employee must submit a written request to the Department Director and the Office of Personnel [Department] at least fifteen (15) days prior to taking the leave. When the employee cannot anticipate the serious health condition of the family member, an oral request can be made to the Department Director to be confirmed in writing to the Department Director and the Office of Personnel [Department] within three (3) working days.

The employee's written request must contain the following:

- (1) The relationship of the employee to the person needing care,
- (2) The health condition of the family member necessitating the leave, along with a doctor's certification stating such health condition,
- (3) The anticipated length of absence, not to exceed twelve (12) weeks,
- (4) Other family members who are taking family medical leave and when they are taking it, or are otherwise available to care for the family member.

(g) Metro is not required to grant this leave of absence during any period of time in which another family member is also taking a family medical leave of absence from their employer, or is otherwise available to care for the family member. If a husband and wife both work for Metro, they can have only 12 weeks of combined leave for birth, placement for adoption or foster care in the employee's home, or caring for a sick parent or parent-in-law, which they can split between them. However, both are entitled to the full 12 weeks for their own illness, or caring for a sick child or spouse.

(h) The employee who takes a family medical leave of absence has a duty to make a reasonable effort to schedule medical treatment or supervision so as to minimize disruption of Metro's operations, subject to the approval of the treating physician.

(i) The former position of an employee on family medical leave shall either remain vacant during the leave, or it may be filled on a temporary basis and considered vacant for reinstatement purposes.

(j) At the conclusion of a family medical leave, the employee shall be reinstated to his/her former position, unless it has been eliminated due to material changes in Metro's financial or business circumstances, or the circumstances have so changed that the employee cannot be reinstated to his/her former position, in which case the employee shall be reinstated to an equivalent position which is available and suitable. If the circumstances have so changed that the employee cannot be reinstated to the former or an equivalent position, then the employee shall be reinstated to an available suitable position.

(k) Employees who do not return by the date specified may be disciplined up to and including dismissal.

~~[This section shall also apply to employees who are in certified or recognized bargaining~~

~~units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

2.02.155 Pregnancy Leave/Transfer: Metro provides temporary transfer or pregnancy leave without pay to eligible employees who are physically unable to perform the duties of their regular position due to pregnancy, child birth, or related medical reasons, without significant risk to the health or safety of the employee or her pregnancy.

(a) The employee shall be entitled to take pregnancy leave or temporary transfer due to pregnancy without being penalized.

(b) The position of an employee on temporary transfer or pregnancy leave shall either remain vacant during the leave, or it may be filled on a temporary basis and considered vacant for reinstatement.

(c) An employee returning from pregnancy leave or temporary transfer shall be reinstated with no greater or lesser rights in employment than if the employee had not taken the leave (pursuant to ORS 659.389).

(d) Subject to these policies, and upon written request, all pregnant employees of Metro are eligible.

(e) Temporary Transfer:

(1) Metro shall provide a temporary transfer for the employee if there is an available job which is suitable for the employee and to which the transfer can be reasonably accommodated.

(2) To initiate a transfer, the employee must submit a written request to the Department Director and the Office of Personnel [Department]. The employee's written request must contain the following:

(A) The specific duties affected by the pregnancy,

(B) The reasons why the employee is unable to perform her duties without significant risk to the health or safety of the employee or her pregnancy,

(C) A statement that the employee is physically able to perform available work,

(D) A doctor's opinion/certificate confirming (a), (b), and (c) above, to determine whether a transfer is reasonably necessary.

(3) The Department Director or the Office of Personnel [Department] may request an additional independent medical opinion, at Metro expense, within three (3) working days after receipt of the initial medical opinion.

(f) Pregnancy Leave.

(1) Metro shall provide a pregnancy leave of absence if no suitable work is available for temporary transfer, and if the leave can be reasonably accommodated.

(2) The period of leave shall be the reasonable period of time during which the employee is disabled from performing any available positions. To initiate a leave of absence, the employee must make the request in writing to her Department Director and the Office of Personnel [Department]. The leave request must include the period of time for which the leave is requested. The leave request must also address the employee's disability from performing other available work:

(A) If the employee previously requested a temporary pregnancy transfer, she must state whether a transfer was offered to her, and if a transfer was offered, the employee must explain why she is disabled from performing those job duties;

(B) If the employee did not request temporary pregnancy transfer, she must explain why she is disabled from performing any available job duties known to her; and

(C) A doctor's opinion/certificate confirming (a) or (b) above.

(3) The Department Director or the Office of Personnel [Department] may request an additional independent opinion, at Metro expense, within three (3) working days after receipt of the initial medical opinion.

(4) Employees have the option of using their accumulated leave balances during pregnancy leave. If the employee chooses to utilize accumulated balances, benefits will be continued as long as the leave is continued on paid status. If the employee chooses to take leave without pay, health and welfare coverage will continue at the same level of benefits and contributions as for other benefit-eligible employees to the extent the employee qualifies for Family Medical Leave, otherwise, benefits only continue as long as the leave is continued on paid status. If employees fail to return from leave, except because of their own or a family member's serious health condition or another circumstance beyond their control, Metro can recover health premiums it paid during the leave. These monies may be recovered from the final paycheck if there is one, or by a lawsuit. If the employee chooses to take leave without pay, benefits will be paid through the last

day of the month following the month in which the leave without pay commences.

(5) If, during the course of the leave, another position which the employee is qualified to perform becomes available, Metro will, within three (3) working days, offer the available position to the employee, unless a physician has determined that the employee must remain on leave for a fixed or minimum period of time and the job becomes available during that period of time, or unless a physician has determined that the employee is disabled from performing any job duties for an indefinite period of time.

(g) If, during the course of pregnancy leave or transfer, the employee regains the ability to perform the duties of her former position, she shall, within three (3) working days of her knowledge of her regained ability, notify Metro. Metro shall restore the employee to her former position within ten (10) working days of notification by the employee, unless the position has been eliminated due to changed circumstances, in which case the employee will be reinstated to an available equivalent position. If no equivalent positions are available, the employee shall be reinstated to an available and suitable position.

(h) If, at any time during the course of pregnancy leave or transfer, the employee is released by her treating physician to perform the duties of her regular position, she must provide the written release to her Department Director and the Personnel Director with three (3) working days of the release. Metro will, within ten (10) working days of receipt of notice of release, restore the employee to her former position, unless the position has been eliminated due to changed circumstances, in which case the employee will be reinstated to an available equivalent position. If no equivalent positions are available, the employee shall be reinstated to an available and suitable position.

(i) Employees who do not follow timelines established in this policy or do not return by the date specified may be disciplined up to and including dismissal.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

2.02.160 Parental Leave: Metro provides parental leave of up to twelve (12) weeks for eligible employees who have become parents. At the employee's discretion, the leave shall be paid from accrued vacation time or accrued sick leave, or be unpaid.

(a) The employee shall be entitled to take parental leave without being penalized for taking leave.

(b) When the employee returns from the leave, he or she must be restored to the former or an equivalent job, without loss of seniority, service credits, etc. If the employee cannot be reinstated to the former or equivalent job because the employer's circumstances have changed,

the employee must be reinstated to any other position that is available and suitable.

(c) All employees who have completed ninety (90) days of service are eligible to request the leave. If the period of leave occurs during any probationary period, the probationary period shall be extended for the period of the leave.

(d) Employees have the option of using their accumulated leave balances during pregnancy leave. If the employee chooses to utilize accumulated balances, benefits will be continued as long as the leave is continued on paid status. If the employee chooses to take leave without pay, health and welfare coverage will continue at the same level of benefits and contributions as for other benefit-eligible employees to the extent the employee qualifies for Family Medical Leave, otherwise, benefits only continue as long as the leave is continued on paid status. If employees fail to return from leave, except because of their own or a family member's serious health condition or another circumstance beyond their control, Metro can recover health premiums it paid during the leave. These monies may be recovered from the final paycheck if there is one, or by a lawsuit. If the employee chooses to take leave without pay, benefits will be paid through the last day of the month following the month in which the leave without pay commences.

(e) Employees are entitled to a maximum of twelve (12) weeks unpaid parental leave. Such entitlement begins on the date of birth of the child, or on the date of the taking of physical custody of a newly adopted child.

(f) A request shall be submitted simultaneously to the Department Director and the Office of Personnel [Department] thirty (30) calendar days before the occurrence of the event. The request must be in writing and contain the following information:

(1) The employee's intent to take parental leave beginning on a date certain more than (30) days from the date of the request.

(2) The anticipated date of birth of the parent's child, or

(3) The anticipated date that the parent will obtain physical custody of a newly adopted child under six years of age, and

(4) The dates when the parent, or if both parents request parental leave, the dates which each parent will commence and terminate his or her portion of the parental leave.

(5) Failure to submit a written request in accordance with (1) above may result in a reduction of leave time by 3 weeks as a penalty for untimely notice of leave.

(g) Employees who return from parental leave by the date listed in the written request on file will be restored to their former position without loss of seniority or vacation credits. If

circumstances change so that the employee's former job is no longer available, that worker will be reinstated to an equivalent position or any other position that is available and suitable. Employees who do not return may be disciplined.

[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]

2.02.165 [495] Leave of Absence Without Pay:

[(Now covered by Family Medical Leave) (a) ~~Disability Leave:~~ Upon application, supported by a statement of a physician, a leave of absence will be granted without pay for a period not to exceed six (6) months in cases of the physical disability of a regular or regular part time employee. Any employee requesting such leave shall file such request in writing with the department head and attach thereto a statement of the attending physician. Such statement must indicate that the duration of leave requested is necessary for recovery from the disability. Such disabled employee, upon ceasing work, may use such vacation and sick leave as he/she may have earned, except that such vacation must have been regularly available to him/her during the calendar year, and the sick leave shall not exceed the amount which has been earned up to the time the leave of absence begins. The leave of absence without pay shall commence immediately upon completion of the vacation and sick leave. During the first three (3) months of disability leave, Metro shall continue to provide health, dental, life insurance, accidental death and dismemberment and long term disability benefits, to the same extent provided other employees, and shall pay all appropriate premiums. If the leave extends beyond three (3) months, the employee may elect to continue such benefits for up to six (6) months from the date the leave began and, upon such election, the gross premiums for such extended coverage shall be paid by the employee. Such extension of coverage beyond the first three (3) months shall be subject to any restrictions in each applicable benefit policy or plan.]

[(Now covered under Pregnancy Leave statute) (b) ~~Maternity Leave:~~ All provisions in subsection (a) of this section relating to disability leave shall apply equally to regular and regular part time employees who are disabled for reasons of pregnancy.]

[Moved to Military Leave) (c) ~~Peace Corp Leave:~~ Metro shall grant leaves of absence without pay for at least two years to any full time salaried public officer or employee who serves, and while he/she serves, as a volunteer in the Peace Corps. Upon expiration of the leave the public officer or employee shall have the right to be reinstated to the position held before the leave was granted and at the salary rates prevailing for such positions on the date of resumption of duty, without loss of seniority or other employment rights, if any. Failure of the officer or employee to report within 90 days after termination of his/her service shall be cause for dismissal.]

[(d)] All regular[, regular part time and probationary] employees may be granted leave of absence without pay and without employee benefits for a period not to exceed six (6) months

provided such leave can be scheduled without adversely affecting the operations of Metro. Such leave may be extended in writing by the Executive Officer once up to an additional six (6) months. Requests for leave of absence without pay shall be in writing, shall be directed to the Department [head] Director and shall contain reasonable justification for approval. Requests of ten (10) days or more shall require the approval of the Executive Officer or his/her designee. The approved request shall be filed in the Office of Personnel [Department] [Division]. The employee may elect to continue employee benefits, and upon such election, premiums for such extended coverage shall be paid by the employee. Such coverage shall be subject to any restriction which may exist in each applicable benefit policy or plan.

(Ordinance No. 81-116, Sec. 39)

~~2.02.170 [200] Other Leaves of Absence with Pay: [Regular non-represented and regular part-time non-represented employees may request leave of absence with pay for the purposes specified in this section. Each request shall be approved by the Executive Officer on its merits and on the basis of the guidelines provided in this section. Approved requests shall be filed in the Personnel Division. All leaves of absence with pay under this section, for non-represented employees in the Council Department, shall have their leaves of absence with pay approved by the Presiding Officer of the Council. Appropriate contract provisions shall apply to those employees represented by an employee union.]~~

~~[(Incorporated into one section - Funeral Leave) (a) — Compassionate Leave: In the event of a death in an employee's immediate family, the employee may be granted leave of absence with pay not to exceed three (3) working days. Time not worked because of such absence shall not affect accrual of vacation or sick leave.~~

~~(b) — Funeral Participation: When an employee participates in a funeral ceremony, he/she may be granted one half (1/2) day off to perform such duty. Time not worked because of such absence shall not affect accrual of vacation or sick leave.]~~

~~(a) Funeral Leave: A maximum of three (3) days leave with pay shall be allowed a permanent, regular status employee to attend the funeral of the employee's immediate family member.~~

~~(1) If travel is required, up to four additional days (chargeable to sick leave) may be allowed upon request to the employee's Department Director.~~

~~(2) Under special circumstances and upon the death of a person other than the employee's immediate family member, paid leave as described in (a) above to attend a funeral may be granted at the sole discretion of a Department Director at the request of the employee.~~

~~(3) When an employee participates in a funeral service, he/she will be granted four (4) hours time off, with pay and chargeable to any accrued leave balance or~~

without pay if the employee has no accrued leave balances, to attend such funeral service subject to the approval of the Department Director.

(eb) Witness or Jury Duty: ~~[When a Metro employee is called for jury duty, or is subpoenaed as a witness, he/she shall not suffer any loss of his/her regular compensation during such absence; however, the amount of compensation an employee receives for such duty shall be paid to Metro. Time not worked because of such duty shall not affect accrual of vacation and sick leave.]~~ Any permanent, regular status employee shall be granted leave, with pay and without loss of any benefits, when called for jury duty or subpoenaed as a witness, subject to the following provisions:

(1) The employee granted such leave shall pay all money, except travel allowance, received for his/her service as a juror or witness to Metro.

(2) An employee serving as a juror or witness who does not serve for an entire day must return to work as otherwise scheduled.

(3) Where an employee is required to serve as juror or witness on a scheduled day off or vacation day, and such day cannot reasonably be rescheduled, he/she may retain the fee paid for service as a juror or witness on his/her day off or vacation day.

(4) Attendance in court as assigned, including the time required going to the court and returning to the work site.

(dc) Military Leave: ~~[An employee who has successfully completed the probationary period and who is a member of the National Guard, or of a reserve component of the Armed Forces of the United States, or of the United States Public Health Service, shall be entitled, upon application, to a leave of absence with pay for a period not exceeding fourteen (14) calendar days in any one (1) calendar year to perform temporary active or training duty. Such leave shall be granted without loss of time, or other leave, and without impairment of merit ratings or other rights or benefits to which he/she is entitled. Military leave shall be granted only when an employee receives bona fide orders to temporary active or training duty, and shall not be paid if the employee does not return to his/her position immediately following the expiration of the period for which he/she was ordered to duty.]~~ Employees shall be granted military leave and right to reinstatement as required by applicable federal or state law.

(1) Employees who fail to return to duty and/or request reinstatement with Metro within the time period allowed by applicable law shall be deemed to have resigned.

(2) Employees who take military leave during a probationary period must serve out the remainder of their probationary period upon reinstatement in order to become regular employees.

(d) Alternative Duty: Any permanent, regular status employee who serves as a volunteer in the Peace Corps or U.S. Public Health Service, or other recognized federal volunteer programs as approved by the Department Director and the Executive Officer, shall be granted approved unpaid leave during the service period.

(1) Upon returning, the employee shall have the right to be reinstated to the position held before the leave was granted.

(2) Failure of the employee to return to work within 90 days of the termination of the service shall be cause for dismissal.

(e) Administrative Leave: Administrative Leave is authorized paid leave for non-represented employees who work in classifications which are exempt from overtime pay. A[n employee at the level of department/division head, or above,] Department Director may be granted administrative leave in recognition of [their] his/her overtime exempt status upon approval by the Executive Officer. Other non-represented regular status employees who work in classifications which are exempt from overtime pay may also be granted such leave at the discretion of their [department/division head] Department Director [and with the approval of the Executive Officer or Presiding Officer of the Council, whichever is applicable.] Such leave shall not be cumulative from year to year, shall be compensable only in the form of leave time, and shall not exceed forty (40) hours in a fiscal year. Time not worked because of such leave shall not affect accrual of vacation or sick leave.

(Ordinance No. 81-116, Sec. 40; amended by Ordinance No. 91-426, Sec. 3)

2.02.175 [400] Preamble--Conduct, Discipline, Termination and Appeal: Nothing contained in this chapter precludes a supervisor from establishing work rules not inconsistent with this chapter for efficient operation and administration of the job site, or precludes a supervisor from having private discussions with employees. [~~In fact, discipline is often avoided by private conversations between the supervisor and employee.~~] These discussions may be in the form of assignment, instruction, or any other job-related communication. Any disciplinary action may be grieved by non-represented employees under the grievance procedure established in this chapter. [~~This subsection shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.~~] [~~oral counseling, instruction and/or reprimand. However, these discussions are not subject to the grievance procedure unless the employee is notified at the time of the discussion that it constitutes an oral, or subsequently written, reprimand and may be used against the individual in future disciplinary actions. If the employee is so notified, the supervisor involved is to properly record the conversation and provide a copy of this record to the employee so as to provide a basis for the employee to pursue the matter through the grievance procedure.~~]

(Ordinance No. 81-116, Sec. 20)

2.02.180 [405] Disciplinary Actions:

(a) Disciplinary actions [~~or measures~~] shall include only the following: oral or written reprimand, suspension, reduction in pay, transfer, demotion and [~~dismissal~~] termination from employment. Any of these disciplinary actions may be utilized. It may not be necessary in every circumstance that the discipline be taken progressively. [~~Disciplinary action shall be for just cause and will be subject to the grievance procedure. Oral reprimands will not be used as the basis for subsequent disciplinary action unless the employee is so notified at the time of reprimand, and if notified, the matter will be subject to the grievance procedure. If Metro has reason to reprimand an employee, it]~~ Disciplinary actions shall [~~be done~~] occur in a manner that is least likely to embarrass employees before other employees or the public, although it is recognized that this may not always be possible depending on the circumstances. [~~This subsection shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.~~]

~~[(b) It shall be the duty of all employees to comply with and to assist in carrying into effect the provisions of this chapter. Except as provided in Section 2.02.045, no employee shall be disciplined except for violation of established rules and regulations, and such discipline shall be in accordance with procedures established by this chapter.]~~

(b) Metro reserves the right to discipline or terminate an employee whenever:

- (1) The employee's performance is unsatisfactory, or
- (2) Metro feels discipline or termination is appropriate for other reasons, or
- (3) Whenever it is determined that such action is in the best interests of Metro.

(c) [~~Any of~~] The following are some examples (but not all) of the types of conduct which will result in [~~may constitute grounds for~~] disciplinary action. The listing of these examples is for illustrative purposes, and in no way limits Metro's authority and discretion to discipline or terminate employees pursuant to paragraph (A) of this section:

- (1) Abandonment of position;
- (2) Absence from duty without leave;
- (3) Abuse of leave privileges;
- (4) Below standard work performance;
- (5) Discourteous treatment of the public or other employees, including but not limited to intentional tortious conduct;
- (6) [~~Intoxication~~] Possessing, using, transferring, offering or being under the

influence of any intoxicants or narcotics during working hours;

- (7) Fraud in securing appointment or promotion;
- (8) Insubordination, including but not limited to, refusal or failure to follow the directive of a supervisor or other designated management staff, failure to comply with an established work rule or procedure, or discourteous behavior toward members of management;
- (9) Misuse of Metro property, funds or records;
- (10) Neglect of duty;
- (11) Willful deceit;
- (12) Any conviction by a court of law which demonstrates an impaired ability to properly perform work for Metro, or which would cause embarrassment or inconvenience for Metro [would be incompatible with the work performed for Metro by the affected employee];
- (13) Violation of Metro ordinances, [and] regulations and directives;
- (14) Willful violation of established safety policies;
- (15) Inability to get along with fellow employees;
- (16) Any falsification of information during the employment application or employment appointment process, regardless of when discovered;
- (17) Unlawful harassment or discrimination;
- (18) Theft, including personal or public property;
- (19) Sleeping on the job;
- (20) Gambling on Metro premises, including but not limited to card games, dice games;
- (21) Violation of this chapter, established work rules, or other management directives.

~~[This subsection shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

(d) **Procedure for Suspension, Reduction in Pay, Transfer, Demotion or Termination:** The supervisor will review information gathered with the Office of Personnel [Department] prior to the supervisor taking any suspension without pay, reduction in pay, transfer, demotion or termination action. If a basis for discipline exists:

(1) An employee may be suspended with pay, by the Department Director, pending disciplinary action.

(2) A written notice of contemplated disciplinary action (suspension, reduction in pay, transfer, demotion, or dismissal) shall be delivered to the affected employee in person or by mail. This notice shall state the reasons for the proposed action and will include:

A. the alleged conduct by the affected employee

B. the violation(s)

C. a date, time, and place for the affected employee to have an opportunity to address the violation(s) at a pre-disciplinary meeting. Employees may, at their expense, be represented by an attorney or other person of their choice, in a pre-disciplinary meeting.

(3) Upon completion of the pre-disciplinary meeting, a written notice of the actual disciplinary action taken, if any, shall be delivered to the affected employee in person or by mail. This notice shall state the disciplinary action taken, the violation(s), and the effective date of the disciplinary action. This notice shall be a permanent part of the affected employee's personnel record.

(4) No failure by Metro to follow any of the procedures described herein shall be grounds for invalidating disciplinary action, including termination, which is otherwise deserved on the merits. Additionally, the Personnel Director may, in his/her discretion, dispense with all or part of these procedures, with or without notice to the employee.

~~[This subsection shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

(e) The affected employee may grieve the final disciplinary action pursuant to the grievance procedure established in this policy. In the case of a termination action, the grievance shall be filed at Step 2 of the Grievance Procedure in this chapter, with the Department Director, with a copy to the Personnel Director. ~~[Any of the following types of disciplinary action may be utilized. It is appropriate, though not necessary in every circumstance, that the following steps be taken progressively. Reasons for each disciplinary action should be documented before action is taken unless extenuating circumstances exist.]~~

(1) ~~Oral Reprimand:~~ Oral reprimand is notice by a supervisor to an employee that his/her behavior or performance must be improved. It defines areas where improvement is needed, sets goals, and informs the employee that failure to improve may result in more serious action. The supervisor shall record the date and content of the oral reprimand, and such record shall be placed in the employee's personnel file. This record shall be removed when successful corrective action is completed.

(2) ~~Written Reprimand:~~ Written reprimand is formal notice by a supervisor to an employee that his/her performance or behavior must be improved. A written reprimand must be approved by the department head. It contains the same elements as the oral reprimand. When appropriate, it should be used in conjunction with a plan for individual improvement. A copy of the written reprimand and plan for individual improvement is placed in the employee's personnel record. This copy shall be removed when successful corrective action is completed.

(3) ~~Suspension:~~ Suspension without pay should be used when other disciplinary measures have failed or when it is necessary that the employee not remain on duty. Suspensions shall not require advance notice and may be effected immediately. Within two (2) working days, Metro shall send a notice to the suspended employee at his or her last known address describing the circumstances of the suspension, the reason for the suspension, the length of the suspension, the date or the circumstances under which the employee may return to work. A duplicate copy of the written notice shall be placed in the employee's personnel file by the Personnel Manager. Dismissal may be the next step of disciplinary action.

(4) ~~Demotion:~~ Demotion, both in pay and to a lower classification may be used as a form of discipline when discharge is not warranted or when the supervisor believes that the employee has the potential for correcting conduct. Such action shall be subject to the rules governing demotions.

(5) ~~Dismissal:~~ Dismissal shall require advance notice as provided under Section 2.02.105(g). Where it is deemed necessary that the employee be separated immediately, the notice of dismissal may simultaneously provide for suspension under subsections (d)(3) and (f) of this section.

(e) ~~The power to demote or dismiss is granted solely to the Executive Officer and may not be delegated except in an emergency.~~

(f) ~~The Executive Officer or his/her designee shall give an employee whose suspension is sought written notice in person or by mailing to the employee's last known address~~

~~of the proposed action stating any and all reasons, specifically and in detail, for the proposed action. The notice becomes a permanent part of the employee's personnel record. Notice of suspension may be made after the suspension is effected where it is deemed necessary that the employee be separated immediately. The employee shall have three (3) working days for answering the notice of proposed suspension and for furnishing written support of his/her answer. The employee is entitled to answer the notice personally or in writing, or both. The right to answer personally includes the right to answer orally in person by being given a reasonable opportunity to make any representations which the employee believes might affect the final decision, but does not include the right to a formal hearing with examination of witnesses. When the employee requests an opportunity to answer personally, the Executive Officer shall appoint a representative or representatives to hear his/her answer. The representative or representatives designated to hear the answer shall have authority to recommend what final decision should be made and the Executive Officer shall consider such recommendations. The Executive Officer shall give a written decision on the answer within two (2) workdays. The written answer and decision become a permanent part of the employee's personnel record. The above procedures shall apply even when an employee has been suspended prior to the beginning of the three (3) day answering period.~~

~~(g) Except as provided in Section 2.02.045(e), the Executive Officer shall give an employee whose dismissal is sought at least fourteen (14) days written notice in person or by mailing to the employee's last known address of:~~

- ~~(1) The proposed dismissal;~~
- ~~(2) Any and all reasons, specifically and in detail, for the proposed dismissal;~~
- ~~(3) The employee's right to file a grievance pursuant to Section 2.02.110 of this chapter; and~~
- ~~(4) The employee's right to a hearing pursuant to contested case rules.~~

~~This notice becomes a permanent part of the employee's personnel record. If the employee wishes to file a grievance, such grievance shall be submitted pursuant to Section 2.02.110. If the employee wishes to request a contested case hearing, such request shall be submitted pursuant to District rules on contested cases. If an employee requests a contested case hearing, the employee's right to file a grievance shall be deemed waived and any pending grievance for dismissal shall be terminated.~~

~~(h) Employees who are affected by a disciplinary action may initiate a grievance under the provisions of Section 2.02.110.~~

~~(i) Employees may, at their expense, be represented by an attorney or otherwise, in answering to a notice of suspension or dismissal.]~~
(Ordinance No. 81-116, Sec. 21)

2.02.185 [070] Layoff:

(a) If there is a reorganization, [are] changes [of duties] in the organization, lack of work or lack of funds, or other reasons not reflecting discredit on employees, the Executive Officer may lay off employees. [~~;- however, the Executive Officer shall first make every reasonable effort to retain those employees.-~~] When layoffs occur, [~~are required, and except as required in 2.02.045(f), the Executive Officer shall base the decision on relative merit, and shall give due consideration to seniority only where the employees' qualifications and ability are relatively equal.-~~] temporary employees in affected classes shall be terminated first, with or without prior notice; then employees in their initial probationary period in affected classes shall be terminated, with or without prior notice; and finally regular employees in affected classes not [~~on~~] in their initial probation shall be given a minimum of two (2) weeks written notice of their layoff from Metro employment.

(b) Laid off employees shall be placed on a layoff list and [~~shall have rehire preference for the~~] may be recalled from the layoff list to a vacant position within the classification from which they were laid off for one (1) year following layoff and prior to internal recruitment for the vacant position. It is the employee's obligation to keep the Office of Personnel [Department] informed of any change of address. If Personnel attempts to contact the employee by mail and the letter is returned, the employee's name will be removed from the layoff list.

(c) When an employee on the layoff list rejects an offered appointment to a vacant position in the same classification from which they were laid off, the employee's name will be removed from the layoff list.

(Ordinance No. 81-116, Sec. 14)

2.02.190 [075] Resignation: Any employee may resign from Metro by presenting an oral or written resignation to the supervisor, manager, or Department Director. An oral resignation shall be confirmed in writing by the supervisor to the resigning employee. To resign in good standing, an employee must [~~any employee voluntarily terminating employment shall~~] give a minimum of two (2) weeks [~~written~~] notice of resignation, unless because of extenuating circumstances the supervisor, manager, or Department [head] Director agrees to permit a shorter period of notice. The resignation shall provide an effective date which shall be the last day actually worked, and shall be forwarded to the Office of Personnel [Department] by the supervisor. If an employee who has resigned seeks to rescind the resignation, such rescission only may be granted by the affected Department Director at his/her sole discretion. All compensatory time for non-exempt employees only, and vacation leave credits earned and not used, up to the 250 hour limit, shall be paid. [~~Such time and leave credit shall not be used to extend the term of employment to earn additional benefits.-~~]

[~~This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.-~~]

2.02.195 [060] Personnel Records:

(a) An official personnel file will be maintained by the Office of Personnel [Department] for each employee of Metro. The personnel file will constitute the official record of an individual's employment with Metro.

(b) No information that reflects critically upon an employee shall be placed in an employee's personnel record without giving a copy to the employee.

(c) Access to the personnel file shall be limited to the employee, management staff, and the staff of the Office Personnel. Management staff must have job-related reasons to have access to job-related information in an employee's file upon request to the Personnel Director. Employees may review their personnel files in the Office of Personnel [Department] during regular business hours. Employees may authorize in writing a person(s) to review their personnel files. Employees have the right to copies of material in their personnel files upon request. Personnel records will leave the Office of Personnel [Department] only under the procedures established by the Office of Personnel [Department].

(d) Information in personnel files will be treated as exempt from public disclosure to the extent provided by the Oregon Public Records law.

~~[(a) The Executive Officer shall cause a personnel record to be established for each employee and maintained in the Metro Personnel Division.]~~

~~(b) The personnel record shall show the employee's name, title of position held, the department to which assigned, salary, change in employment status, training received and such other information as may be considered pertinent.~~

~~(c) A Personnel Action notice shall be used as the single document to initiate a Personnel Action and to update personnel records. Any document filed in the employee's record relating to salary, benefits, performance or work conditions of the employee shall be duplicated and sent to the employee. Personnel Action notices are signed by the department head, Personnel Manager and, when required, the Executive Officer and Deputy Executive Officer.~~

~~(d) Employee personnel files are public records with the exception of the employment application, disciplinary actions, performance evaluations and references from prior employers. These excluded documents are considered confidential and are accessible only to the employee concerned, the employee's supervisor, the department head, the Personnel Manager, the Director of Management Services, General Counsel and the Executive Officer. An employee may be denied access to references from prior employers if the employer so stipulates. The employee shall be notified as to all persons having access to their personnel records and the reasons for such access. Authorization by the employee shall be required before anyone other than~~

~~pre-selected officials is given access to the employee's personnel file. Additional pre-selected officials may be identified by the Executive Officer and placed on file in the Personnel Office. The employee may authorize in writing his/her representative to gain access to his/her file, and such authorization shall be filed with the Personnel Office.~~

~~(e) — Letters of reprimand shall not be used in any subsequent evaluation or disciplinary proceeding involving the employee after the next regularly scheduled evaluation and in the absence of a recurrence of a similar infraction, such letters shall then be removed from the employee's personnel record, at the request of the employee.]~~

(Ordinance No. 81-116, Sec. 12)

2.02.200 [440] Grievance Procedure: It is the policy of Metro to provide for an orderly process whereby non-represented permanent employees may have their dissatisfactions considered fairly and rapidly without fear of reprisal. Every effort should be made to first find an acceptable solution by informal means with the first-line supervisor.

(a) Definition: A grievance is defined as a written expression of an alleged violation of this chapter of the Code, submitted by an employee(s) for the purpose of obtaining adjustment.

(b) Procedure:

(1) An employee who believes a grievance exists which has not been resolved by informal means must reduce the grievance to writing. The written grievance must contain:

(A) A clear and complete account of the action or inaction which adversely affected or affects the employee.

(B) The specific provision(s) of this chapter believed to have been violated or misapplied to the employee.

(C) The date of the circumstances giving rise to the grievance and the date of the employee's first knowledge of those circumstances, if later.

(D) The remedy sought by the employee to resolve the grievance.

(2) The employee must present the written grievance to his/her supervisor within fifteen (15) calendar days of the occurrence of the circumstances giving rise to the grievance or the employee's first knowledge of those circumstances. The supervisor shall discuss the grievance with the employee and attempt to resolve it. If the written grievance is not resolved within five (5) calendar days from the date of submission of the written grievance to the supervisor, it may be submitted within another five (5) calendar days to the employee's Department Director.

(3) The Department Director and the employee will attempt to resolve the grievance within five (5) calendar days from the date of submission of the written grievance to the Department Director. If the grievance remains unresolved after the five (5) calendar day period, the employee may submit it within another five (5) calendar days to the Executive Officer.

(4) The Executive Officer will review and investigate the grievance as necessary. The Executive Officer will respond to the grievant within fifteen (15) calendar days from the date the grievance was submitted to the Executive Officer. The decision of the Executive Officer shall be final and binding.

(c) Any or all time limits specified in these rules may be waived by mutual consent of all parties. Likewise, any step in the procedure may be waived by mutual consent of all parties. Mutual consent shall be confirmed in writing.

(d) Any grievance not taken to the next step by the grievant within the prescribed number of days after receipt of a response shall be deemed resolved.

~~[(a) The Executive Officer shall promptly consider and equitably adjust employee grievances; however, informal adjustment of grievances between supervisors and employees is encouraged. Grievances may be submitted by any employee or group of employees. Any party in the grievance procedure may seek the advice and assistance of the Employees Association.~~

~~(b) The following steps shall be followed in submitting and processing a grievance:~~

~~Step 1: The aggrieved employee or group of employees shall orally present the grievance to the immediate supervisor within fifteen (15) working days of the employee's awareness of its occurrence. The fifteen (15) day filing period may be extended upon approval of the Manager of Personnel. The supervisor shall give his/her reply within five (5) working days of the date of presentation of the grievance, not including the date of presentation.~~

~~Step 2: If the grievance is not settled in Step 1, then it shall be submitted in writing dated and signed by the aggrieved employee or group of employees to the department head within five (5) working days after the immediate supervisor's oral reply is given, not including the day the reply is given. The department head shall reply in writing to the grievance within five (5) working days of the date of the presentation of the written grievance, not including the day of its presentation. If the department head is the immediate supervisor, Step 2 should be eliminated.~~

~~Step 3: If the grievance is not settled in Step 2, it shall be submitted in writing by the aggrieved employee or group of employees to the Personnel Manager within five (5) working days after the department head's reply is given. The Personnel Manager shall reply in writing within five (5) working days of the date of presentation of the grievance, not including the day of presentation.~~

~~Step 4: If the grievance is not settled in Step 3, then it shall be submitted in writing by the aggrieved employee or group of employees to the Executive Officer within five (5) working days after the Manager of Personnel's written reply is given, not including the day such reply is given.~~

~~In lieu of submitting the grievance directly to the Executive Officer, the employee may opt to submit the grievance to a committee of three individuals, either Metro or non Metro employed, appointed in the following manner:~~

- ~~(a) The aggrieved employee shall appoint one representative;~~
- ~~(b) The Executive Officer shall appoint one representative; and~~
- ~~(c) The employee and the Executive Officer shall appoint one member mutually acceptable.~~

~~The Personnel Manager shall be responsible for establishing an equitable and efficient method of selecting a representative acceptable to the Executive Officer and to the employee. The committee shall meet and hear evidence and forward its findings and recommended decision to the Executive Officer and employee. After consideration of the recommendation of the committee, the Executive Officer shall render a decision within five (5) working days after receipt of the committee's findings and recommendation. If the employee opts to submit the grievance directly to the Executive Officer rather than to the committee, the Executive Officer shall render a decision within five (5) working days after receipt of the grievance. The decision of the Executive Officer shall be final and binding on the employee or group of employees.~~

~~(e) Any grievance not taken to the next step within the prescribed number of days after receipt of a decision shall be considered settled.~~

~~(d) If the appropriate course of action fails to meet or to answer any grievance within the time limits prescribed for such action by this section, such grievance shall automatically advance to the next Step.~~

~~(e) The time limits prescribed in this section for the initiation and completion of the Steps of the grievance procedure may be extended by mutual consent of the parties involved. Likewise, any Step in the grievance procedure may be eliminated by mutual consent. Mutual consent shall be indicated in writing and shall be signed by all parties involved. Time limits may be extended unilaterally one (1) time by each party in each step for five (5) days in cases of documented emergencies.~~

~~(f) No employee or group of employees shall be disciplined or discriminated against in any way because of the employee's proper use of the grievance procedure.~~

~~(g) In cases of suspension, demotion or dismissal resulting in loss of pay or benefits,~~

~~which action is subsequently reversed through the grievance procedure, said loss shall be reimbursed by Metro following the successful grievance action and notices of such suspension, demotion or dismissal shall be purged from the employee's personnel file.]~~
(Ordinance No. 81-116, Sec. 22)

2.02.205 [250] Service Awards: The Executive Officer shall provide a service award program for permanent Metro employees.

(Ordinance No. 81-116, Sec. 50)

2.02.210 Educational, Training & Development Policy [Opportunities]:

(a) Education and Development: All regular full-time employees are encouraged to pursue educational opportunities or development programs which are directly related to the employee's work and which will enhance the employee's job-related skill level.

(1) A full-time employee who registers for courses which are judged to be of direct and significant benefit to Metro may receive some reimbursement for expenses incurred by the employee while taking approved courses provided that:

(A) The course is submitted to the employee's Department Director for approval at least thirty (30) days prior to proposed enrollment, and the course is approved by the Department Director.

(B) The course is taken on the employee's own time.

(C) The amount of reimbursement is at the Department Director's discretion and is subject to departmental budgetary limitations and priorities.

(D) The employee receives a grade of "C" or better or a "pass" grade if the class is graded on a "Pass-Fail" basis. Metro will make reimbursement within thirty (30) days after proof of satisfactory completion of the course.

(E) The employee is not receiving reimbursement for tuition from other sources.

(2) In lieu of tuition reimbursement, the Department Director may approve time off with pay so an employee may attend courses or development programs which are directly related to the employee's current position and will result in improved job performance or skills.

(3) Normally, the cost of textbooks and technical publications required for such courses or development programs shall be the responsibility of the employee. However, the Department Director may elect to reimburse the employee for textbooks and publications for such courses. If the employee is reimbursed, the textbooks and publications shall be the property of Metro and shall be returned

to the Department Director upon completion of the educational courses or development programs.

(b) Training: Metro may develop and implement its own training and development programs or may obtain and implement training and development programs to be conducted by person(s) other than Metro employees.

(1) The Department Director may temporarily change an employee's work assignment for a period not to exceed ninety (90) work days, without posting, so that such employee can participate in training and development provided.

(2) If an employee is required to participate in any training and development program, it shall be considered time worked for pay purposes. All tuition, texts, training materials, and other expenses incident to such required participation shall be assumed by the Department.

(3) If an employee desires to participate in any training and development program in which their participation is not required, time off to attend must be approved by the Department Director. All tuition, texts, training materials, and other expenses incident to such non-required participation shall be assumed by the employee, however, the Department Director may elect to reimburse the employee for textbooks and publications for such courses. If the employee is reimbursed, textbooks and publications shall be the property of Metro and shall be returned to the Department Director upon completion of the training or development program.

(4) Metro shall notify employees of available training and development programs provided by Metro.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

~~[(a) — All regular and regular part-time employees are encouraged to pursue educational opportunities which are directly related to the employee's work and which will enhance the employee's job-related skill level.]~~

~~[(b) — Employees who register for courses which are judged to be of direct and significant benefit to Metro may receive some reimbursement for expenses incurred by the employee while taking approved courses. Procedures for application and amount awarded are contained in the Personnel Procedures Manual.]~~

~~[(e) — Normally the cost of textbooks and technical publications required for such courses shall be the responsibility of the employee. If Metro purchases any of the textbooks and~~

~~publications for such courses, said textbooks and publications shall become the property of Metro.]~~

(Ordinance No. 81-116, Sec. 42)

2.02.215 Drug/Alcohol Abuse Policy:

(a) An employee who believes that he/she has a problem involving the use of alcohol or drugs can ask the supervisor or the Office of Personnel [Department] staff for confidential assistance. No discipline or discrimination will result from an employee asking for such assistance, although a "reentry" or performance contract will be required of an employee once the problems have been identified or assessed and a treatment program started. Failure to sign or to live up to the performance contract or treatment program obligations will be grounds for discipline, including termination.

Metro also agrees to work jointly with the employee to identify all Metro and, if applicable, union benefits and benefit programs that may be available to help deal with the problem, such as leaves of absence, sick pay, short-term or long-term disability pay, and health insurance. Any continuing rehabilitation treatment will be paid for by the employee and whatever employee coverage for such treatment that is provided by the existing benefits package. The request for assistance and any later treatment program will be kept as confidential as possible under all the factual circumstances.

Although Metro recognizes that alcohol and drug abuse can sometimes be successfully treated and it is willing to work with employees who may suffer from such problems, it is the employee's responsibility to seek such assistance BEFORE drug or alcohol problems lead to on-the-job safety or misconduct incidents, or violations of this policy and to corresponding disciplinary action. AFTER a violation of this policy occurs, or AFTER a drug- or alcohol-related accident, an employee's willingness to seek Metro or outside assistance will NOT "excuse" the violation and generally will have no bearing on the determination of an appropriate disciplinary action.

(b) Prohibited Conduct

1. Alcohol. The possession, transfer, sale, offering, consumption or being under the influence of any intoxicating liquor while on Metro property is prohibited. **IMPORTANT:** The conduct prohibited includes consumption of any intoxicating liquor prior to reporting to work or during breaks or lunch period or on the job. For purposes of this provision, "under the influence" shall be defined as a blood alcohol content of .02 or higher.

2. Drugs. The possession, transfer, sale, offering, consumption or being under the influence of any narcotic, hallucinogen, stimulant, sedative, or drugs (except as authorized and prescribed by a physician and then only if reported to the

supervisor prior to beginning work) while on Metro property, or time (such as on customer's premises).

EXCEPTION: The use of medically-prescribed or over-the-counter drugs during working hours is approved, and an employee shall have no obligation to inform his or her supervisor of such usage unless the prescribed or over-the-counter drug contains a warning notice of possible impairment which may prevent an employee from performing his or her job safely and adequately; for example, operating mechanical equipment. An employee must inform his or her supervisor that he/she is taking prescribed or over-the-counter drugs which contain a warning of possible impairment prior to beginning work each day he or she uses the medication.

IMPORTANT: The conduct prohibited by this rule includes consumption of any such substance prior to reporting to work or during breaks or lunch period or on the job. An employee who tests "positive" for any such substances by screening and confirmation tests, including an employee who tests positive as the result of an authorized prescribed substance that was not reported to the supervisor prior to beginning work, will be deemed "under the influence" for the purposes of this rule.

The only exception is that less than 50 nanograms of THC, the active ingredient in marijuana, will not be considered a positive test.

(c) Right to Test. When Metro reasonably suspects that an employee has consumed or is under the influence of alcohol or any other substance or is otherwise in violation of this policy, Metro may require that the employee submit to appropriate tests for alcohol or prohibited drugs or substances in his/her system, including urinalysis. Failure to promptly give written consent, without qualification, to such testing and failure to provide samples for such testing will be grounds for immediate suspension pending further investigation and consideration, and for possible discipline, including termination.

Metro will bear the expense of all testing under this provision requested by Metro. A positive test must be confirmed by a second test which uses a different methodology than the one which was used for the initial positive result. An employee subject to testing will, upon request, receive a sample of the tested substance so that the employee can submit it to an independent lab (one chosen by the Employer) for verification.

An employee determined to have violated this rule for the first time will not automatically be subject to discipline or discharge depending on the circumstances of the violation and whether he or she agrees to complete an approved substance abuse program. Second or subsequent violations of this rule may result in discipline, up to and including discharge.

The results of all investigations, tests, and discipline will be kept strictly confidential to

the extent permitted by law, except that such information will be made available on request by the employee.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

2.02.220 [285] Smoking Policy: Smoking (cigarettes, pipes and cigars) is prohibited inside all Metro facilities~~[, with the following exceptions: in Solid Waste facility gatehouses as posted].~~

~~[(a) — employee lounges and lunchrooms as posted;~~

~~(b) — individuals' enclosed offices;]~~

~~(c) — Solid Waste facility gatehouses as posted; and~~

~~[(d) — the Council lounge except when food is served.]~~

Notwithstanding the provisions of this section, smoking is prohibited in any public meeting as defined in ORS 192.710.

~~This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~
(Ordinance No. 89-285, Sec. 1)

2.02.225 [205] Conferences, Membership and Conventions: Attendance at conferences, conventions or other meetings at Metro's expense shall be authorized by the Executive Officer. [Permission] Authorization shall be granted on the basis of an employee's participation in or the direct relation of his/her work to the subject matter of the meeting. Members of professional societies may be permitted to attend meetings of their society when such attendance is considered to be in the best interests of Metro. Metro shall pay for professional or trade memberships for employees when deemed appropriate by the Executive Officer or his/her designee limited, however, to the availability of budgeted funds.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~
(Ordinance No. 81-116, Sec. 41)

2.02.230 [085] Employee Organizations and Representation: Employees of Metro ~~[shall]~~ have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining on matters relating to wages, hours and working conditions in accordance with the Oregon Revised Statutes and

Regulations of the State Employment Relations Board. ~~[Employees may form an Employee Advisory Committee to the Executive Officer for the purpose of providing employee input on matters relating to wages, fringe benefits, working hours and working conditions. All meetings and communications should be documented and recorded for both parties. An Advisory Committee spokesperson, designated by the Metro Employees' Association, may respond to Executive Officer requests for information and input on employee issues during working hours.]~~ [(Ordinance No. 81-116, Sec. 17)]

2.02.235 [090] Political Activity:

(a) Nothing contained within this chapter shall affect the right of the employee to hold membership in and to support a political party, to vote as they choose, to privately express their opinions on all political subjects and candidates, to maintain political neutrality and to attend political meetings. An employee must exercise all due caution in such activities to prevent public misunderstanding of such actions as representing Metro, or to bring discredit to Metro, the Council, Executive Officer or his/her supervisor.

(b) No official, employee or any other person shall attempt to coerce, command or require any Metro employee to influence or give money, service or other thing of value to aid or promote any political committee or to aid or promote the nomination or election of any person to public office.

(c) No public employee shall solicit any money, influence, service or other thing of value or otherwise ~~[aid or]~~ promote or oppose any political committee or promote or oppose the nomination or election of ~~[any person to public office]~~ a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, nothing in this section is intended to restrict the right of a public employee to express personal political views. (ORS 260.432)

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

(Ordinance No. 81-116, Sec. 18)

2.02.240 [280] Ethical Requirements for Employees, Officers, Elected and Appointed Officials:

(a) The purpose of this section is to establish a Code of Ethics for ~~[District]~~ Metro public officials which is consistent with current public policy established by the Oregon Legislative Assembly. Failure to comply with the provisions of this code shall be grounds for disciplinary action for employees of ~~[the District]~~ Metro.

(b) "Public Official" means ~~[all]~~ any employee[s], officer[s], elected official[s] ~~[and]~~ or

appointed member[s] of a board[s], commission[s] ~~[and] or~~ committee[s] of [the] Metro[politan Service District].

(c) All public officials of [the] Metro[politan Service District] shall strictly comply with the following requirements:

- (1) No public official shall use official position or office to obtain financial gain for the public official, other than official salary, honoraria or reimbursement of expenses, or for any member of the household of the public official, or for any business with which the public official is associated.
- (2) No public official or candidate for office or a member of the household of the public official or candidate shall solicit or receive, whether directly or indirectly, during any calendar year, any gift or gifts with an aggregate value in excess of \$100 from any single source who could reasonably be known to have a legislative or administrative interest in any governmental agency in which the official has or the candidate if elected would have any official position or over which the official exercises or the candidate, if elected, would exercise any authority.
- (3) No public official shall solicit or receive, either directly or indirectly, and no person shall offer or give to any public official any pledge or promise of future employment, based on any understanding that such public official's vote, official action or judgment would be influenced thereby.
- (4) No public official shall further the personal gain of the public official through the use of confidential information gained in the course of or by reason of the official position or activities of the public official in any way.
- (5) No person shall offer during any calendar year any gifts with an aggregate value in excess of \$100 to any public official or candidate therefor or a member of the household of the public official or candidate if the person has a legislative or administrative interest in a governmental agency in which the official has or the candidate if elected would have any official position or over which the official exercises or the candidate if elected would exercise any authority.

(d) The Executive Officer, and every member of the Council of [the] Metro[politan Service District] and the Portland Metropolitan Area Local Government Boundary Commission shall be required to comply with the reporting requirements established by ORS 244.060, including the filing of a Statement of Economic Interest on an annual basis as required by state law. A copy of the Statement of Economic Interest shall be filed with the Council Clerk at the

time of filing with the appropriate State agency.

(e) All members of the Metropolitan Exposition and Recreation Commission and employees filling positions requiring Council confirmation as set forth in Section [2.02.040(e)] 2.02.070(D) shall file annually with the Council Clerk a Statement of Economic Interest which is substantially consistent with that required by ORS 244.060.

(f) Public Officials shall comply with the following requirements regarding the declaration of potential conflicts of interest and recording the notice of a potential conflict:

- (1) If the public official is an elected public official or an appointed public official serving on a board or commission, announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official.
- (2) If the public official is any other appointed official subject to this chapter, notify in writing the person who appointed the public official to office of the nature of the potential conflict, and request that the appointing authority dispose of the matter giving rise to the potential conflict. Upon receipt of the request, the appointing authority shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the official to dispose of the matter in a manner specified by the appointing authority.
- (3) Nothing in subsection (1) of this section requires any public official to announce a potential conflict of interest more than once on the occasion which the matter out of which the potential conflict arises is discussed or debated.
- (4) Nothing in this section authorizes a public official to vote if the official is otherwise prohibited from doing so.
- (5) When a public official gives notice of a potential conflict of interest, the potential conflict shall be recorded in the official records of the public body.

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

(Ordinance No. 89-305A, Sec. 3)

2.02.245 [275] Zoo Visitor Services Employees:

(Revised 1/2/92)

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(6/91)

(a) Purpose: The purpose of this section is to establish personnel policies pertaining to the conditions of employment of Zoo Visitor Services Worker employees; to promote efficiency, economy, and public responsiveness in the operation of the Zoo Visitor Services Division; and to provide that the employees covered by this section shall be subject to proper conduct, the satisfactory performance of work, and the availability of funds. Other sections of this chapter apply to Visitor Services employees, however, in the event of a conflict between this section and other sections of this chapter, this section shall govern.

(b) ~~{These policies do}~~ This section does not constitute a contract of employment. In order to meet future challenges and to continue to improve the working environment for all Zoo Visitor Service Employees, the Council retains the flexibility to change, substitute, interpret and discontinue the policies and benefits described herein, at any time, with or without notice to employees. No contract of employment can be created, nor can an employee's status be modified, by any oral or written agreement, or course of conduct, except by a written agreement signed by the Division Manager, Zoo Director or his/her designee, the Personnel Director [Manager], and the Executive Officer. Whenever a question arises as to the meaning or interpretation of any policy or practices of the Zoo Visitor Services Division, the interpretation given by the Executive Officer and/or his/her designee(s) shall be final and binding.

(c) Definitions:

(1) The Visitor Services Worker classification is divided into two definitions and nothing contained in this section shall be construed as any guarantee of hours worked per day or per week:

(A) Seasonal Visitor Services Worker Employee: Employees who are employed on a seasonal basis. They will be scheduled regularly during the peak seasons and scheduled as needed and as available during the remainder of the year.

The probationary period for seasonal visitor services employees is the initial (30) work days of employment, and an additional probationary period shall not be required at a subsequent reinstatement, if the reinstatement is within one year of termination in good standing. Visitor Services employees serving their initial probationary period may be disciplined or terminated without cause, with or without prior notice. However, nothing in this paragraph shall be construed as implying or requiring that cause must exist for the discipline or termination of a seasonal status employee who has completed the initial probationary period.

(B) Regular Visitor Services Worker Employee: Employees who are employed on a year-round basis in the Visitor Services Division of the Metro Washington Park Zoo and regularly scheduled to work

20 or more hours each week, as provided by the current adopted budget.

- (2) "Director" means Director of the Metro Washington Park Zoo.
- (3) Seasons are defined as April through the first week in September (Labor Day) and the second week in September through March.

(d) Application of Personnel Policies: All Visitor Services Worker Employees shall be subject to this section and to all other Zoo personnel policies and regulations not inconsistent with this section.

(e) Recruitment and Appointment for Seasonal Visitor Services Worker Employees:

- (1) In-house recruitment to fill Seasonal Visitor Services vacancies is not required and is at the discretion of the Visitor Services Manager.
- (2) Recruitment to fill vacancies shall include appropriate forms of announcements to attract qualified applicants and to comply with Affirmative Action goals.
- (3) At the beginning of each season a general recruitment will be initiated. The recruitment will remain open until the beginning of the following season. A list of qualified applicants will be developed, by the Visitor Services Manager pursuant to these Visitor Services Worker rules, from which Visitor Services Workers will be appointed. Applicants will be appointed from this list on an as-needed basis only. If the seasonal list is not exhausted, those not hired but remaining on the list must go through the next season's selection process to be considered for hiring. The Visitor Services Manager will maintain the list and will determine who will be appointed.
- (4) Employees who leave in good standing may, within one year of termination, be reinstated without going through a recruitment process.

(f) Recruitment and Appointment for Regular Visitor Services Worker Employees:

- (1) In-house recruitments to fill Regular Visitor Services Worker vacancies are open only to current seasonal visitor services worker employees which will be the first means used. If no one applies, then the position may be filled with a current seasonal employee who shall be appointed by the Visitor Services Manager.
- (2) In-house recruitments to fill vacancies as described in (1) above, shall include posting of such vacancies for at least five (5) calendar days within

the Visitor Services Division.

- (3) Regular Visitor Services Worker employees will be eligible to apply in-house for all vacant Regular (non-Visitor Services Worker) positions within Metro.

(g) Status of Seasonal Visitor Services Worker Employee: Seasonal Visitor Services Worker employees will be eligible to compete for in-house recruitments of a Regular, non-Visitor Services Worker position, if they have worked forty (40) hours per week for three (3) consecutive months and were hired through a competitive process for or had been reinstated to the position they currently hold.

(h) Benefits:

- (1) Benefits required by law such as Workers' Compensation and Social Security will be paid for all Visitor Services employees. Seasonal Visitor Services Worker employees will not receive any other benefits.
- (2) Seasonal Visitor Services Worker employees will not be paid for holidays not worked. Designated holidays shall be considered as normal workdays.
- (3) Regular Visitor Services Worker employees appointed to one of the regular Visitor Services Worker positions will receive a full benefit package when working a minimum of 20 hours per week.

(i) Performance Evaluation: Performance evaluations will be performed at least once during the initial thirty (30) work day probationary period.

(j) Disciplinary Action:

- (1) Nothing contained in this section precludes the Visitor Services Manager or Zoo Director from establishing work rules not inconsistent with this section for efficient operations and administration of the job site, or precludes the Manager from having private discussions with employees. These discussions may be in the form of assignment, instruction, or any other job-related communication.
- (2) It is appropriate, though not always necessary in every circumstance, that disciplinary actions be taken progressively. Disciplinary actions will take into consideration the degree, severity, and frequency of the offense and/or circumstances surrounding the incident. Any disciplinary action shall be done in a manner that is least likely to embarrass the employee before other employees or the public. Copies of disciplinary actions shall be placed in the employee's personnel file. Any disciplinary action may

be grieved under the grievance procedure established in Chapter 2.02 of the Code.

- (3) The following are some examples (but not all) of the types of conduct which will result in disciplinary action. The listing of these examples is for illustrative purposes:

- (A) Abandonment of position;
- (B) Absence from duty without leave;
- (C) Abuse of leave privileges;
- (D) Below standard work performance;
- (E) Discourteous treatment of the public or other employees;
- (F) Intoxication during working hours;
- (G) Fraud in securing appointment or promotion;
- (H) Insubordination;
- (I) Misuse of Metro property, funds or records;
- (J) Neglect of duty;
- (K) Willful deceit;
- (L) Any conviction by a court of law which demonstrates an impaired ability to properly perform work for the Division;
- (M) Violation of Metro Code, ordinances and regulations, established work rules and directives, including those directives defined in the Visitor Services Worker Handbook.

- (4) Dismissal. Should the actions of an employee indicate the dismissal of the employee may be necessary, the Visitor Services Manager will review the proposed termination with the Personnel ~~Director~~ [Manager], including a review of any response or explanation by the employee. If the dismissal action is appropriate, the Visitor Services Manager will seek authorization from the Zoo Director to proceed with the dismissal. The employee shall be notified in writing of the dismissal action. The notice will become a permanent part of the employee's personnel file. Payroll shall be notified to prepare the final check.

(k) Promotion: Eligibility for assignment to Visitor Services Worker 2 and 3 classifications shall be established by the Visitor Services Manager and shall be subject to in-house recruitment established in (f)(1-3) above upon determination that an employee has acquired or possesses the knowledge, skill and ability required for the position.

(l) Wage Rates:

- (1) Visitor Services Worker employees will be paid at a rate in the Pay Plan recommended by the Visitor Services Manager and the Personnel ~~Director~~ [Manager] and approved by the Executive Officer and the Council.

- (2) The step range for each employee shall be established on the basis of individual qualifications and work assignment. It will be the general practice to appoint new Visitor Services Worker employees at the beginning step of the Visitor Services Worker 1 salary range. Exceptions approved by the Executive Officer may be made to allow hiring above the beginning step. Total hours of previous work experience with the Zoo and the quality of that work will be considered in determining the step for previous employees reemployed at the Zoo in subsequent seasons.
- (3) Eligibility for a wage increase shall be at the discretion of the Visitor Services Manager and after successful completion of the initial probationary period.
- (4) Section 2.02.160 of the Metro Code (Salary Administration Guidelines) shall not apply to any Visitor Services Worker employees.

(m) Reporting and Hours of Work:

- (1) Because the number of Seasonal Visitor Services Worker employees needed at a given time depends upon weather conditions, such employees may be relieved from duty prior to the end of a scheduled workday or may be directed to not report for duty on a scheduled workday. The Director or his/her designee shall establish appropriate procedures for regulating reporting during inclement weather.
- (2) Work schedules will be posted, and will be subject to subsection (1) above. No employee will be called to work for less than three (3) hours in one day.

(n) Rest and Meal Period:

- (1) A rest period of 10 minutes with pay will be provided during each work period of four hours.
- (2) A non-paid lunch period of one-half hour (30 minutes) shall be provided. Whenever possible, such meal period shall be scheduled in the middle of the shift.

(Ordinance No. 81-123, Sec. 1 and 2; amended by Ordinance No. 87-221, Sec. 1 and 2; amended by Ordinance No. 89-269, Sec. 1; amended by Ordinance No. 89-269; and amended by Ordinance No. 92-467A, Sec. 1)
~~[2.02.245 Safety Program:~~

~~(a) Council Responsibility: The Council recognizes the need for the development of~~

~~safe working conditions and practices for every job, and will promote the advancement of safety in design of buildings, offices, equipment, tools and other devices. The safety program, as adopted by the Council, shall be set forth in a separate document and made available throughout Metro facilities. Employees and supervisors are required to be familiar with the provisions of these safety regulations and policies.~~

~~(b) All supervisors will consider it an essential part of their job to administer the safety program.~~

~~(c) All employees are required as a condition of their employment to follow all established safety practices. An injury or illness sustained on the job must be immediately reported. The appropriate accident report form must be completed and sent to the State Industrial Accident Fund (SAIF) of the State of Oregon.~~

~~(Ordinance No. 81-116, Sec. 49)] (included in Risk Management Procedures)~~

2.02.250 Volunteers: A volunteer is an individual serving in a non-paid voluntary status. Volunteers are not considered employees of Metro and are not subject to the provisions of this chapter, except as otherwise provided by law.

~~[2.02.270 Employment Contracts:]~~ (moved to 2.02.005)

~~[(a) Persons employed in certain positions may be employed subject to employment contracts. In that event, the terms of such contracts shall control the conditions of employment, and this ordinance shall apply to such employment to the extent not inconsistent with such contracts.~~

~~(b) Employment contracts shall be authorized only for positions designated by resolution of the Council, and compensation to be paid pursuant to such contracts shall not exceed those approved by the Council.~~

~~(c) Hiring and termination by Metro of employees employed pursuant to this section shall only be with the approval or consent of the Council.]~~

~~[(Ordinance No. 82-139, Sec. 3)~~

~~(Ordinance No. 81-116, Sec. 17)]~~

2.02.255 Acknowledgement of Receipt of Personnel Policies: All permanent employees shall be given a copy of this chapter of the Code and shall acknowledge receipt by signing the following statement:

"I acknowledge that I have received a copy of the Metro Code, Chapter 2.02 which outlines my working conditions, privileges and obligations as an employee. This chapter constitutes the general policies of Metro and may be supplemented by more specific policies. Further, I understand that this chapter is necessarily subject to change. I understand that no contract of employment can be created, nor can an employee's status be modified by any oral or written agreement (except a valid collective bargaining agreement), representation, or course of conduct. Lastly, I understand that these policies do not in any way constitute a contract of employment, either express or implied."

~~[This section shall also apply to employees who are in certified or recognized bargaining units. Where a conflict exists between this section and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.]~~

Print Employee Name

Employee Signature

Date

Social Security Number

(Revised - Ordinance No. 93-523)

~~THE METRO COUNCIL ALSO HEREBY ORDAINS:~~

Chapter 2.02, Personnel Rules, is further amended to read as follows:

CHAPTER 2.02
PERSONNEL RULES FOR REPRESENTED EMPLOYEES
(SECTIONS 2.02.300 — 2.02.499)

2.02.300 Personnel Rules for Represented Employees: Sections 2.02.300 to 2.02.499 of this Code shall be known as and may be cited as the "Metro Personnel Rules for Represented Employees". As used in sections 2.02.300 to 2.02.499, references to "Rules" or "Chapter" shall be deemed to be references to these Metro Personnel Rules for Represented Employees.

2.02.305 Purpose: The purpose of this chapter is:

(a) To provide and maintain a system of personnel administration for all represented employees in which the appointment and retention of persons in Metro employment shall be achieved on the basis of promoting the public welfare and implementing Metro's responsibilities,

(b) To establish and maintain a position classification plan which shall group all positions into classifications based upon their duties and responsibilities,

(c) To provide for a compensation plan which shall include for each classification a minimum and/or maximum salary rate and such intermediate salary rates as the Council considers necessary and equitable.

(d) To promote efficiency, economy, and public responsiveness in the operation of Metro, and

(e) To provide that the employees covered by these rules shall be subject to proper employee conduct, the satisfactory performance of work, and the availability of funds.

(f) The provisions in this chapter do not constitute a contract of employment. Moreover, in order to meet future challenges, the Council retains the flexibility to change, substitute, and discontinue the policies and benefits described herein. No person shall be deemed to have a vested interest in, or legitimate expectation of, continued employment with Metro, or any policy or benefit described herein or otherwise generally followed by Metro. No contract of employment can be created, nor can an employee's status be modified, by any oral or written agreement (except a valid collective bargaining agreement), or course of conduct, except by a written agreement signed by the Executive Officer and the employee, and subject to any approval requirements for contracts established by the Metro Code.

(g) Nothing contained in this section or elsewhere in the chapter shall be construed as

any guarantee of hours worked per day or per week.

(h) This chapter shall apply to all represented employees. Employees who are in certified or recognized bargaining units shall have all aspects of their wages, hours, and working conditions determined by collective bargaining agreements, except with regard to the recruitment and selection of applicants for initial appointment to a position, and except as addressed in this Chapter. If a conflict exists between this Chapter and the terms of a valid collective bargaining agreement, the collective bargaining agreement shall govern.

(i) Where a collective bargaining agreement contains any type of grievance resolution procedure, that procedure, including any procedural and/or substantive limitations placed upon it by the collective bargaining agreement, shall be the sole and exclusive remedy for employees in that bargaining unit.

2.02.310 Administration of the Rules: The Executive Officer shall be responsible for:

- (a) Administering or delegating the administration of all the provisions of this chapter.
- (b) Reviewing and recommending to the Council necessary changes to this chapter;
- (c) Publishing a Personnel Procedures Manual to implement the provisions of this chapter;

2.02.315 Amendment: Administrative amendments which deal solely with correcting grammatical or typographical errors, or correcting position titles to reflect properly processed reclassifications and title changes, or correcting departmental name changes to accurately reflect current organizational structure may be approved by the Executive Officer. All proposed amendments to this chapter and/or benefit changes will be required to be adopted by the Council. Copies of proposed amendments shall be given to union(s) representative at least thirty days prior to the Council meeting in which they are to be considered.

2.02.320 Separability: If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

2.02.325 Definitions of Personnel Terms:

- (1) "Council" means the elected governing body of Metro.
- (2) "Department" means a major functional unit of Metro.
- (3) "Department Director" means a person responsible for the administration of a department or his/her designee.
- (4) "Dismissal" means the termination of employment for cause (see termination).

- (5) "Division" means a major functional unit of a department.
- (6) "Employee" means an individual who is salaried or who receives wages for employment with Metro.
- (7) "Executive Officer" means the elected Executive Officer of Metro or his/her designee.
- (8) "Exempt Position" means a position exempt from mandatory overtime compensation.
- (9) "Fiscal Year" means a twelve (12) month period beginning July 1, and ending June 30.
- (10) "Full-time" means a position in which the scheduled hours of work are forty (40) hours per week and which is provided for in the adopted budget.
- (11) "Non-Exempt" position means a position that is eligible for overtime compensation.
- (12) "Part-time" means a position in which the scheduled hours of work are less than forty (40) hours per week but at least twenty (20) hours or more per week and which is provided for in the adopted budget.
- (13) "Permanent Employee" means an employee who is appointed to fill a budgeted position and who is not temporary or seasonal. However, the term permanent does not confer any form of tenure or other expectation of continued employment.
- (14) "Permanent Position" means a budgeted position which is not temporary or seasonal. However, the term permanent does not confer any form of tenure or other expectation of continued employment.
- (15) "Personnel Action" means the written record of any action taken affecting the employee or the status of his/her employment.
- (16) "Personnel Director" means the employee appointed by the Executive Officer to administer the provisions of this chapter.
- (17) "Personnel File" means an employee's official personnel file which is kept in the Office of Personnel.
- (18) "Probationary Period" means a continuation of the screening process during which an employee is required to demonstrate fitness for the position to which the employee is appointed or promoted. Successful completion of any probationary

period is for Metro's internal screening process only and does not confer any form of tenure or other expectation of continued employment.

- (19) "Reclassification" means a change in classification of a position by raising it to a class with a higher rate of pay, reducing it to a class with a lower rate of pay, or changing it to another class at the same rate of pay, based upon the duties currently assigned to an existing position or to be assigned for a vacant position. If the position is filled, the incumbent employee is reclassified along with the position.
- (20) "Regular Employee" means an employee who has successfully completed the required initial probationary period occupying a permanent position.
- (21) "Represented Employee" means an employee who is in a recognized or certified bargaining unit.
- (22) "Resignation" means voluntary separation from employment.
- (23) "Status" refers to the standing of an employee.
- (24) "Termination" means the cessation of employment with Metro, whether or not for cause.

2.02.330 Position Classification Plan:

(a) The purpose of the classification plan is to provide an inventory of specifications for each classification. The plan shall be developed and maintained so that all positions substantially similar with respect to duties, responsibilities, authority and qualifications are included within the same class, and so that the same range of compensation will apply. Each permanent position shall be allocated to an appropriate classification on the basis of the duties and responsibilities of the position.

(b) Classification titles shall be used in all personnel, budget and financial records.

(c) The Classification Plan shall cover permanent full-time and permanent part-time positions, as adopted and amended by the Council.

(d) The Executive Officer or his/her designee shall establish administrative procedures to implement the Classification and Pay Plans. The Executive Officer may make administrative changes to classification specifications, title, and classification numbers.

2.02.335 New Positions: Any new positions added to the Budget require Council approval.

2.02.340 New Classifications: Any new classification added to the classification plan requires

Council approval.

2.02.345 Reclassification of Existing Positions: Reclassification of an existing position from one existing classification to another existing classification may be approved by the Executive Officer provided the reclassification can be accomplished with the limitations of the current budget.

2.02.350 Pay Plans: Pay Plans for represented employees are developed through collective bargaining and are subject to ratification by the Council. The Executive Officer, Personnel Director, and Labor Relations Officer will meet with designated Councilors prior to the expiration date of collective bargaining contracts to discuss fiscal direction regarding pay and benefits for negotiations with the unions.

2.02.355 Salary Administration:

(a) Upon initial appointment to a position, each employee should receive a salary at or 5 percent above the beginning salary rate of the salary range for the class to which the position is allocated. Appointment at or 5 percent above the beginning salary rate should be the general practice, with appointments above that level being the exception for outstanding qualifications and experience, and subject to departmental personal services budget resources and approval of the hiring Department Director with concurrent notification to the Executive Officer.

(b) When an employee is reclassified to a position in a classification with a higher maximum salary rate, the employee shall be placed on the beginning salary rate of the salary range or receive an increase of 5 percent, whichever is greater.

(c) A reclassified employee shall not serve a probationary period. An employee reclassified to a position in a classification with a higher maximum salary rate shall not receive a salary increase after completion of six months in the new classification. The employee's anniversary date shall reflect the effective date of the reclassification.

(d) When an employee is reclassified to a position in a classification with a lower maximum salary rate, the employee's salary rate shall not be reduced as long as the employee's current salary rate is within the lower salary range. If the employee's salary rate is above the new salary range, the employee's rate of pay shall remain the same (red-circled) until annual adjustments to the Pay Plan bring the employee's rate within the new classification range. At that time, the employee will become eligible for merit increases.

(e) When an employee is voluntarily demoted to a position in a classification with a lower maximum salary rate, the employee's salary rate shall not be reduced as long as the employee's current salary rate is within the lower salary range. If the employee's salary rate is above the new salary range, the employee's salary will be reduced to the highest rate of the new range. In no case, shall an employee's current salary rate be increased upon voluntary demotion.

2.02.360 Pay Policies:

(a) Permanent employees shall be paid according to the Pay Plan adopted by the Council and administered by the Executive Officer.

(b) Employees shall be paid twice monthly.

(c) In the event the normal payday falls on a holiday, payday shall occur the workday before the holiday. If the normal payday falls on a Saturday or a Sunday, payday shall be the prior Friday.

(d) Payroll procedures shall be established and implemented by the Finance and Management Information Department, Accounting Division.

(e) Payroll deductions will be made for income tax withholding, Workers' Compensation insurance and employee contributions to employee benefits, and may be made for the United Way Fund, payments to the Employee's Credit Union and other agencies as approved by the Executive Officer at the request of the employee.

(1) Charitable solicitations of Metro employees while on the job during working hours shall be conducted in compliance with this section. No other solicitations of Metro employees while on the job during working hours by a charitable organization shall be permitted.

(2) The Executive Officer with consultation of Metro employees shall by Executive Order establish rules and procedures to implement this section including procedures for applications, time and length of solicitation campaigns and payroll deductions. The procedures shall specify that all solicitations shall be made during a single campaign period lasting no longer than thirty (30) days and that employees may sign payroll deduction cards for charitable donations only during a two (2) week period following the end of the solicitation campaign period. The Executive Officer once each year shall certify all charitable organizations recognized by Metro for the purpose of conducting a fund drive among the employees of Metro. The Executive Officer's action shall be based on the criteria stated in subsection (3) of this section.

(3) Charitable organizations recognized to conduct a fund drive among Metro employees while on the job during working hours shall:

(A) Be a fund-raising organization which raised funds for ten (10) or more charitable agencies.

(B) Disburse funds only to agencies whose charitable activities are primarily in the geographical areas of Metro and which have an office

located within the District.

(C) Be exempt from taxation under Internal Revenue Service Code Section 501(c)(3).

(D) Be in compliance with the Charitable Trust and Corporation Act and the Oregon Solicitation Act (ORS 128.618 through 128.898). All charitable organizations who have made the required filings under such laws and have no enforcement action pending against them shall be presumed to be in compliance with such laws.

(E) Have a policy prohibiting discrimination in employment and fund distribution with regards to race, color, religion, national origin, handicap, age, sex and sexual preference in the Charitable Organization and all its grantee agencies.

(F) Provide an audited annual financial report to Metro for distribution to its employees sixty (60) days prior to the charitable campaign.

(4) Payroll deductions for employee charitable contributions shall be allowed only for charitable organizations in compliance with this Section.

2.02.365 Affirmative Action Policy:

(a) Policy Statement: Metro states as its policy a commitment to provide equal employment opportunities without regard to race, color, religion, national origin, sex, age, disability, sexual orientation, or marital or familial status, except where a bona fide occupational qualification exists.

(b) Affirmative Action Program: The Council has adopted an affirmative action policy and program which is set forth in a separate document which is available throughout Metro facilities. All employees are encouraged to familiarize themselves with Metro's affirmative action policies.

2.02.370 Nepotism: Notwithstanding Metro's affirmative action policy and program, no member of an employee's family (husband, wife, son, daughter, mother, father, brother, sister, in-laws of any kind, aunt, uncle, niece, nephew, stepparent, or stepchild) shall be employed in a position of exercising supervisory, appointment, or grievance adjustment authority over the other family member.

2.02.375 Internal Recruitment: A regular employee who has successfully completed his/her initial probationary period may apply for vacant positions and will be considered as an internal applicant. All applications will be considered without prejudice to their present positions. Regular, regular part-time (and temporary employees) who apply will be given first

consideration in filling a vacant position. Notice of internal recruitment shall be posted not less than five (5) working days to allow for receipt of applications.

2.02.380 Probationary Period: The probationary period shall be a continuation of the screening process and shall provide the supervisor an opportunity to observe the employee's work, to instruct and aid the employee in adjustment to the position, and to reject any employee who does not demonstrate fitness for the position. The successful completion of probation is for Metro's internal screening process only, and does not confer any form of tenure or other expectation of continued employment.

(a) **Reclassifications:** No employee's position shall be reclassified until such time as he/she has successfully completed his/her initial six month probationary period in the classification into which he/she was hired. Employees whose positions are reclassified, upon successful completion of the initial probationary period, shall not serve an additional probationary period.

(b) **Demotions:** An employee must have completed his/her initial six month probationary period prior to requesting a voluntary demotion, and shall not serve a new probationary period upon demotion.

(c) Any authorized leave without pay during any probationary period will extend the probationary period by the amount of time the employee is on such leave.

2.02.385 Job Share: Any full-time position may be designated as a job share position by the Executive Officer at the request of a Department Director. A job share position is a full-time position which is shared by two employees. Benefits for such position shall be apportioned between the position occupants in proportion to time worked by each; however, such apportioning may be altered upon written agreement of position occupants and approval by the Personnel Director. In no event, however, shall the benefits of a job share position exceed the benefits of any other full-time position.

2.02.390 Orientation: All new permanent employees shall be provided with a copy of this chapter and insurance plans and Metro shall periodically provide them with orientation sessions.

2.02.395 Worker's Compensation Insurance:

(a) All employees shall be covered for medical expenses and disability benefits for compensable injuries or illness resulting from employment.

(b) Payment of medical expenses and lost time disability benefits is determined by the worker's compensation administration in accordance with ORS 656.

(c) The cost of Workers' Compensation Insurance shall be paid by Metro with the exception of the employee contribution mandated by the Workers' Compensation Law of the

State of Oregon

(d) During an employee's absence due to an on-the-job injury or occupational illness, the employee may utilize sick leave or vacation credits to augment any benefits paid by the Workers' Compensation fund.

2.02.400 Transfers: All vacant positions are subject to normal recruitment procedures.

(a) Involuntary Transfer: A lateral transfer of an incumbent employee without the consent of the incumbent employee may be made due to operational needs or as a result of disciplinary action, but the incumbent employee must be given ten (10) calendar days prior notice. The incumbent shall be transferred with the position.

2.02.405 Sick Leave Transfer: Under normal circumstances leave accruals are not transferrable. However, upon written request of a regular employee to the Executive Officer, the voluntary transfer of sick leave hours may be authorized on a limited, carefully monitored basis as follows:

(a) Each request will be reviewed and approval granted or denied on a case by case basis by the Executive Officer.

(b) Requests must be due to a catastrophic, long-term, or chronic illness of the requesting employee only.

(c) The requesting employee must have no more than forty (40) hours, combined accrued sick leave hours and accrued vacation leave hours, at the time of the request.

(d) Upon approval per (1) above, the requesting employee, or another employee he/she has designated, may initiate a request to Metro employees for the transfer of accrued sick leave hours.

(e) Employees wanting to voluntarily transfer accrued sick leave hours to the requesting employee may do so only as follows:

(1) the transferring employee's Director must authorize the transfer of hours by signature, such authorization will indicate the transfer of hours can be accomplished within the departmental fiscal year budget;

(2) the transfer of accrued sick leave hours cannot exceed a total of 40 hours per transferring employee for each individual requesting employee for each fiscal year;

(3) under no circumstances shall the transferring employee's sick leave balance be reduced to below 120 hours of accrued sick leave because of the voluntary

transfer of sick leave hours to another employee.

(f) Normal leave accruals will not continue for requesting employees while they are on paid leave status as a result of transferred hours. However, health and welfare benefits provided for any other employee on paid leave status will continue for the requesting employee for as long as they remain on paid status.

(g) Any transferred sick leave hours unused by the requesting employee shall be returned to all transferring employees' sick leave accrual balances on a pro-rated basis.

(h) Copies of approved requests and approved transfers of hours must be sent to the Finance and Management Information Department, Accounting Division for implementation and to the Office of Personnel.

2.02.410 Family Medical Leave: Metro provides family medical leave of up to twelve (12) weeks within a one-year period for eligible employees when a serious health condition requires inpatient care or continuing treatment by a health care provider and makes the employee unable to work, and/or because of the birth of a child, or the placement of a child for adoption or foster care in the employee's home, and/or for the care of family members who suffer serious health conditions. For the purpose of this leave, family members are defined as a seriously-ill spouse, parent, parent-in-law, or child, or a sick minor child requiring home care. At the employee's discretion, the leave shall be paid from accrued personal leaves (including vacation leave, sick leave, compensatory time leave, personal holiday leave), or be unpaid. Except for limited circumstances, Family Medical Leave runs concurrent with other leaves.

(a) The employee shall be entitled to take family medical leave without being penalized for taking such leave.

(b) An employee returning from family medical leave shall be reinstated with no greater or lesser right in employment than if the employee has not taken the leave (pursuant to Chapter 939, Oregon Laws 1991).

(c) All full-time and part-time employees who have completed at least 180 calendar days of employment while averaging at least twenty-five (25) hours of work per week are eligible to request the leave.

(d) Employees have the option of using their accumulated leave balances during the family medical leave. Health and welfare coverage will continue at the same level of benefits and contributions for employees on Family Medical Leave as for other benefit-eligible employees. If employees fail to return from leave, except because of their own or a family member's serious health condition or another circumstance beyond their control, Metro can recover health premiums it paid during the leave. These monies may be recovered from the final paycheck if there is one, or by a lawsuit.

(e) Eligible employees may take a maximum of twelve (12) weeks of family medical leave within a one-year period. Each one-year period begins on the date of the first day of actual leave taken. Leave may be taken continuously or, under certain circumstances on a reduced workweek schedule, or intermittently.

(f) When the employee can anticipate that the serious health situation is going to arise, the employee must submit a written request to the Department Director and the Office of Personnel at least fifteen (15) days prior to taking the leave. When the employee cannot anticipate the serious health condition of the family member, an oral request can be made to the Department Director to be confirmed in writing to the Department Director and the Office of Personnel within three (3) working days.

The employee's written request must contain the following:

- (1) The relationship of the employee to the person needing care,
- (2) The health condition of the family member necessitating the leave, along with a doctor's certification stating such health condition,
- (3) The anticipated length of absence, not to exceed twelve (12) weeks,
- (4) Other family members who are taking family medical leave and when they are taking it, or are otherwise available to care for the family member.

(g) Metro is not required to grant this leave of absence during any period of time in which another family member is also taking a family medical leave of absence from their employer, or is otherwise available to care for the family member. If a husband and wife both work for Metro, they can have only 12 weeks of combined leave for birth, placement for adoption or foster care in the employee's home, or caring for a sick parent or parent-in-law, which they can split between them. However, both are entitled to the full 12 weeks for their own illness, or caring for a sick child or spouse.

(h) The employee who takes a family medical leave of absence has a duty to make a reasonable effort to schedule medical treatment or supervision so as to minimize disruption of Metro's operations, subject to the approval of the treating physician.

(i) The former position of an employee on family medical leave shall either remain vacant during the leave, or it may be filled on a temporary basis and considered vacant for reinstatement purposes.

(j) At the conclusion of a family medical leave, the employee shall be reinstated to his/her former position, unless it has been eliminated due to material changes in Metro's financial or business circumstances, or the circumstances have so changed that the employee cannot be reinstated to his/her former position, in which case the employee shall be reinstated to an equivalent position which is available and suitable. If the circumstances have so changed that the employee cannot be reinstated to the former or an equivalent position, then the employee shall be reinstated to an available suitable position.

(k) Employees who do not return by the date specified may be disciplined up to and including dismissal.

2.02.415 Pregnancy Leave/Transfer: Metro provides temporary transfer or pregnancy leave without pay to eligible employees who are physically unable to perform the duties of their regular position due to pregnancy, child birth, or related medical reasons, without significant risk to the health or safety of the employee or her pregnancy.

(a) The employee shall be entitled to take pregnancy leave or temporary transfer due to pregnancy without being penalized.

(b) The position of an employee on temporary transfer or pregnancy leave shall either remain vacant during the leave, or it may be filled on a temporary basis and considered vacant for reinstatement.

(c) An employee returning from pregnancy leave or temporary transfer shall be reinstated with no greater or lesser rights in employment than if the employee had not taken the leave (pursuant to ORS 659.389).

(d) Subject to these policies, and upon written request, all pregnant employees of Metro are eligible.

(e) **Temporary Transfer:**

(1) Metro shall provide a temporary transfer for the employee if there is an available job which is suitable for the employee and to which the transfer can be reasonably accommodated.

(2) To initiate a transfer, the employee must submit a written request to the Department Director and the Office of Personnel. The employee's written request must contain the following:

(A) The specific duties affected by the pregnancy,

(B) The reasons why the employee is unable to perform her duties without significant risk to the health or safety of the employee or her pregnancy,

(C) A statement that the employee is physically able to perform available work,

(D) A doctor's opinion/certificate confirming (a), (b), and (c) above, to determine whether a transfer is reasonably necessary.

(3) The Department Director or the Office of Personnel may request an additional independent medical opinion, at Metro expense, within three (3) working days after receipt of the initial medical opinion.

(f) Pregnancy Leave:

(1) Metro shall provide a pregnancy leave of absence if no suitable work is available for temporary transfer, and if the leave can be reasonably accommodated.

(2) The period of leave shall be the reasonable period of time during which the employee is disabled from performing any available positions. To initiate a leave of absence, the employee must make the request in writing to her Department Director and the Office of Personnel. The leave request must include the period of time for which the leave is requested. The leave request must also address the employee's disability from performing other available work:

(A) If the employee previously requested a temporary pregnancy transfer, she must state whether a transfer was offered to her, and if a transfer was offered, the employee must explain why she is disabled from performing those job duties;

(B) If the employee did not request temporary pregnancy transfer, she must explain why she is disabled from performing any available job duties known to her; and

(C) A doctor's opinion/certificate confirming (a) or (b) above.

(3) The Department Director or the Office of Personnel may request an additional independent opinion, at Metro expense, within three (3) working days after receipt of the initial medical opinion.

(4) Employees have the option of using their accumulated leave balances during pregnancy leave. If the employee chooses to utilize accumulated balances, benefits will be continued as long as the leave is continued on paid status. If the employee chooses to take leave without pay, health and welfare coverage will continue at the same level of benefits and contributions as for other benefit-eligible employees to the extent the employee qualifies for Family Medical Leave, otherwise, benefits only continue as long as the leave is continued on paid status. If employees fail to return from leave, except because of their own or a family member's serious health condition or another circumstance beyond their control, Metro can recover health premiums it paid during the leave. These monies may be recovered from the final paycheck if there is one, or by a lawsuit. If the employee chooses to take leave without pay, benefits will be paid through the last

day of the month following the month in which the leave without pay commences.

(5) If, during the course of the leave, another position which the employee is qualified to perform becomes available, Metro will, within three (3) working days, offer the available position to the employee, unless a physician has determined that the employee must remain on leave for a fixed or minimum period of time and the job becomes available during that period of time, or unless a physician has determined that the employee is disabled from performing any job duties for an indefinite period of time.

(g) If, during the course of pregnancy leave or transfer, the employee regains the ability to perform the duties of her former position, she shall, within three (3) working days of her knowledge of her regained ability, notify Metro. Metro shall restore the employee to her former position within ten (10) working days of notification by the employee, unless the position has been eliminated due to changed circumstances, in which case the employee will be reinstated to an available equivalent position. If no equivalent positions are available, the employee shall be reinstated to an available and suitable position.

(h) If, at any time during the course of pregnancy leave or transfer, the employee is released by her treating physician to perform the duties of her regular position, she must provide the written release to her Department Director and the Personnel Director with three (3) working days of the release. Metro will, within ten (10) working days of receipt of notice of release, restore the employee to her former position, unless the position has been eliminated due to changed circumstances, in which case the employee will be reinstated to an available equivalent position. If no equivalent positions are available, the employee shall be reinstated to an available and suitable position.

(i) Employees who do not follow timelines established in this policy or do not return by the date specified may be disciplined up to and including dismissal.

2.02.420 Parental Leave: Metro provides parental leave of up to twelve (12) weeks for eligible employees who have become parents. At the employee's discretion, the leave shall be paid from accrued vacation time or accrued sick leave, or be unpaid.

(a) The employee shall be entitled to take parental leave without being penalized for taking leave.

(b) When the employee returns from the leave, he or she must be restored to the former or an equivalent job, without loss of seniority, service credits, etc. If the employee cannot be reinstated to the former or equivalent job because the employer's circumstances have changed, the employee must be reinstated to any other position that is available and suitable.

(c) All employees who have completed ninety (90) days of service are eligible to request the leave. If the period of leave occurs during any probationary period, the probationary period

shall be extended for the period of the leave.

(d) Employees have the option of using their accumulated leave balances during pregnancy leave. If the employee chooses to utilize accumulated balances, benefits will be continued as long as the leave is continued on paid status. If the employee chooses to take leave without pay, health and welfare coverage will continue at the same level of benefits and contributions as for other benefit-eligible employees to the extent the employee qualifies for Family Medical Leave, otherwise, benefits only continue as long as the leave is continued on paid status. If employees fail to return from leave, except because of their own or a family member's serious health condition or another circumstance beyond their control, Metro can recover health premiums it paid during the leave. These monies may be recovered from the final paycheck if there is one, or by a lawsuit. If the employee chooses to take leave without pay, benefits will be paid through the last day of the month following the month in which the leave without pay commences.

(e) Employees are entitled to a maximum of twelve (12) weeks unpaid parental leave. Such entitlement begins on the date of birth of the child, or on the date of the taking of physical custody of a newly adopted child.

(f) A request shall be submitted simultaneously to the Department Director and the Office of Personnel thirty (30) calendar days before the occurrence of the event. The request must be in writing and contain the following information:

(1) The employee's intent to take parental leave beginning on a date certain more than (30) days from the date of the request.

(2) The anticipated date of birth of the parent's child, or

(3) The anticipated date that the parent will obtain physical custody of a newly adopted child under six years of age, and

(4) The dates when the parent, or if both parents request parental leave, the dates which each parent will commence and terminate his or her portion of the parental leave.

(5) Failure to submit a written request in accordance with (1) above may result in a reduction of leave time by 3 weeks as a penalty for untimely notice of leave.

(g) Employees who return from parental leave by the date listed in the written request on file will be restored to their former position without loss of seniority or vacation credits. If circumstances change so that the employee's former job is no longer available, that worker will be reinstated to an equivalent position or any other position that is available and suitable. Employees who do not return may be disciplined.

2.02.425 Preamble--Conduct, Discipline, Termination and Appeal: Nothing contained in this chapter precludes a supervisor from establishing work rules not inconsistent with this chapter for efficient operation and administration of the job site, or precludes a supervisor from having private discussions with employees. These discussions may be in the form of assignment, instruction, or any other job-related communication. Any disciplinary action may be grieved by represented employees under the grievance procedure established in the collective bargaining agreement.

2.02.430 Disciplinary Actions: Disciplinary actions shall include only the following: oral or written reprimand, suspension, reduction in pay, demotion and termination from employment. Any of these disciplinary actions may be utilized. It may not be necessary in every circumstance that the discipline be taken progressively.

(a) The following are some examples (but not all) of the types of conduct which will result in disciplinary action. The listing of these examples is for illustrative purposes, and in no way limits Metro's authority and discretion to discipline or terminate employees pursuant to paragraph (A) of this section:

- (1) Abandonment of position;
- (2) Absence from duty without leave;
- (3) Abuse of leave privileges;
- (4) Below standard work performance;
- (5) Discourteous treatment of the public or other employees, including but not limited to intentional tortious conduct;
- (6) Possessing, using, transferring, offering or being under the influence of any intoxicants or narcotics during working hours;
- (7) Fraud in securing appointment or promotion;
- (8) Insubordination;
- (9) Misuse of Metro property, funds or records;
- (10) Neglect of duty;
- (11) Willful deceit;
- (12) Any conviction by a court of law which demonstrates an impaired ability to properly perform work for Metro;

- (13) Violation of Metro ordinances, regulations and directives;
- (14) Willful violation of established safety policies;
- (15) Any falsification of information during the employment application or employment appointment process, regardless of when discovered;
- (16) Unlawful harassment or discrimination;
- (17) Theft, including personal or public property;
- (18) Sleeping on the job;
- (19) Gambling on Metro premises, including but not limited to card games, dice games, but not including employee pools;
- (20) Violation of this chapter, established work rules, or other management directives.

(b) Procedure for Suspension, Reduction in Pay, Demotion or Termination: The supervisor will review information gathered with the Office of Personnel prior to the supervisor taking any suspension without pay, reduction in pay, demotion or termination action. If a basis for discipline exists:

- (1) An employee may be suspended with pay, by the Department Director, pending disciplinary action.
- (2) A written notice of contemplated disciplinary action (suspension, reduction in pay, demotion, or dismissal) shall be delivered to the affected employee in person or by mail. This notice shall state the reasons for the proposed action and will include:
 - (A) the alleged conduct by the affected employee
 - (B) the violation(s)
 - (C) a date, time, and place for the affected employee to have an opportunity to address the violation(s) at a pre-disciplinary meeting. Employees may be represented by the union in a pre-disciplinary meeting.
- (3) Upon completion of the pre-disciplinary meeting, a written notice of the actual disciplinary action taken, if any, shall be delivered to the affected employee in person or by mail. This notice shall state the disciplinary action taken, the violation(s), and the effective date of the disciplinary action. This notice shall be filed in the affected employee's personnel file.

(c) The affected employee may grieve the final disciplinary action pursuant to the grievance procedure established in the collective bargaining agreement.

2.02.435 Resignation: Any employee may resign from Metro by presenting an oral or written resignation to the supervisor, manager, or Department Director. An oral resignation shall be confirmed in writing by the supervisor to the resigning employee. To resign in good standing, an employee must give a minimum of two (2) weeks notice of resignation, unless because of extenuating circumstances the supervisor, manager, or Department Director agrees to permit a shorter period of notice. The resignation shall provide an effective date which shall be the last day actually worked, and shall be forwarded to the Office of Personnel by the supervisor. If an employee who has resigned seeks to rescind the resignation, such rescission only may be granted by the affected Department Director at his/her sole discretion. All compensatory time for non-exempt employees only, and vacation leave credits earned and not used, up to the 250 hour limit, shall be paid.

2.02.440 Service Awards: The Executive Officer shall provide a service award program for Metro employees.

2.02.445 Education Opportunities:

(a) All regular and regular part-time employees are encouraged to pursue educational opportunities which are directly related to the employee's work and which will enhance the employee's job-related skill level.

(b) Employees who register for courses which are judged to be of direct and significant benefit to Metro may receive some reimbursement for expenses incurred by the employee while taking approved courses. Procedures for application and amount awarded are contained in the Personnel Procedures Manual.

(c) Normally the cost of textbooks and technical publications required for such courses shall be the responsibility of the employee. If Metro purchases any of the textbooks and publications for such courses, said textbooks and publications shall become the property of Metro.

2.02.450 Smoking Policy: Smoking (cigarettes, pipes and cigars) is prohibited inside all Metro facilities.

Notwithstanding the provisions of this section, smoking is prohibited in any public meeting as defined in ORS 192.710.

2.02.455 Conferences, Membership and Conventions: Attendance at conferences, conventions or other meetings at Metro's expense shall be authorized by the Executive Officer. Authorization shall be granted on the basis of an employee's participation in or the direct relation of his/her work to the subject matter of the meeting. Members of professional societies

may be permitted to attend meetings of their society when such attendance is considered to be in the best interests of Metro. Metro shall pay for professional or trade memberships for employees when deemed appropriate by the Executive Officer or his/her designee limited, however, to the availability of budgeted funds.

2.02.460 Employee Organizations and Representation: Employees of Metro have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining on matters relating to wages, hours and working conditions in accordance with the Oregon Revised Statutes and Regulations of the State Employment Relations Board.

2.02.465 Political Activity:

(a) Nothing contained within this chapter shall affect the right of the employee to hold membership in and to support a political party, to vote as they choose, to privately express their opinions on all political subjects and candidates, to maintain political neutrality and to attend political meetings. An employee must exercise all due caution in such activities to prevent public misunderstanding of such actions as representing Metro, or to bring discredit to Metro, the Council, Executive Officer or his/her supervisor.

(b) No official, employee or any other person shall attempt to coerce, command or require any Metro employee to influence or give money, service or other thing of value to aid or promote any political committee or to aid or promote the nomination or election of any person to public office.

(c) No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, nothing in this section is intended to restrict the right of a public employee to express personal political views. (ORS 260.432)

~~2.02.470 Ethical Requirements for Employees, Officers, Elected and Appointed Officials:~~

~~(a) The purpose of this section is to establish a Code of Ethics for Metro public officials which is consistent with current public policy established by the Oregon Legislative Assembly. Failure to comply with the provisions of this code shall be grounds for disciplinary action for employees of Metro.~~

~~(b) "Public Official" means any employee, officer, elected official or appointed member of a board, commission or committee of Metro.~~

~~(c) All public officials of Metro shall strictly comply with the following requirements:~~

~~(1) No public official shall use official position or office to obtain financial~~

~~gain for the public official, other than official salary, honoraria or reimbursement of expenses, or for any member of the household of the public official, or for any business with which the public official is associated.~~

~~(2) No public official or candidate for office or a member of the household of the public official or candidate shall solicit or receive, whether directly or indirectly, during any calendar year, any gift or gifts with an aggregate value in excess of \$100 from any single source who could reasonably be known to have a legislative or administrative interest in any governmental agency in which the official has or the candidate if elected would have any official position or over which the official exercises or the candidate, if elected, would exercise any authority.~~

~~(3) No public official shall solicit or receive, either directly or indirectly, and no person shall offer or give to any public official any pledge or promise of future employment, based on any understanding that such public official's vote, official action or judgment would be influenced thereby.~~

~~(4) No public official shall further the personal gain of the public official through the use of confidential information gained in the course of or by reason of the official position or activities of the public official in any way.~~

~~(5) No person shall offer during any calendar year any gifts with an aggregate value in excess of \$100 to any public official or candidate therefor or a member of the household of the public official or candidate if the person has a legislative or administrative interest in a governmental agency in which the official has or the candidate if elected would have any official position or over which the official exercises or the candidate if elected would exercise any authority.~~

~~(d) The Executive Officer, and every member of the Council of Metro and the Portland Metropolitan Area Local Government Boundary Commission shall be required to comply with the reporting requirements established by ORS 244.060, including the filing of a Statement of Economic Interest on an annual basis as required by state law. A copy of the Statement of Economic Interest shall be filed with the Council Clerk at the time of filing with the appropriate State agency.~~

~~(e) All members of the Metro Exposition and Recreation Commission and employees filling positions requiring Council confirmation as set forth in Section 2.02.070(D) shall file annually with the Council Clerk a Statement of Economic Interest which is substantially consistent with that required by ORS 244.060.~~

~~(f) Public Officials shall comply with the following requirements regarding the declaration of potential conflicts of interest and recording the notice of a potential conflict:~~

- ~~(1) If the public official is an elected public official or an appointed public official serving on a board or commission, announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official.~~
- ~~(2) If the public official is any other appointed official subject to this chapter, notify in writing the person who appointed the public official to office of the nature of the potential conflict, and request that the appointing authority dispose of the matter giving rise to the potential conflict. Upon receipt of the request, the appointing authority shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the official to dispose of the matter in a manner specified by the appointing authority.~~
- ~~(3) Nothing in subsection (1) of this section requires any public official to announce a potential conflict of interest more than once on the occasion which the matter out of which the potential conflict arises is discussed or debated.~~
- ~~(4) Nothing in this section authorizes a public official to vote if the official is otherwise prohibited from doing so.~~
- ~~(5) When a public official gives notice of a potential conflict of interest, the potential conflict shall be recorded in the official records of the public body.]~~

2.02.470(5) Acknowledgement of Receipt of Personnel Policies: All permanent employees shall be given a copy of this chapter of the Code and shall acknowledge receipt by signing the following statement:

"I acknowledge that I have received a copy of the Metro Code, Chapter 2.0_ which outlines my working conditions, privileges and obligations as an employee. This chapter constitutes the general policies of Metro and may be supplemented by more specific policies. Further, I understand that this chapter is necessarily subject to change. I understand that no contract of employment can be created, nor can an employee's status be modified by any oral or written agreement (except a valid collective bargaining agreement), representation, or course of conduct. Lastly, I understand that these policies do not in any way constitute a contract of employment, either express or implied."

Print Employee Name	Employee Signature
---------------------	--------------------

Date	Social Security Number
------	------------------------

ADOPTED by the Metro Council this ____ day of _____, 19__.

Metro Council Presiding Officer

ATTEST:

Clerk of the Council



METRO

Council
3/24/94
6.15.1

DATE: March 24, 1994
TO: Metro Councilors
FROM: Councilor George Van Bergen
RE: Amendment to Ordinance No. 94-523

Council staff has pointed out to me that the proposed revision to the Personnel Code does not contain clear criteria to guide managers and the Executive Officer in hiring and promoting employees. I propose an amendment to Ordinance No. 94-523A, to read as follows:

Section 2.02.080: Add a new section (a):

"(a) All promotions and appointments to vacancies shall be based on the requirements of the position and organizational and operational needs."

The remaining parts of Section 2.02.080 shall become subsections (b) through (i), to reflect insertion of a new subsection (a).

Council
3/24/94
6.1

PLANNING COMMITTEE REPORT

**CONSIDERATION OF RESOLUTION NO. 94-1902 FOR THE PURPOSE
OF AMENDING THE TRANSPORTATION POLICY ALTERNATIVES (TPAC)
BYLAWS**

Date: March 17, 1994

Presented By: Councilor Gardner

Committee Recommendation: At the March 17 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution 94-1902. Voting in favor: Councilors Kvistad, Gardner, Devlin, Gates, Monroe, Moore, and Washington. Absent: Councilor Susan McLain.

Committee Issues/Discussion: Gail Ryder, Senior Council Analyst, presented the staff report. She explained that the TPAC Bylaws have not been revised since 1990 and are in need of revision. The revisions include: 1) several title clarifications; 2) updating the process of selecting citizen alternates; 3) adding the Senior Council Analyst assigned to Planning to the TPAC membership; and several additions suggested by TPAC. Both TPAC and JPACT unanimously approved the measure with the changes suggested by TPAC.

Council
3/24/94
6.2

PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 94-1916, APPROVING THE FY 94 UNIFIED WORK PROGRAM.

Date: March 22, 1994

Presented by: Councilor Monroe

Committee Recommendation: At the March 17 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution 94-1916. Voting in favor: Councilors Kvistad, Gardner, Devlin, Gates, Monroe, Moore and Washington. Absent: Councilor McLain.

Committee Issues/Discussion: Richard Brandman, Assistant Planning Director for the Transportation Planning Division, presented the staff report. He explained the resolution, which describes the transportation planning activities to be carried out in the region, is necessary because of federal deadlines for funding applications. The usual practice is to adopt the Unified Work Program (UWP) and then make a series of amendments as various policy decisions are made. New this year, is the request from the federal government to identify major planning efforts in the region that are not federally funded.

Assisted by Keith Lawton, Assistant Planning Director for Technical Services Division, Mr. Brandman reviewed the various programs contained in the UWP. During discussion of the RLIS database, Mr. Lawton explained that the database is now becoming a real tool, rather than just something that Metro has been building.

Mr. Brandman explained the need for the three additional pages being added to the UWP at JPACT's request. The pages reference the Travel Forecasting Surveys and Research program. JPACT voted to support release of \$70,000 from STP funds to support this program which is not presently part of the FY 1994-95 proposed budget. Inclusion of the program, complete with funding, in the Unified Work Program will make it unnecessary to consider the program as a separate "add" decision package during budget discussions.



METRO

DATE: March 18, 1994

TO: Metro Council
Executive Officer
Agenda Recipients

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

RE: AGENDA ITEM NO. 6.2; RESOLUTION NO. 94-1916

Attached is the resolution referenced above, staff's report and the FY 1994-95 Unified Work Program which has been printed separately from the Council agenda packet for the Council meeting March 24, 1994.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE
FY 1995 UNIFIED WORK PROGRAM

) RESOLUTION NO. 94-1916
)
) Introduced by Councilor Rod Monroe

WHEREAS, The Unified Work Program describes all federally-funded transportation planning activities for the Portland-Vancouver metropolitan area to be conducted in FY 1995; and

WHEREAS, The FY 1995 Unified Work Program indicates federal funding sources for transportation planning activities carried out by Metro, Regional Transportation Council, Oregon Department of Transportation, Tri-Met and the local jurisdictions; and

WHEREAS, Approval of the FY 1995 Unified Work Program is required to receive federal transportation planning funds; and

WHEREAS, The FY 1995 Unified Work Program is consistent with the proposed Metro budget submitted to the Tax Supervisory and Conservation Commission; now, therefore,

BE IT RESOLVED,

That the Metro Council hereby declares:

1. That the FY 1995 Unified Work Program is approved.
2. That an additional \$70,000 of Regional STP funds is allocated.
3. That it is recognized that full funding for this work program has not been secured which could result in amendment, reduction or elimination of some work elements or funding through alternate sources. These changes will be reviewed by TPAC, JPACT and the Metro Council.
4. That the FY 1995 Unified Work Program is consistent with the continuing, cooperative and comprehensive planning process and is given positive Intergovernmental Project Review action.
5. That Metro's Executive Officer is authorized to apply for, accept and execute grants and agreements specified in the Unified Work Program.

ADOPTED by the Metro Council this ____ day of _____, 1994.

Judy Wyers, Presiding Officer

FY 94-95 Unified Work Program
Grant Adjustments

<u>Grants</u>	<u>Current</u>	<u>Change</u>	<u>Proposed</u>
PL	\$687,481	-35,535	\$651,946
Sec. 8	217,000	- 8,637	208,363
STP	633,333	+95,000	728,333
E-4	0	+34,052	34,052
		+14,880	

<u>Tasks</u>	<u>Current</u>	<u>Change</u>	<u>Proposed</u>
Technical Assistance	\$145,800	+25,000	\$170,800
Willamette Crossing Study	221,000	-10,120	210,880
Surveys & Research	747,000	+70,000	\$817,000
		+84,880	

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 94-1916 FOR THE PURPOSE OF APPROVING THE FY 1995 UNIFIED WORK PROGRAM AND RESOLUTION NO. 94-1917 CERTIFYING THAT THE PORTLAND METROPOLITAN AREA IS IN COMPLIANCE WITH FEDERAL TRANSPORTATION PLANNING REQUIREMENTS

Date: February 28, 1994

Presented by: Andrew C. Cotugno

FACTUAL BACKGROUND AND ANALYSIS

The FY 1995 Unified Work Program (UWP) describes the transportation planning activities to be carried out in the Portland-Vancouver metropolitan region during the fiscal year beginning July 1, 1994. Included in the document are federally-funded studies to be conducted by Metro, Regional Transportation Council (RTC), Tri-Met, the Oregon Department of Transportation (ODOT), the City of Portland and local jurisdictions. Major commitments continue to the Clean Air Act, Demand Management, Urban Growth Management, the Westside Corridor project, Hillsboro FEIS, the South/North Alternatives Analysis (AA) and High Capacity Transit studies. Also of major priority are the Southeast Corridor Study, the response to Rule 12, and the Intermodal Surface Transportation Efficiency Act (ISTEA) and the Travel-Forecasting Surveys and Research.

In the past, regional Interstate Transfer or FAU funds have been allocated toward work elements in the UWP. This practice is continued with an allocation from the region's Surface Transportation Program (STP), the replacement for FAU.

Federal transportation agencies (Federal Transit Administration (FTA)/Federal Highway Administration (FHWA)) require a self-certification that our planning process is in compliance with certain federal requirements as a prerequisite to receiving federal funds. The self-certification documents that we have met those requirements and is considered yearly at the time of UWP approval.

The UWP matches the projects and studies reflected in the proposed Metro budget submitted by the Metro Executive Officer to the Metro Council and is subject to revision in the final Metro budget. In addition, it funds one of the "add" packages submitted by the Executive Officer. Through an allocation of \$70,000 of Regional STP funds, it restores a Travel-Forecasting position.

Approval will mean that grants can be submitted and contracts executed so work can commence on July 1, 1994, in accordance with established Metro priorities.

PROPOSED ACTION

This resolution would: 1) approve the Unified Work Program (UWP) continuing the transportation planning work program for FY 1995; 2) allocate an additional \$70,000 of Regional STP funds; 3) authorize the submittal of grant applications to the appropriate funding agencies; and 4) certify that the Portland metropolitan area is in compliance with federal transportation planning requirements.

TPAC recommended approval of the FY 95 Unified Work Program with the following condition:

That further TPAC review be scheduled to discuss the implementation work program for Region 2040 and the Regional Framework Plan, maintenance of and access to RLIS, and Metro's new direction for public outreach.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolutions numbered 94-1916 and 94-1917, respectively.

**FY 1994-95
Unified Work Program**

DRAFT 2

**Transportation Planning in the Portland-Vancouver
Metropolitan Area**

**Metro
Southwest Washington Regional Transportation Council
Oregon Department of Transportation**

February 28, 1994

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Portland Metro Area

FY 1994-95

Unified Work Program

Overview

Introduction

Metro is the metropolitan planning organization (MPO) designated for the Oregon portion of the Portland-Vancouver urbanized area. It is required to meet the Intermodal Surface Transportation Efficiency Act (ISTEA) "Transportation Management" areas and the Land Conservation and Development Commission (LCDC) Transportation Planning Rule (TPR) requirements for MPO areas. In combination, these requirements call for development of a multi-modal transportation system plan, integrated with land use decisions and plans for the region, with an emphasis on development of a multi-modal transportation system which reduces reliance on the single-occupant automobile and consistent with realistic financial constraints.

The Unified Work Program (UWP) includes, primarily, the transportation planning activities of Metro and other area governments with reference to land use planning activities.

Decision-making Process

Metro is governed by a directly elected Council in accordance with a voter approved Charter. The Council is comprised of 13 districts, reducing to seven effective January 1, 1995. The agency is administered under the direction of an executive officer, elected by voters district-wide.

Metro uses a decision-making structure which provides state, regional and local governments the opportunity to participate in the transportation and land use decision of the organization. The two key committees are the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Policy Advisory Committee (MPAC). These committees are comprised of key elected and appointed officials and receive technical advice from the Transportation Policy Advisory Committee (TPAC) and the Metro Technical Advisory Committee (MTAC).

JPACT - This committee is comprised of Metro Councilors (three), local elected officials (nine, including two from Clark County, Washington) and appointed officials from the Oregon Department of Transportation (ODOT), Tri-Met, the Port of Portland, the Department of Environmental Quality (DEQ) and the U.S. Department of Transportation (USDOT). All transportation-related actions (including federal MPO actions) are recommended by JPACT to the Metro Council. The Metro Council can approve the recommendations or refer it back to JPACT with a specific concern for reconsideration. Final approval of each item, therefore, requires the concurrence of both bodies.

MPAC - This committee was established by the Metro Charter to provide a vehicle for local government involvement in Metro's planning activities. It includes local elected officials (11),

appointed officials representing special district (three), citizens (three), Metro Councilors (two with non-voting status), Clark County, Washington (two with non-voting status) and an appointed official from the State of Oregon (with non-voting status). Under the Metro Charter, this Committee has responsibility for recommending to the Metro Council adoption of or amendment to any element of the Charter required Regional Framework Plan (RFP). The RFP must address the following topics:

- transportation
- urban growth boundary
- urban reserves
- open space and parks
- water supply
- housing densities
- urban design
- coordination with Clark County, Washington
- other issues of regional significance

In accordance with this requirement, the transportation plan developed to meet ISTE, Rule 12 and Charter requirements will require a recommendation from both MPAC and JPACT. This will ensure proper integration of transportation with land use and environmental concerns.

TPAC - This is a committee comprised of technical staff from the same jurisdictions as JPACT plus six citizens. It develops recommendations to JPACT on all transportation-related matters. It has standing committees for the Transportation Improvement Program (TIP) and Transportation Demand Management (TDM).

MTAC - This is a committee comprised of technical staff from the same jurisdictions as MPAC to develop recommendations to MPAC on land use-related matters.

Planning Priorities Facing the Portland Region

ISTEA, the Clean Air Act Amendment (CAAA), Rule 12 and the Metro Charter, in combination, have created a policy direction for the region to update land use and transportation plans on an integrated basis and define, adopt and implement a multi-modal transportation system. Major land use planning efforts underway include:

- Completion of the Region 2040 Project to establish basic directions on urban form to serve as the basis for the upcoming revision to the RTP; this is in part in response to a Rule 12 requirement to consider land use alternatives to transportation improvements.
- Adoption of local development ordinances to incorporate into private developments bike and pedestrian facilities and improved building placement and orientation to facilitate access to the site by bikes, pedestrians and transit riders.
- Changes to land use plans to maximize development response to light rail transit (LRT).

These policy directives also emphasize development of a multi-modal transportation system. Major efforts in this area include:

- Initiation of alternative mode projects through the new Congestion Mitigation/Air Quality (CMAQ) and Transportation Enhancement Programs.
- Allocation of regional and state Surface Transportation Program (STP) funds to ensure completion of the Hillsboro extension of the Westside Project.
- Initiation of the South/North Project to define the next high capacity transit (HCT) project after the Westside Project to Hillsboro.
- Establishment of a \$36 million alternative mode account for inclusion in the update to the ODOT Six-Year Improvement Program (despite a cut of \$136 million of highway projects in this update).

Finally, these policy directives point toward efforts to reduce vehicle travel and vehicle emissions, in particular:

- The state requirement to reduce vehicle miles traveled (VMT) per capita by 20 percent over the next 30 years.
- Upcoming maintenance plans for ozone and carbon monoxide with establishment of emissions budgets to ensure future air quality violations do not develop.
- Completion of a regional TDM study to define policy directions for reducing demand for inclusion in the RTP.
- Consideration of a congestion pricing pilot project.

In order to implement these transportation needs, finance remains a significant priority. This is particularly critical with the rejection of a transportation finance measure by the 1993 Oregon Legislature. Major efforts underway include:

- Development of a proposal for 1995 Oregon Legislature.
- Consideration of Metro vehicle registration fee.
- Inclusion of financial constraint in the TIP and RTP (leading to recent cuts in the ODOT Six-Year Improvement Program).
- Development of a Finance Package for the South/North HCT Project.

A number of transportation issues remain unresolved and are being studied on a corridor or sub-area basis to determine appropriate actions for inclusion in the RTP. The following major studies are underway or upcoming:

- Western Bypass Study
- Sunrise Corridor Study
- Mt. Hood Parkway Study
- Eastbank Freeway/Central Eastside Study
- South/North HCT Study

Several of the above issues are of interstate significance, chief among them adoption of land use plans under the Washington Growth Management Act, completion of the South/North HCT Study and meeting and maintaining air quality standards in the Bi-State Air Quality Maintenance Area.

REGIONAL TRANSPORTATION PLAN

PROGRAM DESCRIPTION

The adopted Regional Transportation Plan (RTP) provides the region with a comprehensive policy and investment blueprint for an effective long range transportation system. To ensure that the RTP adequately reflects: 1) current demographic, travel demand, economic conditions and trends; and 2) federal, state and regional, policy, regulations and legislation, ongoing maintenance of the RTP database and timely updates to the plan are necessary.

The RTP was adopted in 1982, and updated in 1983 and 1989. The RTP fulfills federal planning requirements intended to ensure coordinated and logical urban transportation systems prior to the disbursement of federal funds. The RTP also fulfills state planning requirements for a regional functional transportation system plan in the Portland area.

The RTP was last revised in 1992. The revision was necessary in order to position projects for federal funding and to incorporate policy direction as specified in recent state and federal regulation and legislation, including the state Rule 12, the CAAA of 1990 and the Americans with Disabilities Act (ADA) of 1991.

Also, in late 1991, the ISTEA was adopted and requires the development of a long-range multi-modal system plan consistent with 15 broad planning factors. The factors require a fiscally constrained plan which addresses all modes of travel and the movement of both freight and people. These aspects of the ISTEA are similar to those included in the new Oregon Transportation Plan (OTP). The OTP is the state's response to Rule 12. Provisions for consistency between the RTP and OTP are contained in Rule 12 and the OTP.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The FY 1993-94 focus was to initiate major planning efforts to update the RTP in response to both ISTEA and Rule 12. A detailed scope of work was developed and approved through the study's project management and public involvement structure. A substantial portion of the FY 1993-94 work program involved Region 2040 related efforts. Alternative transportation systems and evaluation criteria were developed in conjunction with the four Region 2040 growth concepts.

Coordination with local governments was also initiated. Each jurisdiction must submit a transportation system plan (TSP) consistent with the Metro RTP. Consequently, Metro must plan concurrently with local governments to ensure that consistency.

OBJECTIVES

Work Program for FY 1994-95

Next year's program will focus on two activities: 1) Completion of the ISTEA mandated update by October 1994; and 2) Completing an update consistent with Rule 12 requirements

by May 1995. These activities directly relate to Transportation Division goals to maintain and update regional transportation policy and planning. The long-range system planning requirements for ISTEA and Rule 12 are generally complimentary. As a result, the work program has been adjusted to reflect a single process with two milestones for submittal: a federal plan to Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) and a state plan to the Department of Land Conservation and Development (DLCD)/ODOT.

The ISTEA Update will focus on addressing 15 planning factors contained in the act. In addition to freight movement considerations, ISTEA requires the plan to address "overall social, economic, energy and environmental effects of transportation decisions" and other common transportation planning elements related to travel forecasting, capital needs and costs.

Both ISTEA and Rule 12 require updates to RTP elements related to the evaluation of the adequacy of current and alternative scenarios to meet forecast needs; and to the identification of amendments to the RTP required in the areas of transportation policy, regional transportation system elements, improvements to the systems (10- and 20-year needs), financing shortfalls, coordination, implementation and consistency with other plans, programs and outstanding issues.

Specifically, the ISTEA Update will:

- Address the 15 MPO planning factors.
- Identify a "fiscally constrained" network.
- Conduct a conformity analysis on the constrained system consistent with the CAAA of 1990.
- Identify RTP level major investment analysis areas.

The final RTP Update consistent with Rule 12 will be carried out consistent with the recommended Region 2040/RFP growth option. The Update will coordinate, comply or be sensitive to these additional activities:

- The requirements of ISTEA and Rule 12 for the development of multi-modal policies, plans and programs.
- ISTEA requirements for the development of a "turn-key" financial analysis software package suitable for ongoing operation and maintenance by Metro staff.
- ODOT's Multi-Modal OTP.
- ODOT's plan for multi-modal corridor studies intended to identify improvements on key urban arterials.
- Changes to local jurisdictional and agency transportation plans, programs and policies.
- ISTEA required management systems and major investment analyses.

Other RTP related activities include:

- Maintain and update the RTP database consistent with changes in the population and employment forecasts, travel demand projections, cost and revenue estimates, and amendments to local comprehensive plans.

- Assist ODOT, Multnomah, Clackamas and Washington Counties in evaluating consistency of the I-84/US 26 Connector (Mt. Hood Parkway), Sunrise Corridor and the Tualatin-Hillsboro Corridor (Western Bypass) with land use goals and transportation objectives.
- Pursue federal funding opportunities as available under ISTEA, including a congestion pricing pilot project, as appropriate.
- Continue to assist ODOT, DLCD and the region in the transportation planning, project development and implementation, and decision-making consistent with state Rule 12.
- Assist ODOT and DLCD in administration, implementation and monitoring of their transportation and growth management program as approved by the 1993 legislature.
- Participate as a representative from Metro to various planning or engineering technical advisory committees involved with refinement and implementation of regionally significant actions related to the RTP or development of local TSP's.
- Assist Tri-Met in establishing program and policies to ensure private enterprise participation in planning and provision of mass transit service.
- Support the findings of the Suburban Transit Study which calls for contracted service to serve developing areas, continue to identify transit markets and types of service areas appropriate for implementation by the private sector.
- Incorporation of fiscal constraint into the RFP.
- Adoption of 2015 population/employment forecasts through the Region 2040 Project.
- Definition of TDM measures to meet a 20 percent reduction in VMT per capita.

Products

The major product for next year will be the completion of the concurrent ISTEA/Rule 12 Update. This includes both a fiscal and air quality conformity analyses which complies with ISTEA and CAAA. ISTEA requirements will be complete in October 1994; Rule 12 requirements in May 1995.

EXPENDITURES

Personal Services (FTE 4.275)	\$264,749
Transfers	95,310
Contingency	2,257
Materials & Services	22,380
Computer	<u>32,804</u>
Total	\$417,500

REVENUES

FY 95 ODOT/PL	\$125,000
FY 95 Sec 8	77,824
FY 95 ODOT Match/ Metro/STP	19,076
FY 95 ODOT/STP	50,000
FY 93 ODOT	
Supplemental Gas Tax	5,000
FY 93 Metro/STP	4,743
Tri-Met	120,000
Metro	<u>15,857</u>
Total	\$417,500

TRANSPORTATION IMPROVEMENT PROGRAM

PROGRAM DESCRIPTION

The TIP serves as a regional policy document describing which projects will be given priority, and is prepared in response to USDOT regulations. The regulations direct that a program of highway and transit projects using federal funds is to be developed annually under the direction of the MPO and is to set forth cost estimates for an annual element year or years. The report is to be endorsed by JPACT and the Metro Council and submitted to ODOT, the FHWA and the FTA. The TIP includes cooperatively developed projects defined by cities and counties and incorporates major regional actions such as Tri-Met's Transit Development Plan (TDP). The regionally adopted TIP is then submitted to ODOT for incorporation in the state TIP. The entire state TIP is then submitted for federal review and approval.

The CAAA of 1990 and the ISTEA of 1991 included substantial revisions for TIP development and review. The TIP must conform with the CAAA by not worsening air quality when compared to a base year of 1990 or to a no-build forecast year. ISTEA has resulted in a number of funding program revisions which require revised programming procedures for both states and MPOs. Roles and responsibilities have also changed. As a result of ISTEA, substantial regional and public discussion and coordination has occurred and will occur to define responsibilities and identify priorities.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The focus of the current year has been on development of a biennial TIP which responds to ISTEA/CAAA directives:

- Historical documentation of federal transportation appropriations for submittal to our Congressional Delegation.
- TIP Report published and distributed to city recorders, public works directors, members of TPAC.
- Conformity of the TIP with CAAA of 1990 requirements.
- Staff participation in ISTEA discussion, training and information sessions, including participation in workshops and conferences; updates to TPAC and JPACT.
- Development of procedures and projects for inclusion of new ISTEA funding programs and priorities within TIP, including STP, Transportation Enhancement and CMAQ Programs.
- Identification of regional transportation priorities for consideration in the ODOT 1995-1998 TIP for those funds controlled by the state for use within the region. A four-month process was established to develop JPACT/Metro Council priorities for highway program reductions and for alternative mode program additions.

OBJECTIVES

Work Program for FY 1994-95

The major focus of next year's program is to revise TIP development procedures; initiate a TIP development process; and provide ongoing maintenance and monitoring of TIP activities including:

- **ISTEA/CAAA Compliance.** Finalize TIP procedures response to ISTEA guidelines for metropolitan planning, including public involvement procedures. Also, finalize conformity procedures consistent with CAAA conformity regulations (January 1995).
- In coordination with ODOT, the TIP Subcommittee and the public, revise JPACT/Metro Council multi-modal objectives and criteria for TIP project and program prioritization. The objectives and criteria should further enhance and reflect ISTEA, Rule 12 and recent planning activities.
- In coordination with ODOT, the TIP Subcommittee and the public, initiate an 18-month TIP Update process beginning January 1995. The process would identify and prioritize projects or programs of regional significance for federal and state funding over the Federal Fiscal Years 1997-1999. Funding sources, project costs and schedules would be determined and reviewed through local and regional public involvement processes. Formal public hearings, adoption, and CAAA conformity determinations would be conducted in FY 1995-96.
- **Ongoing Maintenance.** Provide ODOT and local jurisdictions essential funding information to better schedule project implementation activities. Metro will monitor past and current funding allocations, schedules, cost and management of cost overruns and underruns. Metro will produce quarterly reports documenting funding authorizations, obligations and reserves by funding category and jurisdiction.
- **Annual Report.** Annual update of the TIP to reflect current costs, schedules, priorities and funding action approved throughout the year.
- **Amendments.** Process periodic amendments to the TIP, including conformity determinations, as necessary.
- Provide comprehensive public involvement activities for FY 1997-99 TIP. Additional activities include a TIP CAC and improved public responsiveness.
- Define and adopt procedures for project selection to reflect financial constraint after adoption of TIP. Include procedures in the intergovernmental agreement with ODOT.
- Define procedures and requirements for "Major Investment Analysis" requirements of ISTEA.

EXPENDITURES

Personal Services (FTE 2.495)	\$148,759
Transfers	53,553
Contingency	899
Materials & Services	3,480
Computer	4,309
Total	<u>\$211,000</u>

REVENUES

FY 95 ODOT/PL	\$ 30,000
FY 95 ODOT/STP	40,000
FY 95 Sec 8	30,000
FY 95 Tri-Met	40,000
Metro	<u>71,000</u>
Total	<u>\$211,000</u>

URBAN ARTERIAL FUND

PROGRAM DESCRIPTION

In 1989, the Council and JPACT adopted a comprehensive financing strategy for LRT, expanded transit operations, major highway corridors and urban arterials. This overall strategy for implementing the RTP included pursuing a local option vehicle registration fee for roadway (arterial) improvements. A general program structure and initial identification of candidate projects for inclusion in the Urban Arterial Program was developed. A number of issues, including the emphasis on supporting the comprehensive funding package at the 1993 legislative session, delayed taking a finalized proposal to the public for a vote. The 1993 legislative transportation funding package was not approved.

Local and regional officials have indicated continued support for both the overall comprehensive funding strategy and the urban arterial element. However, new issues such as how to integrate the Urban Arterial Program with a comprehensive regional funding strategy and possible 1995 legislative funding initiative are now being addressed.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Following the 1993 legislative session, Metro began a review of the Arterial Fund Proposal with local agencies and other interested groups to determine the feasibility of referring a funding measure to the public in 1994.

The current work is focused on several critical technical products and benchmark decisions including:

- The development of a refined road program of key improvements and estimated costs. This work includes the involvement of the public, local jurisdictions and transportation agencies to select a list of priority road and other improvements for inclusion in the program. A broader definition of eligible improvements has evolved, including consideration of all constitutionally acceptable uses of dedicated road funds that benefit pedestrian, bike and transit riders.
- The development of a financial plan needed to implement the proposed program. This work includes an analysis of a regional gas tax as well as a local option vehicle registration fee as a revenue source for the program. The analysis will also assist in the scheduling of improvements in the proposed Road Program.
- The conduct of public survey(s). This work is to assist in developing the projects in the program and for public information purposes.
- Benchmark decision to proceed (or not) with a road funding program in 1994 or to integrate the Road Program into a larger transportation funding measure. Based on survey results, local agency and other public involvement, a benchmark decision to proceed or not proceed by local agencies and the Metro Council will be required by mid-1994.

OBJECTIVES

Work Program for FY 1994-95

If the benchmark decision is made to proceed with a road funding or comprehensive funding measure in November 1994, the focus of the program will be to continually survey the public and work with interested parties to refine the proposed road improvement program element and prepare for the election.

Metro and local agencies will be responsible for developing and providing accurate information to interested groups and individuals on the program prior to any election.

Procedures for revenue collection would be developed with the State of Oregon Division of Motor Vehicles. A Metro/local agency inter-governmental agreement on program administration will be finalized for Metro Council and local government action. Metro, through JPACT and the Metro Council, would be responsible for ongoing administration and distribution of the fund, assuming a ballot measure is approved.

EXPENDITURES

Personal Services (FTE 0.62)	\$ 35,602
Transfers	12,817
Contingency	927
Materials & Services	124,500
Computer	<u>2,154</u>
Total	\$176,000

REVENUES

Arterial Fund STP*	\$139,530
ODOT Match on Arterial Fund STP	7,985
Metro	<u>28,485</u>
Total	\$176,000

*Full funding in FY 1993 included \$350,000 of FY 94 Metro STP as included in the 3/93 ODOT agreement.

CONGESTION MANAGEMENT SYSTEM

PROGRAM DESCRIPTION

The ISTEA of 1991 requires that a series of six management systems be developed statewide and for metropolitan areas, including one for congestion. Management systems are intended to provide up-to-date and consistent information to guide transportation planning and programming decision making. The systems are to improve the efficiency of, and protect the investment in, the nation's existing and future transportation infrastructure. Management systems, while not the end product, will be considered by the ODOT, Metro and local jurisdictions in the development and prioritization of transportation needs through the planning process. The Congestion Management System (CMS) will be designed to monitor and analyze the magnitude of congestion on the multi-modal transportation system and to plan and implement actions that reduce congestion, improve air quality and enhance the performance of the transportation system to the level desired. ISTEA further directs that federal funds may not be programmed for projects which significantly increase single occupant vehicle capacity unless the project is from an approved CMS.

All work activities will be coordinated with and through ODOT. Local jurisdictions and Tri-Met will also participate in development of the CMS. Activity prior to FY 1993-94 was limited to overview and discussion relating to the development of federal rules and guidelines regarding the CMS.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The focus of the current year's activities is to develop a scope of work based on the final Federal Rule on Management Systems. The scope of work will be used to:

- Develop interim CMS for application to significant single-occupant-vehicle projects in the period prior to implementation of a full CMS.
- Work with FHWA, ODOT, jurisdictions to develop a CMS strategy consistent with the Final ISTEA regulations on management systems.
- Coordinate with Regional Transportation Council on Clark County CMS.
- Develop an intergovernmental agreement and Scope of Work with ODOT.
- Develop consultant scope of services and contract; develop RFP; review proposals; and hire consultant.
- Establish public involvement structure consistent with ISTEA planning requirements emphasizing broad based and timely participation.
- Identify the primary and secondary CMS corridors and areas.

OBJECTIVES

Work Program for FY 1994-95

- Develop congestion performance measures for identified modes; further refine corridors; identify necessary CMS related data; develop an implementation scope of work to USDOT (October 1994).
- Collect and analyze appropriate multi-modal, traffic and congestion related data; initiate findings into RTP Update process (January 1995).
- Identify appropriate congestion management strategies and an evaluation methodology for congested corridors or areas (May 1995).
- Develop draft CMS for review and adoption; submittal of final to USDOT. Include CMS implementation plan (July 1995/October 1996).

Products

- | | |
|--|---------------------------------|
| • Performance Measures; corridors; scope | July 1994 |
| • Data Collection | January 1995 |
| • Draft Strategies | May 1993 |
| • Draft CMS | July 1994 |
| • Final CMS | October 1996 (next fiscal year) |

A comprehensive public involvement process will precede action by JPACT/Metro Council and the Oregon Transportation Commission.

EXPENDITURES

Personal Services (FTE 1.71)	\$107,093
Transfers	38,553
Contingency	336
Materials & Services	36,400
Computer	8,618
Total	<u>\$191,000</u>

REVENUES

FY 95 ODOT/PL	\$ 43,000
FY 95 Metro/STP	89,864
FY 93 ODOT Supplemental Gas Tax*	17,500
FY 93 ODOT Supplemental Metro/STP*	16,602
Metro	<u>24,034</u>
Total	<u>\$191,000</u>

*Full funding in FY 1993 included \$50,000 Metro STP and \$40,000 ODOT Gas Tax; carryover into FY 1995 includes \$17,500 ODOT Gas Tax and \$16,602 Metro STP (full funding in 3/93 ODOT agreement).

INTERMODAL MANAGEMENT SYSTEM

PROGRAM DESCRIPTION

The ISTEA of 1991 requires the development of six management system plans: Congestion, Public Transit, Intermodal, Safety, Pavement and Bridge. Management systems are intended to provide up-to-date and consistent information to guide transportation planning and programming decision making. The Intermodal Management System (IMS) will provide the basis for interconnected intra-state, inter-state and international freight, and passenger systems and intermodal facilities. The IMS will ensure the efficient, safe and convenient movement of people and goods, and improves coordination in planning and implementing air, water, and the various land-based transportation facilities and systems.

A completed IMS will include: 1) an inventory of intermodal facilities and systems; 2) incorporation of IMS strategies and actions into the OTP, the RTP and the TIP; and 3) a fully integrated implementation plan.

All work activities will be coordinated with and through ODOT and the Port of Portland as specified in an intergovernmental agreement. Tri-Met and local jurisdictions will participate in the development of the IMS as well.

Activity prior to FY 1993-94 was limited to overview and discussion relating to the development of federal rules and guidelines regarding the IMS.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Last year's activities were to develop a scope of work based on the final Federal Rule on Management Systems. The scope of work was used to:

- Develop an intergovernmental agreement with the Port of Portland for project assistance. The Port of Portland is acting as the lead IMS agency in the Portland area, in conjunction with Metro and ODOT.
- Develop public outreach activities, including formation of intermodal and goods movement Task Force.
- Develop consultant scope of services and contract; develop RFP; review proposals; and hire consultant for phase one scoping and system definition activities.
- As part of second phase consultant activities, refine system elements, inventory intermodal facilities and develop intermodal performance measures.
- In conjunction with the Region 2040 Study, analyze long-term commodity flows relative to land use and transportation alternatives.

OBJECTIVES

Work Program for FY 1994-95

- Completing second phase consultant activities and work with the Port and ODOT to finalize IMS efficiency measures and performance standards; initiate data collection and monitoring activities; and define additional IMS activities, agency roles, responsibilities and methods for incorporation information into the planning process (October 1994).
- Initiate development of strategies and actions for improving intermodal efficiencies and develop final implementation strategy (May 1995).
- Work with ODOT on development of Intermodal Plan (ongoing).

Products

- | | |
|---|--------------|
| • Establish efficiency measures and performance standards | October 1994 |
| • Collect data and establish monitoring system | October 1994 |
| • Initiate implementation | January 1995 |
| • Incorporate IMS into RTP | May 1995 |

Consistent with ISTEA, the IMS process includes a broad range of public involvement activities prior to review and adoption through JPACT/Metro Council and, ultimately, the Oregon Transportation Commission. Public participation includes a multi-interest regional CAC for overall planning consistency and policy development, and a intermodal sub-group to provide a freight and passenger expertise.

EXPENDITURES*

Personal Services (FTE 0.27)	\$17,501
Transfers	6,301
Contingency	798
Materials & Services	71,400
Computer	0
Total	\$96,000

REVENUES*

FY 95 Metro STP	\$22,767
FY 93 ODOT Supplemental Gas Tax	35,000
FY 93 ODOT Supplemental Metro/STP	33,203
Metro	5,030
Total	\$96,000

*Second year of two-year program which included \$150,000 of FY 94 Metro STP (33c) and \$125,000 of ODOT Gas Tax as described in the 3/93 ODOT agreement.

PUBLIC TRANSIT MANAGEMENT PLAN

PROGRAM DESCRIPTION

The ISTEA of 1991 required the development of six management plans: Congestion, Public Transit, Intermodal, Safety, Pavement and Bridge. Management systems are intended to provide up-to-date and consistent information to guide transportation planning and programming decision making. The purpose of the Public Transit Management System (PTMS) is to provide a basis for maintaining and improving transit operations and performance. This will require an examination of the efficiency and performance of the existing system and facilities. It will also require development and implementation of a plan to respond to existing and projected deficiencies. This program develops and begins implementation of a PTMS consistent with ISTEA management system deadlines through October 1995.

The PTMS will be coordinated with and through Tri-Met and ODOT as specified in an intergovernmental agreement. The process and products will be incorporated into the RTP, Tri-Met Strategic Plan and supporting documents, the OTP and TIP.

Activity prior to FY 1993-94 was limited to overview and discussion relating to the development of federal rules and guidelines regarding management systems and metropolitan planning.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

FY 1993-94 activities were to develop a scope of work based on the final Federal Rule on management systems. The scope of work was used to:

- Develop an intergovernmental agreement and scope of work with Tri-Met and ODOT.
- Develop consultant scope of services, as necessary; develop contract; develop RFP; review proposals and hire consultant.
- Inventory and define public transit facilities and systems.

OBJECTIVES

Work Program for FY 1994-95

- Develop criteria for evaluating the efficiency of the transit system (e.g., vehicle hours of delay or miles per employee, road calls per vehicle mile, maintenance cost per mile, etc.) as well as for evaluating performance of system as it relates to users (e.g., passengers per vehicle mile or hour, transit travel time as a percentage of auto time, crowding levels during peak periods, etc.).
- Collect data and develop a monitoring system.
- Develop strategies and identify actions to improve transit system.
- Develop implementation plan for services and adoption by all affected parties including the USDOT.

Products

- Develop and define criteria and evaluation system July 1994
- Submit workplan and schedule to USDOT October 1994
- Develop data collection procedures December 1994
- Conduct initial evaluation of facilities and system March 1995
- Develop draft findings report/begin final PTMS July 1995

Study products will be reviewed by a study technical advisory group which will report to TPAC. Final recommendations will require JPACT/Metro Council adoption, submittal to ODOT and FHWA/FTA.

EXPENDITURES*

Personal Services	\$ 0
(FTE 0.0)	
Transfers	0
Contingency	0
Materials & Services	13,000
Pass-Through to Tri-Met	0
Computer	0
Total	<u>\$13,000</u>

REVENUES*

FY 93 ODOT Metro/STP (3/93)	\$12,000
Metro	<u>1,000</u>
Total	\$13,000

*This is the second year of a two-year \$39,000 study which included \$25,000 of Metro STP funds (3/93 ODOT agreement 33c funds).

WILLAMETTE CROSSING STUDY

PROGRAM DESCRIPTION

In conjunction with the structural need to replace the Sellwood Bridge, this study examines the need for additional multi-modal Willamette River crossing capacity south from the Ross Island Bridge to I-205. This project is a first phase system-level analysis intended to determine whether a new bridge, a reconstructed Sellwood Bridge, additional capacity to the Ross Island Bridge, or any combination of the three should be incorporated into the RTP. The study will identify a number of reasonable alternatives which can then proceed to Alternatives Analysis (AA)/Draft Environmental Impact Statement (DEIS). This work program will be coordinated with the South/North AA and ODOT's I-405 Reconnaissance and Highway 43 Metropolitan Area Corridor studies.

The study was recommended in 1990 as a second phase to the Southeast Corridor Study. That study resulted in transportation system management improvements to east-west arterials and collectors between McLoughlin Boulevard and I-205.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The project was initiated during the third quarter of FY 1993-94. The start was delayed until new Federal ISTEA planning regulations were released; to allow for a better understanding of land use alternatives available under Region 2040; and to better coordinate with the HCT and ODOT studies identified above. Major FY 1993-94 products included the development of a detailed scope of work and background report defining study issues, problems, objectives and assumptions for analysis; and an inventory of existing study area information (traffic counts, accident rates, etc.). Another major product in FY 1993-94 was the development of the study evaluation methodology. ISTEA requires that the methodology be multi-modal and evaluate relevant social, economic and environmental factors. A travel forecasting model and network is also being developed. Public involvement and project oversight structures were also created.

OBJECTIVES

Work Program for FY 1994-95

Next year's program will focus on system-level alternatives development and analysis. Final recommendations for this first-phase will be finalized early in FY 1995-96, with the detailed AA/DEIS phase to follow. Major steps for FY 1994-95 include:

- Identify modal capacity deficiencies for the existing bridge crossings (Ross Island and Sellwood).
- Evaluate the performance of McLoughlin Boulevard from the Ross Island Bridge to Highway 212 and Macadam/Highway 43 north and south of the Sellwood Bridge as well as I-5 between the Ross Island and Sellwood bridges.

- Identify capacity deficiencies on the arterial system west of the Sellwood Bridge including the Terwilliger Extension and the Macadam/I-5 access.
- Identify and evaluate transit alternatives (consistent with South/North AA) which maximize transit usage for cross river trips.
- Identify alternative Willamette River bridge crossings, options for upgrading or replacing existing bridges, and feasible locations of new bridge alternatives.
- Measure the ability of the RTP highway system (No Build) to accommodate projected (forecast) traffic demand.
- Determine the impacts of increased bridge capacity on:
 - The need for other system improvements on both sides of the river to make the proposed alternatives work.
 - The ability of the alternative to solve problems identified in the RTP problem assessment and scope of work.
 - The operation of the arterial, transit, bicycle, pedestrian and freight systems.
 - The need for improvements to the RTP systems for arterials, transit, bicycles, pedestrians and freight.
- Determine the neighborhood traffic impacts of the bridge and system alternatives.
- Evaluate the ability of TDM measures and transit alternatives to minimize the need for increased river crossing capacity.
- Coordinate with studies of transportation needs of the new development in the South Waterfront area.
- Identify the significant social, economic and environmental impacts and costs for each of the proposed alternatives.
- Work with jurisdictions and the public to gain consensus on a preferred set alternatives.
- Integrate study recommendations into the RTP, the OTP and local transportation plans, as necessary.

The study is a carryover project and will not impact the relative funding or staffing level of the department or section.

Products

- Study Evaluation and Candidate System-Level Alternatives Report (August 1994).
- Forecast Year Conditions (No Build) Report (October 1994).
- Preliminary System-Level Alternative Analysis Results Report (May 1995).

EXPENDITURES

Personal Services (FTE 2.665)	\$161,023
Transfers	57,968
Contingency	1,712
Materials & Services	2,480
Computer	9,817
Total	\$233,000

REVENUES

FY 95 ODOT/STP	\$ 95,500
FY 95 Metro/STP	100,436
Metro	<u>37,064</u>
Total	\$233,000

TRANSPORTATION DEMAND MANAGEMENT

PROGRAM DESCRIPTION

In cooperation with DEQ, ODOT and Tri-Met, Metro is acting as the lead agency in the analysis of alternative TDM techniques applicable in the Portland region. The objectives of TDM are to reduce VMT in the region, thereby reducing the demand for transportation capital expenditures, improving air quality and neighborhood livability, and reducing energy consumption. The need for comprehensive regional TDM strategies was recognized in 1991 in response to state Rule 12 goals related to per capita VMT and parking space reductions and auto occupancy rate increases. The need for a TDM strategy is also outlined in the Federal ISTEA which calls for measures to reduce reliance on the single occupant automobile. Adopted TDM strategies are in part being evaluated in conjunction with Region 2040 and will be incorporated into the RTP and, as appropriate, local transportation system plans.

TDM strategies have historically been included in the RTP. This study is updating those strategies and techniques. The TDM study represents a second "phase" to recent TDM-related activities. The first phase, completed in early 1993, evaluated air quality related TDM strategies in conjunction with the Governor's Task Force on Motor Vehicle Emissions in the Portland Area. The Task Force recommended a number of strategies for consideration by the 1993 legislature. Again, the strategies as adopted by the legislature focused only on air quality. Additional study and analysis is required to develop a comprehensive TDM program.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The program has focused on three major activities:

- Finalizing Governor's Task Force activities. A complete technical appendix which documents procedures used for the Task Force was completed. Coordination with DEQ on legislative activities also occurred.
- Initiation of the TDM study including scope of work activities; identification of regional issues and objectives; completion of literature search to identify broad TDM measures, both innovative and traditional, and both regulatory and market-based; research and development of TDM measures and an evaluation methodology; travel forecasting model adjustments and development of base and forecast networks; the initiation of the alternatives analysis portion of the study; and evaluation through Region 2040/RTP activities.
- Re-submittal to the FHWA of a two-phased grant for a Congestion Pricing Pilot Demonstration Project in response to ISTEA.

OBJECTIVES

Work Program for FY 1994-95

Next year's program will focus on completion of the TDM study. Specific activities include:

- Finalize alternatives development; evaluation methodology; model adjustments (July 1994).
- Complete AA phase of the study (August 1994).
- Prepare a Recommendations Report describing the study alternatives, the results of the analysis, and a recommended comprehensive strategy for demand management programs in the Portland region (December 1994).
- Adoption of recommendations for inclusion in RTP and TIP, as appropriate (May 1994).
- Initiate work with local jurisdictions, transportation agencies and major employers to implement and monitor the demand management programs and strategies. Define roles and responsibilities and develop specific projects and programs. Review and monitor "state of the art" TDM strategies for further consideration for use in the Portland region.

The FY 1994-95 work program represents a transition from TDM study to TDM application and implementation. The activities are consistent with department and RTP objectives to provide for non-single occupant vehicle transportation and mobility opportunities. Those objectives are also implicit within ISTEa and the state Rule 12. The FY 1994-95 work program will may be amended to a program element for congestion pricing if the region is awarded funding under the FHWA Congestion Pricing Pilot Program.

EXPENDITURES

Personal Services (FTE 0.895)	\$53,602
Transfers	19,296
Contingency	102
Materials & Services	0
Computer	0
Total	\$73,000

REVENUES

FY 95 ODOT/PL	\$16,140
FY 95 Sec 8	8,000
DEQ Emission Reduction	42,600
Metro	6,260
Total	\$73,000

AIR QUALITY PROGRAM

PROGRAM DESCRIPTION

The air quality program directly responds to the CAAA of 1990. The Act identifies a schedule of requirements which varies by attainment or degree of non-attainment status. The Portland area is designated as marginal non-attainment for ozone and moderate non-attainment for carbon monoxide (CO). The goal of this program is to identify strategies to achieve and maintain the National Ambient Air Quality Standards (NAAQS) for health, environmental and economic reasons. With completion of long-term CO and ozone maintenance plans, the goal will be achieved.

In cooperation with DEQ, Metro has updated current year estimates and future year forecasts of emissions to determine whether standards for CO and ozone as established by the CAAA can be achieved by the mandatory deadlines and maintained thereafter. In accordance with federal law, the standard for ozone (hydrocarbon emissions) was to be met by November 1993 and for CO by November 1995. With no ozone violations in 1993, the region has met the standard and can now begin development of a maintenance plan. With completion of the maintenance plan, the region can apply for attainment.

Recent activities include:

- Updates to current hydrocarbon and CO emission inventories as submitted to USDOT and EPA in November 1992.
- With DEQ, development of a CO contingency plan for the region.
- In conjunction with Metro's demand management study, and as the lead agency in the region responsible for addressing transportation emission sources, Metro provided air quality planning support to the Governor's Portland Area Task Force on Motor Vehicle Emissions in 1992 and worked with DEQ on resulting air quality issues at the 1993 Legislature.
- Participation in Portland's Central City Transportation Management Plan process, which in part develops the CO standard for downtown parking.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Prior focus was on coordinating with DEQ in developing a scope of work for the ozone SIP Update for the purpose of developing a maintenance plan for submittal to EPA/USDOT; initiating the SIP Update; developing methods to incorporate CAAA final conformity regulations into RTP/TIP planning procedures; and initiating the application of those procedures. This work program is proceeding as scheduled. The major changes reflect the sequential and various requirements contained within the CAAA.

OBJECTIVES

Work Program for FY 1994-95

Next year's program will focus on completing activities initiated in FY 1992-93. Included are the following activities:

- Completion of the ozone SIP Update "contingency plan" (November 1994). Metro is the lead agency for the update of the transportation element of the ozone SIP. Metro's first responsibility will be to develop an "attainment contingency plan." This plan will identify short-term air quality Transportation Control Measures (TCMs) which can be implemented in the event the region violates the NAAQS following the attainment deadline and prior to having an approved maintenance plan. The attainment contingency will require analysis, regional adoption and submittal to EPA/USDOT.
- Development of Ozone Maintenance Plan (May 1995). Metro, with DEQ, will prepare an ozone maintenance plan also for submittal to EPA/USDOT. The Maintenance Plan will show how the region will stay in attainment for a period of at least 10 years. The plan must include both base and contingency strategies and must be based on the latest travel and emission forecasts. The plan must also establish an emissions budget for CAAA conformity purposes. The Portland Area Maintenance Plan will be based on the recommendations of the 1993 Legislative actions on air quality and on follow-up measures prepared as part of Metro's TDM Study and the RTP Update.

Next year's activities are specific program objectives to meet CAAA and ISTEA requirements and improve Portland area air quality.

EXPENDITURES

Personal Services (FTE 0.55)	\$32,081
Transfers	11,549
Contingency	2,061
Materials & Services	0
Computer	<u>4,309</u>
Total	\$50,000

REVENUES

DEQ Emission Reduction	\$48,000
Metro	<u>2,000</u>
Total	\$50,000

MANAGEMENT PLAN COORDINATION

PROGRAM DESCRIPTION

The ISTEA of 1991 required the development of six management plans: Congestion, Public Transit, Intermodal, Safety, Pavement and Bridge. Management systems are intended to provide up-to-date and consistent information to guide ongoing transportation planning and programming decision making. ISTEA requires that states coordinate with MPOs on the development of management systems in metropolitan areas. In the Portland area, Metro is the lead agency for development of the CMS; is working with the Port and ODOT to develop the IMS; and is working with Tri-Met and ODOT to develop the PTMS. Metro's role for bridge, safety and pavement is to coordinate between ODOT and local jurisdictions.

Three deadlines apply: 1) by October 1994, a scope of work defining implementation methods, and roles and responsibilities for maintaining and implementing each management system must be submitted; 2) by October 1995, performance measures, systems definitions and data requirements must be identified; and 3) by October 1996, each management system must be fully operational and implemented. The CMS for the Portland area must be fully operational by October 1995 given the region's air quality non-attainment status.

In addition to procedural coordination, ISTEA requires that the various management systems also coordinate information and planning/programming decision making where appropriate. This program is intended to provide that coordination.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The program focused on coordination with USDOT, ODOT, Tri-Met and local jurisdictions to define scopes of work, roles and responsibilities for development of each management system. USDOT regulations for management systems were evaluated and information distributed to interested parties. A public involvement process related to the management systems was developed.

OBJECTIVES

Work Program for FY 1994-95

The major activities for next year include:

- Continue work toward meeting the October 1994 and October 1995 deadlines for each management system.
- Coordinate regional discussions on management system consistency.
- Coordinate discussions regarding actions for incorporation into the RTP.
- Continue discussions with USDOT and ODOT regarding future actions, submittals and interpretation of regulations.
- Provide coordination between ODOT and local jurisdictions for development of the safety, bridge and pavement management systems. Activities involve identification of systems

and performance measures, consistency in data and collection methods, and identification of strategies resulting from the management system.

- Coordinate discussions regarding actions for incorporation into the RTP.

EXPENDITURES

Personal Services (FTE 0.24)	\$14,937
Transfers	5,377
Contingency	686
Materials & Services	0
Computer	<u>0</u>
Total	\$21,000

REVENUES

FY 95 ODOT/PL	\$ 3,600
Metro	<u>17,400</u>
Total	\$21,000

TRANSIT STATION AREA PLANNING

PROGRAM DESCRIPTION

This program, which repeats a similar program conducted along the Banfield MAX line in the early 1980's, is designed to replan the areas within one-half mile of the transit stations on the Westside MAX line under construction. The purpose is to create an environment that allows development density and design that is supportive of the region's investment in light rail transit. The 1980 Transit Station Area Planning (TSAP) was a joint project between Metro, Tri-Met, Portland, Gresham and Multnomah County.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The program began in FY 1993-94. Activities included project organization and budgeting, development of a work plan, development and implementation of interim station area planning ordinances, sponsoring the Regional Design Images for Beaverton and Orenco, developing a public involvement program, and beginning the technical work involved in addressing local planning changes.

OBJECTIVES

Work Program for FY 1994-95

The proposed second year work program is a continuation of the work began in the first year. Policies that will result in mixed, transit supportive uses that maximize the ridership potential of the Westside MAX Project. The second year will be the adoption phase of the policies and plan changes developed in the first phase. The plan changes proposed will be coordinated with the Region 2040 decision adopted in July 1994. Policies will be developed for adoption by the Council as part of the RFP that are coordinated with the local government plans for the area. First year funding in the amount of \$200,000 is expected to be carried over in to FY 1994-95. New funding of one-third each is proposed from ODOT, Tri-Met and Metro STP; the same as first year funding.

EXPENDITURES

Personal Services (FTE 1.47)	\$ 96,137
Transfers	34,609
Contingency	166,856
Materials & Services	900,000
Computer	2,398
Total	\$1,200,000

REVENUES

FY 95 Metro/STP	\$ 333,334
FY 95 ODOT/STP	333,333
FY 95 Tri-Met Contract	333,333
Tri-Met TSAP Contract	200,000
Total	\$1,200,000

REGIONAL HIGH CAPACITY TRANSIT SYSTEM STUDY

PROGRAM DESCRIPTION

The purpose of the Regional High Capacity Transit (RHCT) Study is to prepare a description of the region's plan for a long-term HCT system that could be utilized in developing and implementing a local, state and federal financing plan for the South/North Transit Corridor and further HCT corridors.

The RHCT System Study began in FY 1992-93 with the initiation of the I-205/Milwaukie and I-5/I-205 Portland/Vancouver Preliminary AA.

The RHCT System Study was developed in order to refine the adopted HCT system as described within the RTP and to develop an implementation strategy for that system. This strategy was intended to develop estimates of costs, travel demand and benefits associated with the components of a regional HCT system. Second, the program was developed to assist in the development of a local, state and federal financing plan for the South/North Transit Corridor and further HCT corridors. Third, the RHCT System Study was to narrow the range of alternatives within the Portland Central Business District (CBD) that will be advanced into the South/North Transit Corridor AA.

The goal is to prepare an implementation plan for the HCT system within the adopted RTP. Objectives: 1) prepare corridor and system-wide cost estimates; 2) prepare corridor and system-wide travel demand estimates; 3) prepare estimates of benefits associated with a regional HCT system; and 4) narrow the range of Portland CBD alignment alternatives that will advance into the South/North AA/DEIS.

Preliminary costs and travel demand forecasts for the corridors and system-wide have been prepared. The study will also respond to information or products needed by the region as a financing plan for the South/North Transit Corridor Study. Included within these products could be coordination with the development of a system plan that may be presented to Clark County voters in compliance with the State of Washington HCT Development legislation.

Progress continues on review and refinement of prepared cost, travel demand and benefit estimates. The Portland CBD alternatives have been narrowed and incorporated into the scope of the South/North Transit Corridor Study.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The focus of the RHCT Program has been to develop and screen alignment alternatives within the Portland CBD to advance into the South North AA and DEIS. Initial study and analysis of the alternative alignments has emphasized engineering and design constraints, land use and development policies, costs and travel patterns within the Portland CBD. The screening of alternatives is an ongoing process. Major actions are taken in conjunction with the South/North scoping process, the Tier I action leading to evaluation of surface and tunnel

options and the refinement of design options the actions are necessary to complete the detailed Definition of Alternatives Report in late 1994.

A second focus of RHCT Program was development, refinement and analysis of alternative RHCT systems. This analysis is coordinated with the South/North AA/DEIS for two purposes: 1) to ensure that design, cost and alternative selection actions take into account future system expansion; and 2) that the developing funding analysis and plan for South/North AA/DEIS consider long-term system development objectives.

OBJECTIVES

Work Program for FY 1994-95

The focus of the RHCT System Study within FY 1994-95 will be to conclude the RHCT work plan. This will include three primary work elements:

- To conclude travel demand, cost and benefits forecasts for the regional system, both based upon the Adopted RTP and the emerging land use and transportation plan within 2040.
- To develop long-range HCT System Plan projections to be used within the South/North Transit Corridor Study to help design alternatives for future expansion and integration with future HCT facilities, and to provide additional long-term evaluation criteria to be used in the selection of a locally preferred alternative.
- To provide a long-term system implementation plan, including a short-term financial and implementation plan for the South/North Transit Corridor Study. This will include the development of support material and information that may be required to present a system plan and financial plan to Clark County, in compliance with the State of Washington's HCT Development legislation.

Products

: RHCT System Plan

EXPENDITURES

Personal Services (FTE 0.935)	\$ 61,818
Transfers	22,254
Contingency	6,714
Materials & Services	23,800
Computer	13,414
Total	\$128,000

REVENUES

Tri-Met RHCT Contract	\$ 25,217
C-TRAN HCT Match	36,096
Portland HCT Match	24,961
Metro	41,726
Total	\$128,000

SOUTH/NORTH CORRIDOR STUDY

PROGRAM DESCRIPTION

The South/North Transit Corridor Study is to select an LPA for the corridor from a handful of promising mode, alignment and terminus alternatives. If the LPA is a build alternative, then it will advance into PE and the preparation of a FEIS, Final Design and Construction. The Study is a federal AA and structured in two tiers. Tier I will select a preferred HCT mode, identify the study termini and narrow the range of alignment alternatives and design options. The preferred mode (along with the No-Build and Transportation System Management Alternatives), study termini and narrowed alignments will advance into Tier II and the DEIS. Tier II will prepare the environmental analysis to be used in preparing the DEIS and in making the LPA and State of Oregon land use decisions. Both the Tier I screening and the Tier II LPA decision will be made by Metro Council and the C-TRAN Board of Directors, with recommendations from the project Steering Group, Citizens Advisory Committee and participating jurisdictions. Metro Council will make the State of Oregon land use decision, and the C-TRAN Board of Directors will make any decision relating to the State of Washington Environmental Protection Act (SEPA).

The South/North Transit Corridor AA was initiated following the conclusion of the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver Preliminary Alternatives Analyses in May 1993. Within the Metro Joint Resolution No. 93-1784, the Milwaukie Corridor and the I-5 North Corridor were selected to be combined into the single South/North Corridor as the region's priority for HCT following the Westside extension of light rail to downtown Hillsboro.

The South/North Transit Corridor AA/DEIS program was developed as the next step (second) in the FTA's Five-Step planning process for major transit facilities. The AA and the DEIS must be completed consistent with federal regulations for the project to advance into PE, Final Design and Construction, and for the project to qualify for federal funding.

The goal of the Study is to select an LPA by September 1995, and if the LPA is a build alternative, to advance the corridor into PE. Program objectives are to implement an on-going public involvement program, prepare detailed transportation impacts analysis on the alternatives, prepare detailed environmental analysis on the alternative, prepare a definition of the alternatives, including conceptual engineering, prepare and publish a DEIS, and implement a corridor-wide decision-making process leading to selection of an LPA.

Revenue sources for the study were secured through grant requests and intergovernmental agreements. The FTA approved the initiation of AA and published notification of their intent to publish a DEIS for the South/North Corridor. The definition of the alternatives for Tier I analysis was completed and analysis on those alternatives was initiated.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Focus of the South/North Corridor AA in FY 1993-94 was to secure funding for the project, receive FTA authorization to initiate the program, define the alternatives to be evaluated within Tier I, prepare the analysis on the alternatives, and initiate the Tier I screening process with the selection of a preferred HCT mode, study termini and one or two alignment alternatives and design options within each segment which will advance into the DEIS.

OBJECTIVES

Work Program for FY 1994-95

The focus of the South/North AA in FY 1994-95 will be conclusion of the Tier I screening process and initiation of the environmental and transportation analysis of the alternatives selected. The analysis will be documented results reports and summarized a DEIS. Following publication of the DEIS, the locally preferred alternative selection process will be initiated with selection of the LPA in early FY 1995-96.

The activities that will be the focus of FY 1994-95 are consistent and required steps in the process that leads to the selection of the locally preferred alternative.

Products

- on-going public involvement program
- definition of Alternatives Reports and Conceptual Engineering
- transportation analysis documented in Results Reports
- environmental analysis documented in Results Reports
- costing and financial analysis documented in Results Reports
- DEIS

93/94 Expenditures	
Personal Services	\$557,113
Transfers	\$176,734
Contingency	\$110,977
M&S	
Supplies/PS Contracts	\$208,514
Pass-through	\$1,419,874
Computer	\$26,922
Total	\$2,500,134

94/95 Expenditures	
Personal Services	\$1,019,621
Transfers	\$367,063
Contingency	\$24,762
M&S	
Supplies/PS Contracts	\$1,188,250
Pass-through	\$1,540,000
Computer	\$10,304
Total	\$4,150,000

95/96 Expenditures	
Personal Services	\$379,325
Transfers	\$130,825
Contingency	\$32,656
M&S	\$0
Supplies/PS Contracts	\$336,029
Pass-through	\$712,076
Computer	\$8,956
Total	\$1,599,866

Total Expenditures	
Personal Services	\$1,956,059
Transfers	\$674,622
Contingency	\$168,395
M&S	\$0
Supplies/PS Contracts	\$1,732,793
Pass-through	\$3,671,950
Computer	\$46,182
Total	\$8,250,000

93/94 Revenues	
Oregon Local/Xfer from GF	\$50,100
I-205/Milwaukie Pre-AA	\$400,000
I-205Milwaukie Local Match	\$46,000
E-4 McLoughlin	\$801,614
E-4 I-205	\$661,331
State of Washington/C-TRAN	\$26,052
ODOT	\$515,037
Total	\$2,500,134

94/95 Revenues	
Oregon Local	\$11,512
I-205/Milwaukie Pre-AA	\$0
I-205Milwaukie Local Match	\$0
E-4 McLoughlin	\$134,489
E-4 I-205	\$677,490
State of Washington/C-TRAN	\$2,254,728
ODOT	\$1,071,781
Total	\$4,150,000

95/96 Revenues	
Oregon Local	\$4,438
I-205/Milwaukie Pre-AA	\$0
I-205Milwaukie Local Match	\$0
E-4 McLoughlin	\$51,847
E-4 I-205	\$261,179
State of Washington/C-TRAN	\$869,220
ODOT	\$413,182
Total	\$1,599,866

Total 95/96	
Oregon Local	\$66,050
I-205/Milwaukie Pre-AA	\$400,000
I-205Milwaukie Local Match	\$46,000
E-4 McLoughlin	\$987,950
E-4 I-205	\$1,600,000
State of Washington/C-TRAN	\$3,150,000
ODOT	\$2,000,000
Total	\$8,250,000

DATA RESOURCE DATABASE -- FORECASTS, MODELING, GIS & DATABASE MAINTENANCE

PROGRAM DESCRIPTION

The Data Resource Center is a cooperative data gathering and research program. The Center eliminates the need for costly duplication of its functions by individual governments and businesses. Databases are maintained annually for small areas (e.g., census tracts) on population, households, construction, employment and earnings. Key census items are monitored and updated between decennial U.S. censuses. Long range forecasts of population, housing and employment are made on a four-year cycle. These data are being integrated into Metro's geographic information system, RLIS.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

- **Population, Housing and Employment Programs:** The U.S. Census Bureau's decennial census is updated annually for census tract geography for key items such as number of persons, housing units, person age and income. In addition, information not covered by the U.S. Census, employment at the work place, is geocoded to census tract. Population and housing data are derived primarily from building permit information. Building permits will continue to be collected on a monthly basis, using the services of an independent contractor. Over the years, this has proven to be the least costly and most efficient means of obtaining this information.
- **Population and Housing Detail:** The procedures described above provide data only on the overall level of population, housing and employment. In addition, Metro's transportation model requires information on detailed characteristics of these data as well, such as household income and age distributions, vehicle ownership, etc. In its current state of design, the Regional Waste Flow Model will require similar detail on data characteristics in the future. These data are also in high demand by public users, and their inclusion in the Data Resource Center's (DRC) Market Profiles is a primary reason for the success of this program. Each year a random sample household survey is conducted and used for revising the population and housing detail.
- **Forecasts:** Periodically updated forecasts are required of Metropolitan Planning Organizations (MPOs) by the federal government prior to allocation of transportation funds. Metro's long-range Regional Forecast (20-year) provides this foundation for the RTP. During FY 1993-94 the Regional Forecast was revised and included a 50-year horizon. This forecast is playing a central role in Metro's Region 2040 urban growth management project. The forecast is also used by local governments and businesses for medium- and long-term planning. It is the only local source of small area forecast data for this region.

The final product of previous forecast rounds has been a projection of small-area data for the region, published in an attractive book format. The forecasts being developed this fiscal year involve orders of sophistication and complexity which were neither needed nor possible in previous forecast rounds. The formal integration of Metro's Urban Growth Boundary (UGB)-related planning with long-range transportation planning will require

consideration of normative effects. Different scenarios will be evaluated. The completion of RLIS provides more detail and precision on land supply and constraints.

At the start of FY 1992-93 DRC staff began preparation for the long-range forecasting effort itself, to begin during fall 1992. These preparations include database development and calibration of econometric tools for forecasting and allocation of population, housing and employment. The immediate uses for these tools are to provide contextual information and quantitative tools for the participants in the long-run forecasting program. If maintained, these efforts will have significant spin-off effects, including the ability to provide better data for the current ridership elements of the transportation model, detailed data for the Regional Waste Flow Model, the ability to make short-run forecasts outside (but consistent with) the long-run forecast program, and allow the DRC to satisfy the numerous requests received from member jurisdictions and the public regarding short-run trends.

- **RLIS Database Maintenance:** The challenge this fiscal year has been to update the extensive information in RLIS with land development having occurred during the two-year period while the database was under development. Continued effort will be put into sharing database maintenance responsibilities with local governments. Several jurisdictions have procured GIS this fiscal year, offering further opportunities for mutual agreements.
- **TIGER Map Maintenance:** Metro's E-TIGER map has been adopted for use by the new Portland/Multnomah County 911 system. We expect this to be a trend as other emergency managers upgrade their system and move from tabular data bases to geo-based systems.
- **GRID Model:** This has been the most useful addition to RLIS this year. It has made possible the interactive urban growth scenario building by converting complex polygon coverages into overlying ¼-acre grid cells. A menu interface was developed for direct hands-on use by the 2040 planning staff. In addition, the socioeconomic data such as population and employment has been "grided," enabling easy transfer of data to any geography. For example traffic zones or Metro Council districts.
- **Topography:** Elevation data from the U. S. Geological Survey has been added to RLIS. This supports a variety of planning functions, including 3-D modeling and visualization.
- **Management & Coordination:** The focus of administration and management of the DRC has been in adapting the newly developed GIS tools to Metro project needs and in coordination with member jurisdictions for service provision and to foster sharing of database maintenance responsibilities.

OBJECTIVES

Work Program for FY 1994-95

Annual monitoring of population growth and land development is essential information for regional planning and for operation of the transportation and solid waste models.

- **Population and Housing Detail:** The annual household survey is used as the basis for updating demographic and housing detail for items such as age, income and rent.

- **Forecasts:** The regional forecast (four counties) will be revised according to the urban form selected through the Region 2040 process. This revised forecast will be allocated to census tract using the Real Estate Location Model (RELM) and local government input. This model is being developed and calibrated this fiscal year in conjunction with the 2040 project. It is supporting the year 2015 forecast effort plus offering the ability to develop multiple land use scenarios for the Region 2040 project.

EXPENDITURES

Personal Services (FTE 8.66)	\$493,636
Transfers	177,709
Contingency	15,055
Materials & Services	127,180
Computer	95,920
Capital	<u>5,500</u>
Total	\$915,000

REVENUES

FY 95 ODOT/PL	\$ 65,537
FY 95 ODOT/STP	17,500
FY 95 Sec 8	28,088
Tri-Met	17,500
Metro	587,375
Sales	<u>199,000</u>
Total	\$915,000

DATA RESOURCE RLIS/SUPPORT SERVICES

PROGRAM DESCRIPTION

Services and products are provided to Metro staff and Metro's member governments using RLIS and the socio-economic databases. The socio-economic databases are a principal source for staff providing research services tailored to specific end user needs. Requests range from preprinted reports to study area demographic profiles to geographic analysis using RLIS. A substantial portion of staff resources are devoted to providing such services to Metro departments and member jurisdictions. Each year a technical assistance budget allocates a specific amount of staff and computer resource to each of the user groups.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Support to Metro departments, member governments and the public is growing in response to new products and capabilities. Following is a listing of the FY 1993-94 technical assistance budget for each of the user groups.

OBJECTIVES

Work Program for FY 1994-95

Next year's need for RLIS services from Metro departments is expected to increase substantially due to several large projects. These added projects are 2040 Phase II (this more-technical phase adds 0.5 FTE over Phase I), the earthquake preparedness grant from Federal Emergency Management Agency (FEMA), a suite of transportation surveys and HCT station area planning for the Westside.

One FTE is eliminated from technical support services in the base budget. Most of the reduced assistance will effect local jurisdictions, including Tri-Met, the Port of Portland, and ODOT. In addition, local jurisdictions will be billed for 50 percent of the costs of providing those services that remaining DRC staff will provide them.

Next year's need for RLIS services from Metro departments is expected to increase substantially due to several large projects. Some of these projects are the continuation of Region 2040, the Future Vision Project, the earthquake preparedness grant from FEMA, a suite of transportation surveys, South/North LRT, LRT station area planning for the Westside, and integration of RLIS with the transportation model using the Grid module.

**Major Projects by User Group
FY 1994-95**

<u>User Group</u>	<u>Project</u>	<u>FTE Estimate</u>
Planning Department	2040 Phase II, Future Vision Projects, RFP	1.0
UGM Section	Earthquake Preparedness	.5
	Water Resources	.2
Transportation Section	Travel Surveys	.4
	Pedestrian Factors	.2
	EMME/2 Interface	.2
	North/South AA	.3
	LRT Station Areas	.5
	Miscellaneous Project Support	.4
Parks & Greenspaces Department	Natural Areas	.3
Solid Waste Department	Miscellaneous Project Support	.5
Public Affairs Department	Recycling Information Center Response System	.125
Council Office	Miscellaneous Project Support	.1
Tri-Met	Westside	.1
	Trip Planning Project	.2
ODOT	Miscellaneous Project Support	.125
Cities and Counties	Miscellaneous Project Support	.75
Public Access and Sales	Products and Service	2.5
	Total	8.4

EXPENDITURES

Personal Services	\$ 66,200
(FTE 1.2)	
Transfers	23,832
Contingency	2,028
Materials & Services	15,000
Computer	71,940
Total	<u>\$179,000</u>

REVENUES

FY 95 ODOT/PL	\$ 40,337
FY 95 Sec 8	17,288
Metro	<u>121,375</u>
Total	<u>\$179,000</u>

TRAVEL FORECASTING MODEL REFINEMENT

PROGRAM DESCRIPTION

The purpose of the Model Refinement Program is twofold: 1) to enhance the travel demand forecasting models, as necessary, in order to maintain their accuracy; and 2) to maintain up-to-date short- and long-range travel forecasts which reflect changes in land use assumptions, projected highway and transit investments, and socio-economic conditions.

The profile of the travel demand forecasting process is continually increasing. It has a significant role in estimating VMT (TPR) and air pollution (CAAA).

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

This program is on-going. Each year, various elements are scheduled to achieve the objectives of the program. The most notable activity last year was implementation of the link-based air quality emission programs.

OBJECTIVES

Work Program for FY 1994-95

- Continue the on-going effort to investigate the travel characteristics at special trip generator locations. The current travel demand model identifies several land use types that receive special treatment. Shopping centers, the Zoo, colleges and universities are all given special trip attraction rates. In addition, special peak hour factors are applied to the PIA and Swan Island areas.
- Update the computer simulation networks and trip tables to include a 1994 base- and long-range forecast.
- Adapt the model code to changing needs and conditions.
- Take advantage of software enhancements to produce a higher degree of data sharing between the EMME/2 and Arc/Info packages. Initial linkages need to be established and efficient programming mechanisms defined.
- Update software such as ALOGIT and ArcInfo for the Sun computer.

EXPENDITURES

Personal Services (FTE 0.405)	\$21,524
Transfers	7,749
Contingency	865
Materials & Services	1,000
Computer	<u>53,862</u>
Total	\$85,000

REVENUES

FY 95 ODOT/PL	\$59,250
FY 95 Sec 8	15,800
Metro	<u>9,950</u>
Total	\$85,000

TRAVEL FORECASTING TRANSPORTATION SYSTEM MONITORING

PROGRAM DESCRIPTION

The purpose of this program is to establish an inventory of transportation related data. Established in 1989, the data from this program is updated on a regular basis. The information is useful to Metro, the jurisdictions, developers and consultants in monitoring travel trends and in project planning. With the advent of the ISTEA, the CAAA and the TPR, this program becomes essential in monitoring the transportation system performance.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Each year data is gathered so that the state of the transportation system can be defined and evaluated. Information regarding travel costs, traffic counts, transit patronage and other data has been collected and summarized. Last year several documents were produced which summarize information: *Transportation System Monitoring Activities - 1994*, *System Performance Characteristics*, and *Regional Travel Patterns*. A quarterly mailing of charts illustrating trends in regional travel indicators has been initiated.

OBJECTIVES

Work Program for FY 1994-95

Monitor and summarize trends in transit fares, auto operating costs, parking costs, auto usage, truck counts and transit ridership. These are important data items to track in trend analysis. A report documenting the findings will be prepared (*Transportation System Monitoring Activities - 1995*).

An important element of the program is the implementation of an enhanced regional count program. This effort requires \$130,000 of outside money to obtain data not available from ODOT and the local jurisdictions. The program ensures that 1) detailed truck data will be collected, 2) sufficient locations will be identified to provide a more reliable basis for VMT estimation, and 3) more stringent and consistent quality control measures will be applied to the counting procedures.

Performance characteristics of the transportation system will be summarized using results from computer simulation. A report documenting the vehicle-miles traveled, vehicle-hours of delay, road miles of congestion, emission data and other measures will be prepared (*System Performance Characteristics - 1995*).

The travel patterns of the region will be summarized using results from computer simulation. A report documenting the trip distribution movements (i.e., origin and estimation patterns) and mode split relationships (i.e., number of pedestrian and bicycle trips, transit trips and auto trips) will be prepared (*Regional Travel Patterns - 1995*).

The regular distribution of charts illustrating the trends of the regional travel indicators to interested parties will continue.

EXPENDITURES

Personal Services (FTE 1.154)	\$ 64,068
Transfers	23,064
Contingency	1,068
Materials & Services	132,800
Computer	<u>0</u>
Total	\$221,000

REVENUES

FY 95 ODOT/PL	\$ 29,242
FY 95 Metro/STP	21,145
Other Federal Grants	130,000
Metro	<u>40,613</u>
Total	\$221,000

TRAVEL FORECASTING FHWA LAND USE & TRANSPORTATION MODEL-LINKING SENSITIVITY ANALYSIS

PROGRAM DESCRIPTION

This program is intended to investigate the importance of feedback loops to destination choice, mode choice and land use allocation impacts in the modeling process, as the infrastructure and regional growth are changed. The intention is to determine when such modeling complexity is warranted.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

This program is ongoing from FY 1992-93 as a special research grant from FHWA.

OBJECTIVES

Work Program for FY 1994-95

To exercise the model through each of the levels of feedback for scenarios of growth combined with the provision/non-provision of infrastructure. To prepare a detailed report of the analysis of the size effects and a detailed evaluation of cost effectiveness of these procedures. The majority of funds received by Metro for this project are passed through to the contractor.

EXPENDITURES

Personal Services (FTE 0.165)	\$12,156
Transfers	4,376
Contingency	468
Materials & Services	5,000
Computer	<u>0</u>
Total	\$22,000

REVENUES

FY ODOT FHWA LAN002	<u>\$22,000</u>
Total	\$22,000

TRAVEL FORECASTING 1000 FRIENDS OF OREGON (LUTRAQ)

PROGRAM DESCRIPTION

Provide travel and integrated land use forecasts to investigate the possible secondary air quality and UGB impacts of a Western Bypass freeway project and its alternatives.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Ongoing from FY 1992-93 with a special research grant from FHWA.

OBJECTIVES

Work Program for FY 1994-95

To complete a national study aimed at exploring the quantitative relationships between highway building and land use impacts on a project scale. The majority of funds received by Metro for this project are passed through to the contractor.

Product

- A report for national distribution, detailing the relationships and impacts.

EXPENDITURES

Personal Services (FTE 0.295)	\$17,035
Transfers	6,132
Contingency	2,333
Materials & Services	50,000
Computer	0
Total	\$75,500

REVENUES

FHWA Demo Grant LAN 001	\$75,500
Total	\$75,500

TRAVEL FORECASTING SURVEYS & RESEARCH

PROGRAM DESCRIPTION

The purpose of the program is to develop new models for transportation policy and investment analysis, this is mainly in response to the needs of the ISTEA, the Environmental Protection Agency (EPA) and various environmental interests. Actions will be taken to improve the models used for estimating household travel as well as freight movement.

Questions relating to such things as the secondary (land use) impacts of transportation investments, behavioral response to increases in road pricing, fuel pricing, congestion pricing and pollution pricing -- in both the short- and long-term, effects cannot be answered adequately with existing household travel models. Current models may show response to some of these variables, but the response is usually limited to mode shifts and is probably wrong. The thrust of this model development will be to clearly analyze the travel time-activity time-cost trade-offs over the day (not on an unlinked trip basis), to bring in the effects of exogenous factors such as lifestyle and life-cycle of the household and to include both intermediate (household vehicle transactions) and long-term (household location decisions) effects of these policy changes. This is a multi-year program with most of the first phase taking about two years. The first phase will consist of the development of the core of the new models, with applications being possible that, while not answering all our questions, will be fundamentally better than the current trip-based, four-step process.

The Port of Portland has developed a model which estimates the type of commodity flows one could expect given certain economic assumptions. The model focuses on estimating the quantity of goods that would use Port facilities for a given horizon year. It does not attempt to define the goods carrier nor the route used in the product distribution. During FY 1994-95, Metro will initiate research efforts to develop a goods carrier model. The two-year project will develop a model which will estimate: 1) the type of carrier required for the commodity (e.g., 2-3 axle trucks, tractor trailers, etc.), 2) how many units are required to deliver the commodity, and 3) define a likely path that would be used during transport. The model would have a regional focus, not just for Port facilities. In coordination with the IMS work plan, this project will be carried out in concert with SWRTC. After funding levels are established, a detailed work scope will be developed between the two agencies.

The intention of the elements described above is to create the basis for ongoing model improvements for the next 5-10 years. This process will be heuristic, model structure will be developed through the learning during the data analysis. The objective always being, to answer the questions that are now being asked.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

This program started with the design and fielding of household travel behavior, transit on-board and other surveys in the spring of 1994. These surveys (currently under development) are being specifically designed to provide the data needed for this model building program.

OBJECTIVES

Work Program for FY 1994-95

ODOT supplemental funds in the amount of \$120,000 are being carried over from FY 1993-94. These funds will be used for post survey processing (trip end digitizing), stated preference surveys and the consultant oversight panel. An additional \$300,000 in federal funds (not yet secured) is being earmarked for: 1) a second wave panel survey (approximately 2,000 households), and 2) development of a new disaggregate household location model.

Household activity data will be obtained in the spring 1994 surveys. The analysis of the data begins in FY 1994-95. Staffing level will be 3.755 FTE. Areas of investigation are listed below.

- Complete the geocoding of the survey activity locations.
- Attach the alternative travel mode impedances to the trip-legs.
- Assemble the travel pattern into trip chains.
- Develop a household life-cycle and income classification based on a specific search for behavioral differences.
- Carry out an in-depth analysis of time-budget v. cost v. money budget analysis aimed at elucidating regularities/irregularities in activity and travel time budgets.
- Develop a modeling paradigm to exploit whatever trade-off information is available to address the travel and activity space trade-offs.
- Specify and estimate a disaggregate household location model.
- Specify and develop a socio-demographic household type forecasting model.
- Develop an activity-mobility model that predicts the probability of complex chaining and the probability of activities in the chain.
- Specify the individual models needed with this modeling paradigm.
- Define additional surveys needed (panel and stated preference) to answer questions that the original cross-sectional cannot.

Staffing level for the initial year of activities related to the development of the goods carrier model will be 0.67 FTE. The primary work elements will include:

- Develop detailed project work scope.
- Identify data needs that may require a survey instrument.
- Identify areas where the expertise of a consultant may be required. If necessary, the consultant will be used in FY 1995-96.
- Begin literature search to determine current practices and techniques that could be useful in this study.
- Consult with regional freight carriers to identify useful data that may have already been collected.
- Obtain current data providing truck classification information. Analyze truck classification data obtained through the Regional Count Program (see Model Refinement section for a description of the count program).
- Develop an intermediate freight model that is deemed acceptable until the final model is established.

It is important to note that other long-term work elements have been identified and are urgently needed. However, the tasks cannot begin until the completion of the household activity analysis. The ISTEA requirements (by USDOT), the CAAA (from EPA), and the TPR (from DLCD) lead to analysis in the following areas:

- VMT measurement (monitoring)
- transit use monitoring
- parking supply and price monitoring
- analysis of demand reduction policies with consideration of cost and equity effects (e.g., behavioral response to congestion pricing, fuel pricing, road pricing, parking supply restrictions and parking pricing)
- the evaluation of the effects of transportation supply on land use and the location of housing and jobs
- the quantification of the effects of improved pedestrian environment and mixed use on travel demand
- the quantification of the effects of bicycle paths/space on travel behavior
- inclusion of traveler response to congestion, lifestyle changes and time budgets that include trip chaining and reduction in the propensity to use transit

The above tasks will take at least three and one-half to five years to complete depending on the staffing level. The longer the delay in addressing the issues, the higher the likelihood of loss of model credibility. The model will not be able to address the pressing policy issues.

EXPENDITURES

Personal Services (FTE 4.425)	\$265,423
Transfers	95,912
Contingency	5,502
Materials & Services	420,000
Computer	<u>30,163</u>
Total	\$817,000

REVENUES

FY 95 STP ODOT	\$ 70,000
FY 95 PL/ODOT	207,375
FY 95 Metro/STP	30,095
FY 94 STP ODOT	
Supplemental Gas Tax	120,000
Tri-Met	29,200
Other	300,000
Metro	<u>60,330</u>
Total	\$817,000

TRAVEL FORECASTING TECHNICAL ASSISTANCE

PROGRAM DESCRIPTION

The purpose of this program is to provide technical assistance to ODOT, Tri-Met, the Port of Portland, and the cities and counties using Metro travel forecasts in local transportation studies and project design.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

This program is an on-going one. Service is provided on demand and varies by request.

OBJECTIVES

Work Program for FY 1994-95

Provide assistance as requested by client. Assistance is provided in terms of: 1) staff support to obtain data and/or evaluate a particular transportation problem; 2) computer usage; and 3) training to jurisdictional staff. Assistance to the jurisdiction is based on a budget allocation. The Base program level to local governments is predicated on no use of PL or Section 8 funds and the local match for STP funds will be provided by the users. The following table summarizes the Technical Assistance budget:

<u>Jurisdiction</u>	<u>STP & ODOT Match</u>	<u>Fee for Service</u>	<u>Metro</u>	<u>Total</u>
Portland	\$13,215		\$ 4,785	\$ 18,000
Multnomah County	6,608		10,392	17,000
Washington County	13,215		6,785	20,000
Clackamas County	13,215		4,785	18,000
Gresham	6,608		5,892	12,500
Port of Portland			5,800	5,800
Tri-Met		\$18,300		18,300
ODOT		22,000		22,000
Clark County		4,500		4,500
RTC		6,000		6,000
Solid Waste		3,700		3,700
Sales				5,000
Total	\$52,861	\$54,500	\$38,439	\$145,800

EXPENDITURES

Personal Services (FTE 1.27)	\$ 62,771
Transfers	22,599
Contingency	14,286
Materials & Services	900
Computer	<u>45,244</u>
Total	\$145,800

REVENUES

FY 95 Metro/STP/ ODOT Match	\$ 52,861
FY 95 ODOT/STP	22,000
FY 95 Tri-Met Contract	18,300
Fee for Service	<u>52,639</u>
Total	\$145,800

MANAGEMENT AND COORDINATION

PROGRAM DESCRIPTION

Provide for overall ongoing department management, including budget, UWP, contracts, grants, personnel and activities required by the TPAC, JPACT and the Metro Council.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Ensure compliance with all federal requirements for receipt of grants and maintain "certification" of the region for continued receipt of transit and highway construction funds and provide documentation to the FHWA and FTA of such activity.

Provide support to JPACT, MPAC, TPAC and subcommittees to ensure coordination between state, regional and local transportation, plans and priorities.

Provide department management, including personnel matters, management of expenditures for materials, services and capital, contract compliance and departmental work programs. Particular products and activities are as follows:

- FY 95 UWP
- Management of department budget, staff time and products
- Required documentation to FHWA and FTA, such as quarterly narrative and financial reports
- Monthly progress reports to the TPAC
- Minutes, agendas and documentation
- Execution and monitoring of various pass-through agreements
- Interdepartmental coordination
- Periodic review with FHWA and FTA on UWP progress
- Revised cooperative agreements with ODOT, Tri-Met, RTC and DEQ

OBJECTIVES

Work Program for FY 1994-95

Continue ongoing elements of department management and coordination.

Products

- Budget Adoption (June); UWP Adoption (April)
- Grant Approvals (June and December)
- Contract Approvals (as needed)
- Federal Certification (tri-annual)

- Progress Reports for Council and Federal Agencies (quarterly)
- Cooperative Agreements

EXPENDITURES

Personal Services (FTE 3.35)	\$192,716
Transfers	69,378
Contingency	7,361
Materials & Services	67,545
Capital	5,000
Computer	<u>0</u>
Total	\$342,000

REVENUES

FY 95 ODOT/PL	\$ 68,000
FY 95 Sec 8	40,000
Metro	<u>234,000</u>
Total	\$342,000

PORTLAND REGIONAL RAIL PROGRAM

PROGRAM DESCRIPTION

The Regional Rail Program was created by the City of Portland, Office of Transportation, to enable the City and its citizens to look at issues which will affect the ultimate configuration of the metropolitan area's light rail system. The Regional Rail Program conducts studies of specific alignment alternatives in the proposed corridors and the development potential in the station areas. The program also provides public information about light rail so that an informed and active constituency can be formed in the Portland region.

In the Portland metropolitan region, Tri-Met is responsible for operating the bus and light rail system. Metro is responsible for coordinating the development of the transportation system. The Regional Rail Program is assisting these agencies with planning for light rail system for two reasons: 1) Tri-Met and Metro are currently focusing on the development of the Westside Light Rail project and the North/South Transit Corridor Study; and 2) all proposed future alignments travel through and will have substantial influence on the future development of the City.

The Regional Rail Program provides support for citizen light rail corridor committees. These committees look into four basic issues: alignment, land use impacts, funding and system advocacy. They identify issues in their corridors which they wish to address in the coming months and years. The committees also identify interested citizens and businesses who have a stake in future light rail planning. In general they discuss how light rail can assist in meeting their neighborhood and district objectives.

As part of public information efforts, the Regional Rail Program gives presentations in people's homes, at brown bag lunches and to organizations and associations. This is an attempt to inform as many area residents as possible about the Regional Rail Program and its benefits to the region.

Building a light rail system is one way residents of the region can address tomorrow's growth, congestion and air quality problems. In order to see this system become a reality in the next 20 years, a long-range vision must be articulated. The regional Rail Program is one attempt to instigate a public discussion which will lead to a coherent, realizable vision.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

During 1993, the Program's technical staff supported the Regional High Capacity Program at Metro as the region focused developing methodologies and guidelines for evaluating and screening HCT alternatives. This process will lead to the selection of promising alternatives which can be considered in the AA.

In addition to assisting with regional corridor studies, staff resources were expended to collaborate on the definition of the future regional HCT system plan.

Substantial work was undertaken to further define potential alignments in the downtown. This work was coordinated with the Central City Transportation Management Plan currently under preparation by the City's Transportation Planning staff.

The Program's outreach staff continued a wide-ranging citizen involvement program that emphasized the 10 reasons why we need light rail. It is important to the future of the City that our citizens understand the benefits of HCT as expressed in the following list:

- reduce congestion
- create cost savings
- strengthen neighborhood livability
- protect air quality
- conserve energy
- assist growth management strategies
- attract economic development
- preserve and protect nearby rural areas
- connect regional attractors
- maintain a strong central city

The outreach program concentrated on three different forums to delivery this message. Assisted in the outreach program conducted by Metro as part of the Pre AA work. Assisted the City's Bureau of Planning with the Livable City Project and the Visual Preference Survey. Hosted third annual Regional Rail Summit to focus citizen attention on the benefits of high capacity transit.

The goal of the Program is to promote a widely held vision of a regional rail system that will be a reality in 20 to 25 years. This system will serve the major subcenters in the Metro area with high quality mass transit.

OBJECTIVES

Work Program for FY 1994-95

The City is currently in the midst of the budget setting process for the coming year. Plans are to continue the current level of support for Metro's HCT planning process in the technical studies portion of the program. The outreach staff will continue to operate at current levels for at least another year with the focus on the fourth Regional Rail Summit a year from now.

EXPENDITURES

Personal Services (FTE 5.25)	\$370,372
Transfers	0
Contingency	0
Materials & Services	354,628
Computer	0
Total	\$725,000

REVENUES

General Transportation Revenue	\$725,000
Total	\$725,000

ODOT PLANNING ASSISTANCE

PROGRAM DESCRIPTION

Major accomplishments for FY 1995 by the Metro region include supporting Metro and other agencies in the RTP Update. Major assistance will also be given to the local plan updates and completing corridor studies. Work activities will include:

FY 1995 SPR Program

1. Perform corridor studies on state facilities.
2. Develop interim access management classifications for state highways in the metropolitan regional in coordination with local jurisdictions.
3. Implement next phases of regional freeway management strategy, including upgrade of operating center.
4. Support RTP Update, including subarea analysis (Willamette River Bridge Crossing and Northwest Subarea Study).
5. Support development of regional demand management program, including transportation system monitoring and travel behavior programs.
6. Support Metro transportation/land use integration efforts, i.e., 2040, Transportation Planning Administrative Rule.
7. Ensure the OTP, Oregon Benchmarks, Transportation Planning Administrative Rule and corridor planning are integrated into the RTP and local planning efforts, etc.
8. Support RHCT studies.
9. Participate in development of state and regional ISTEAs management systems.
10. Participate in regional air quality planning.
11. Perform local land use development and traffic impact reviews.
12. Coordinate with Tri-Met to identify transit-supportive capital improvements on the state highway system.
13. Coordinate Metro and state TIP development and ISTEAs implementation.
14. Continue jurisdictional highway rationalization, highway functional classification study and identification of NHS.
15. Participate in Congestion Pricing pilot project and complete ODOT Congestion Pricing analysis.

16. Participate in analysis of regional and state truck movements.
17. Administer the Transportation/Growth Management Program and coordinate program with regional and statewide activities.
18. Participate in Westside Station Area Planning.
19. Undertake policy and technical coordination with Metro, TPAC, JPACT, Multnomah, Clackamas and Washington Counties, Intergovernmental Resource Center (State of Washington) and city governments in the development of land use and transportation plans, and subarea studies.

EXPENDITURES

Personal Services	\$330,000
Materials & Services	<u>0</u>
Total	\$330,000

REVENUES

SPR/ODOT	<u>\$330,000</u>
Total	\$330,000

TRI-MET PUBLIC TRANSIT FACILITIES AND EQUIPMENT MANAGEMENT SYSTEM

PROGRAM DESCRIPTION

Tri-Met has a capital planning and budgeting process in place that we believe already fulfills the new PTMS requirement under ISTEA. Tri-Met adopted this approach to capital planning and budgeting in 1990. The Tri-Met capital planning and budgeting process fulfills the "PTMS General Requirements," the "PTMS Components" and the "PTMS Compliance Schedule." During FY 1994-95 Tri-Met will work with the state to help them fulfill the requirements of the PTMS compliance schedule. These communications have already begun.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

Activity until December 1993 was limited to overview and discussion relating to the development of Federal rules and guidelines regarding the PTMS. The FY 1993-94 work program was subject to publication of the final regulations. When the regulations came out in December 1993, it became apparent that Tri-Met's present capital planning and budgeting process already fulfills the new PTMS requirements. In terms of relation to previous work, Tri-Met's PTMS or capital planning and budgeting process is related to the following regional and/or internal documents: the TIP, TDP, Annual Service Plan, Tri-Met Service Standards, the Capital Improvement Program, the Capital Planning Assessment, the Capital Plan Staff Manual, the Tri-Met budget and the OTP.

OBJECTIVES

Work Program for FY 1994-95

- Attend FTA/FHWA outreach meetings on recently released transportation regulations.
- Help ODOT fulfill the requirements of the PTMS compliance schedule.
- Forward materials to ODOT on Tri-Met PTMS.

Responsibilities

Lead responsibility is with Tri-Met Finance, with assistance from Tri-Met Service Planning, and all other departments at Tri-Met.

Duration

The Tri-Met budget is adopted in April each year. The Capital Improvement Plan is updated annually.

Budget

Tri-Met general funds. Tri-Met does not have a PTMS program budget.

FIVE-YEAR TRANSIT DEVELOPMENT PLAN

PROGRAM DESCRIPTION

The TDP will define actions necessary to implement Tri-Met policies and the Strategic Mission and Goals (see previous description of the Strategic Plan). The TDP will develop three five-year scenarios for transit development. They are:

- Committed Plan
- Recommended Core Plan
- Recommended Strategic Plan

These scenarios are based on Tri-Met's established service standards, financial and capital policies and the Strategic Plan. The primary difference between them will be the level of service and the number of different services Tri-Met will be able to offer with available new revenues.

RELATION TO PREVIOUS WORK

Work Program Prior to FY 1994-95

The Strategic Mission and Goals adopted by the Board in March 1993 provides the framework for the TDP. The following documents have been completed preparatory to the development of the TDP:

- Interim TDP for FY 1994-99
- Strategic Mission and Goals Statement
- Multi-modal Annual Service Plan
- Financial Issues Report #1
- Strategic Plan
- Capital Improvement Plan

What remains to be done is a final TDP which fully incorporates Strategic Plan objectives.

OBJECTIVES

Work Program for FY 1994-95

The TDP will:

- Provide a Guideline for Transit Services. The heart of the TDP is a description of the recommended five-year service plan. Also described is an implementation program that is keyed to financial resources, need for service and regional priorities.
- Identify Capital Improvement Requirements. Based on the recommended service plan and Tri-Met's capital replacement requirements, a list of capital improvements will be presented, with a description, year of purchase or construction, and costs. This information will be input to the regional TIP.

- Identify Fiscal Restraints and Financial Requirements. Five-year financial forecasts and a five-year financial plan will be presented.
- Meet Federal Requirements.
- Communicate with the Public. The TDP will provide a forum for communication with the public on "Transit for the 90's" in this region. The meetings and hearings associated with the TDP should stimulate public interest and input pm transit needs and potential services in the context of a comprehensive transit improvement program for the next five years.
- Develop a Human Resources Plan and a Service Quality Plan.

Products

- Interim TDP - Completed.
- TDP adopted by Board - Spring 1995.

Responsibilities

Lead responsibility is with Manager, Service Planning; Manager, Financial Planning; Director, Strategic Planning; Director, Public Affairs; and Project Coordinator.

Duration

Annual or Biannual

Budget

Tri-Met general funds. Tri-Met does not have a TDP program budget.

OTHER STUDIES OF REGIONAL SIGNIFICANCE

Congestion Mitigation/Air Quality Program (CMAQ)

The CMAQ Program for the Portland area includes a number of planning study/implementation efforts. The planning activities include the following studies:

<u>Project Description and Lead Agency</u>	<u>Federal Share</u>	<u>Total Project Cost</u>
<u>Willamette Bridge Access Study</u> - Study to recommend improvements to the Willamette River bridges to enhance access by bicyclists, pedestrians and disabled persons. Specific projects (to be funded in Round 2) 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 County)	\$80,000	\$100,000
<u>Pedestrian to Transit: Phases I & II</u> - Study and design of capital improvements to the public right-of-way to enhance pedestrian access to transit facilities. Construction would be funded in Round 2. (City of Portland, Department of Transportation)	\$160,000	\$200,000
<u>Neighborhood Rideshare Program</u> - Neighborhood-based rideshare matching service to increase rideshare participation and to test the ability of a neighborhood to organize around transportation needs of residents. (City of Portland, Department of Transportation)	\$71,780	\$80,000
<u>Regional/City TMA</u> - Joint private/public regional transportation management organization to reduce single-occupant vehicle work trips. (City of Portland, Department of Transportation)	\$897,250	\$1,000,000
<u>Pedestrian to Transit Access Study and Demonstration Project</u> - Phase I would focus on the identification, evaluation and prioritization of viable major transit corridors and those locations within these corridors that would benefit most from enhanced pedestrian-transit connections (i.e., sidewalks, raised medians). Phase II would involve project implementation at three priority sites identified in Phase I. (Washington County)	\$200,000	\$250,000
<u>Regional Rideshare Program</u> - Funding to allow Tri-Met to continue administration of the Regional Rideshare	\$536,556	\$598,000

Program which is aimed at increasing shared ride modes, improving air quality and reducing VMT. (Tri-Met)

<u>Pedestrian/Bike Access Study for MAX</u> - Study to evaluate the existing and planned physical and social environment of the suburban MAX light rail station areas including pedestrian/bicycle access and circulation near MAX stations. Construction phase to be funded in Round 2. (City of Gresham)	\$64,000	\$80,000
<u>Public Education</u> - Creation of a permanent public education campaign to increase public awareness and knowledge of air quality problems and mitigation/control measures. (Oregon Department of Environmental Quality)	\$448,625	\$500,000
Totals	<u>\$2,458,211</u>	<u>\$2,808,000</u>

Transportation/Growth Management

The 1993 Oregon Legislature approved funding for a joint ODOT/DLCD Transportation and Growth Management (TGM) Program. The TGM is supported in part with STP funds. The program is to support local and regional planning efforts for:

- . implementation of the state TPR;
- . evaluating land use alternatives in the transportation planning process; and
- . developing urban growth management programs.

The grant program totals \$2.052 million for ODOT's Region I, which includes the Metro MPO area. Elements of the TGM Program within the Metro area will be subject to approval by JPACT/Metro Council.

I-5/Eastbank Freeway

The Portland City Council has recommended that the I-5/Water Avenue project (southbound on-ramp) not proceed. In its place, the Council has requested that southbound I-5 local circulation and access alternatives be explored through a comprehensive study and analysis. The scope and funding of that effort are still to be developed. As a result, the UWP may be amended to reflect any federal funding of the study and the RTP may be amended to reflect results of the study. The study could cost up to \$1 million.

Central City Streetcar

The Portland City Council approved the Central City Streetcar alignment from Willamette Park to Northwest Portland through downtown on southwest 10th and 11th Avenues in January 1994. The funding for the alignment selection process has been all local money. The next step in the project is to proceed with design engineering with the primary focus on that part of the alignment from Portland State University north. That work is funded by a Special Purpose

grant from the U.S. Department of Housing and Urban Development and by local matching funds from Portland, with a total budget of \$1.8 million.

Ozone SIP

DEQ is pursuing adoption of two Administrative Rules to implement transportation control measures for the Ozone State Implementation Plan: establishment of region-wide maximum parking ratios for new development and establishment of an employee committee options program (ECO) to reduce single-occupant travel to work. These programs were directed by the 1993 Oregon Legislature in response to recommendations of the Governor's Task Force on Motor Vehicle Emissions.

FY 95 UNIFIED WORK PROGRAM FUNDING SUMMARY

95uwp
2/14/94
Base Funding

	95/PL ODOT	95 33C Metro STP	95 Sec 8	95 33D ODOT STP	95 Lcl TrMet	DEQ	HCT Cryovr Contracts	Arterial Fund33C MetroSTP	S/N AA/DEIS CTran/ODO	94 S/N AA/DEIS 299021	94 S/N AA/DEIS 299022	94 ODOT SuppGTX 7/93	93Metro STP33C 3/93	93ODO SuppGT 3/93	ODOT Cryovr/Mch Metro STP	TriMet Cryovr Contracts	FHWA 1000Fnds lead0001	FHWA LAN0002 FY93	95 SPR	Local Match	TOTAL
METRO																					
RTP Update/Refinement	125,000		77,824	50,000	120,000								4,487	5,000	19,332					40,357	442,000
Trans Improvement Prog	30,000		30,000	40,000	40,000															20,500	160,500
Urban Arterial Fund								139,082							7,959					7,959	135,000
Congestion Mgmt Prog	43,000	85,000											15,703	17,500	5,763					18,034	185,000
Intermodal Mgmt System		21,535											31,406	35,000	3,030					3,029	94,000
Public Mgmt System													12,000							1,000	13,000
Willamette Crossing		95,000		95,500											5,436					25,064	221,000
Trans Demand Mgmt	16,140		8,000			42,600														4,260	71,000
Air Quslity						48,000															48,000
Management Plan Coord	3,600																			400	4,000
Station Area Plog		333,334		333,333	333,333												200,000				1,200,000
Regional HCT System							61,057										25,217			41,726	128,000
South/North AA/DEIS									2,656,000	498,000	996,000									0	4,150,000
Data, Growth Monitoring	105,874		45,376	17,500	17,500															585,450	771,700
Travel Model Refinement(2)	88,492	20,000	15,800												1,145					138,563	264,000
FHWA Mdl Sensitivity																		22,000			22,000
1000 Friends																	75,500				75,500
Survey & Research	207,375	28,465			29,200							120,000			1,630					354,830	741,500
Technical Assistance		50,000		22,000	18,300										2,861					27,874	121,035
Coordination & Mgmt	68,000		40,000																	206,128	314,128
Metro Subtotal	687,481	633,334	217,000	558,333	558,333	90,600	61,057	139,082	2,656,000	498,000	996,000	120,000	63,596	57,500	47,156	225,217	75,500	22,000	0	1,475,174	9,181,363
	(1)								(3)						(4)						
ODOT PLANNING ASSISTANCE																			330,000		330,000
GRAND TOTAL	687,481	633,334	217,000	558,333	558,333	90,600	61,057	139,082	2,656,000	498,000	996,000	120,000	63,596	57,500	47,156	225,217	75,500	22,000	330,000	1,475,174	9,511,363

1: PL/ODOT is \$687,481
comprised of \$616,876.70 (89.73%)
fed share, \$70,604.30 (10.27%)
ODOT.

2: Includes System Monitoring &
Model Refinement

3: Comprised of \$1,079,000 Oregon State
Lottery funds and \$1,577,000 Washington State
DOT funds

4: Consists of \$36,244 of fy95 match, \$2952 of
fy93 match & \$7959 of arterial fund match

SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL
EY95 UNIFIED PLANNING WORK PROGRAM

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SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL
FY95 UNIFIED PLANNING WORK PROGRAM

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INTRODUCTION: FISCAL YEAR 1995 UNIFIED PLANNING WORK PROGRAM**PURPOSE OF UPWP**

The Unified Planning Work Program (UPWP) is prepared annually by the Southwest Washington Regional Transportation Council (RTC), as designated Metropolitan Planning Organization (MPO) for the Clark County urban area. In 1990, the state Growth Management Act (GMA) authorized the creation of Regional Transportation Planning Organizations (RTPOs) and RTC was designated by local governments as the RTPO for the three-county area of Clark, Skamania and Klickitat. All regional transportation planning work activities proposed by the MPO/RTPO, as well as Washington State Department of Transportation and local agencies are included in the UPWP. The UPWP details the technical activities to be completed as a part of the continuing transportation planning process. The financial year covered in the UPWP runs from July 1, 1994 through June 30, 1995.

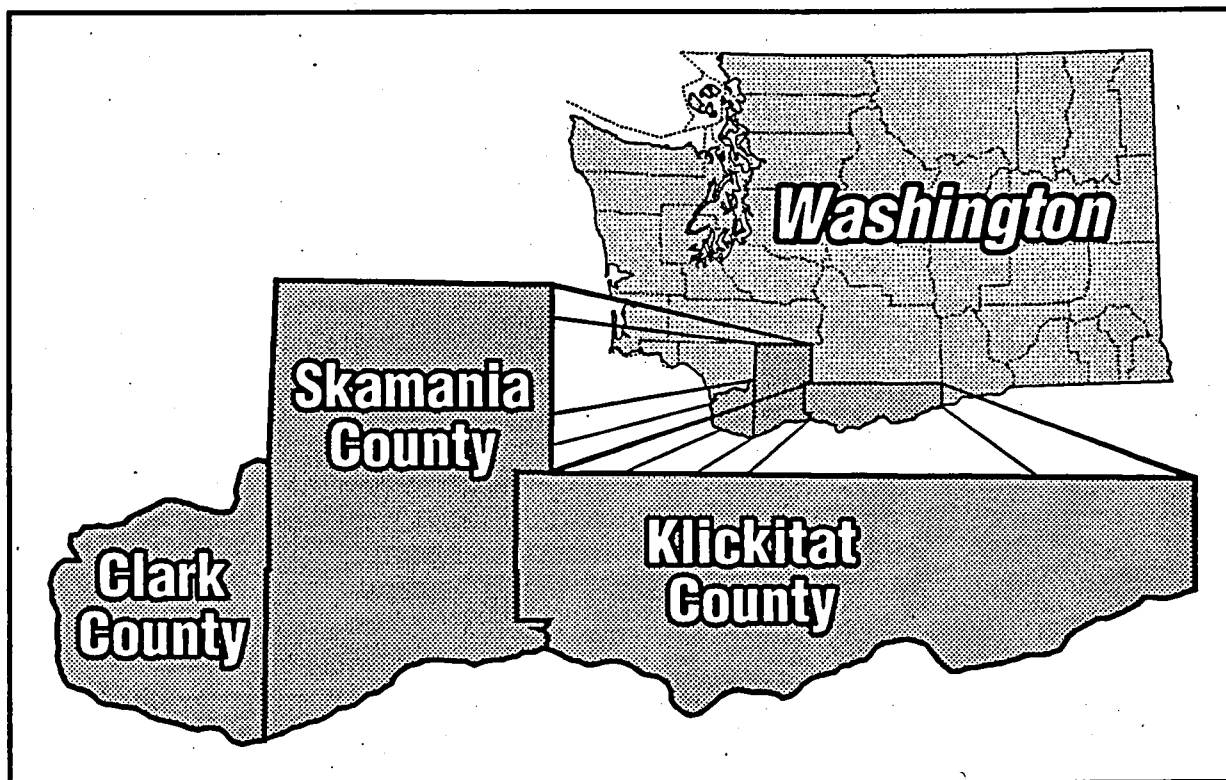
The planning activities described are related to several modes of transportation, including activities which are considered significant to the Regional Transportation Plan and Metropolitan Transportation Plan. The UPWP focuses on the transportation work tasks which are priorities to Federal or state transportation agencies, and those tasks considered necessary by local elected officials. The FY95 UPWP includes the continuation of transportation planning activities to meet requirements established in the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA). The MPO/RTPO UPWP was developed in conjunction with the FY95 transportation planning program to be undertaken by WSDOT District Four. The UPWP provides a summary of local, state, and Federal funding sources to support transportation planning efforts.

OBJECTIVES

The UPWP describes the transportation planning activities and funding sources required to meet the major transportation policy issues of the upcoming year. It reflects the regional transportation problems and projects to be addressed during the next fiscal biennium. Throughout the year, the UPWP serves as the guide for planners, citizens, and elected officials to track transportation planning activities. It also provides local and state agencies in the Portland/Vancouver Metropolitan Area and RTPO region with a useful basis for improving regional coordination.

SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL (RTC)

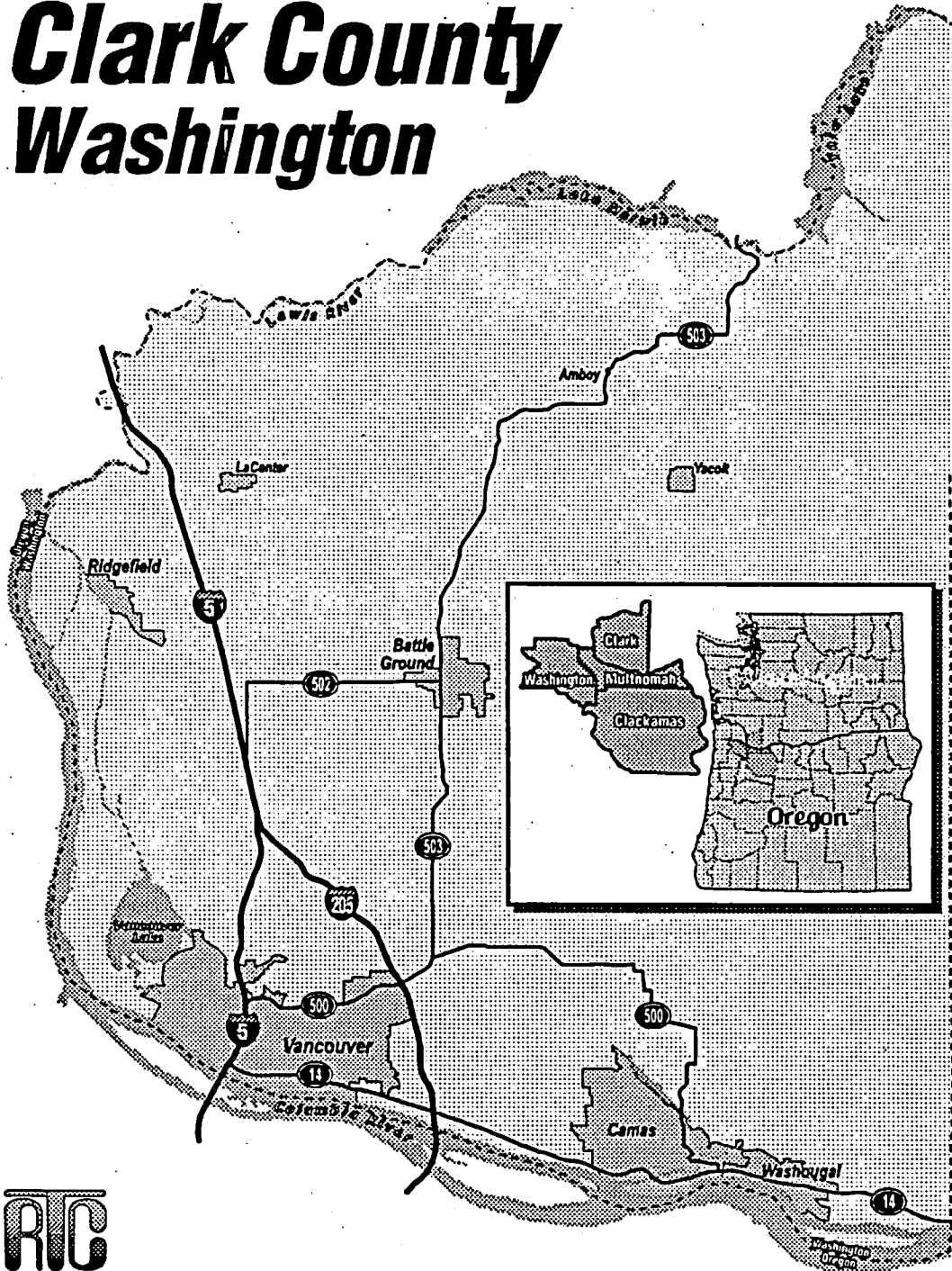
Map Showing Extent of Regional Transportation Planning Organization (RTPO) Region



SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL (RTC)

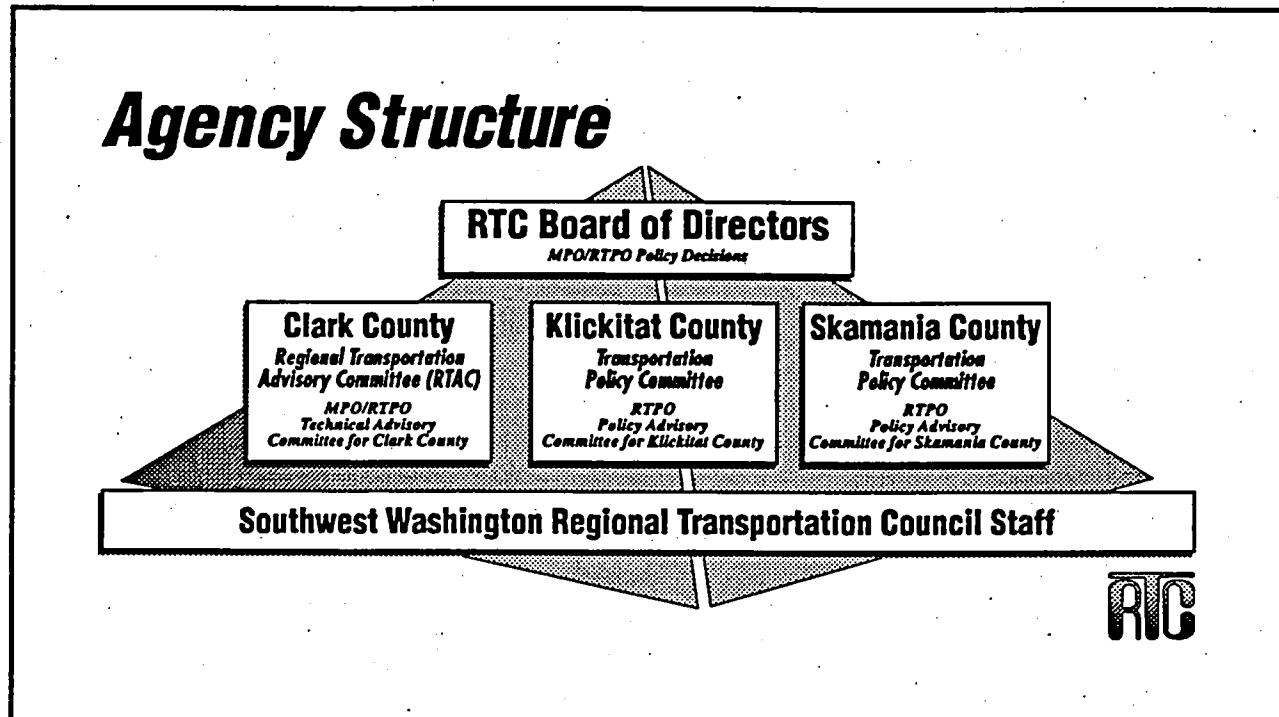
Map Showing Extent of Metropolitan Planning Organization (MPO) Region

Clark County Washington



SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL (RTC)

Agency Structure



RTC: TABLE OF ORGANIZATION

Position	Duties
Transportation Director	Overall MPO/RTPO Planning Activities, Coordination, and Management
Sr. Transportation Planner	MTP, UPWP, GMA
Sr. Transportation Planner	TIP, Project Programming, RTPO in Skamania and Klickitat Counties
Sr. Transportation Planner	HCT, Bi-State, Air Quality, Management Systems
Sr. Transportation Planner	HCT, Regional Travel Forecasting Model
Sr. Technical Transportation Planner	Regional Travel Forecasting Model
Sr. Technical Transportation Planner	Computer Systems, GIS, Cartography
Administrative Staff: 3 Positions	General administrative and accounting duties

PARTICIPANTS, COORDINATION, AND FUNDING SOURCES

Consistent with the 1990 State Growth Management Act legislation, the Regional Transportation Council (RTC) Board of Directors has been established to deal with transportation policy issues in the three-county RTPO region. Transportation Policy Committees for Skamania and Klickitat Counties are in place and a Regional Transportation Advisory Committee (RTAC) for Clark County. (Refer to *Agency Structure* graphic, Page iv).

A. Clark County

The primary transportation planning participants in Clark County include the following: the Regional Transportation Council, C-TRAN, Washington State Department of Transportation, Clark County, the cities of Vancouver, Camas, Washougal, Ridgefield, and Battle Ground, the towns of Yacolt and La Center, the ports of Vancouver, Camas-Washougal, and Ridgefield, and two federal agencies, the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA). In addition, the Department of Ecology (DOE) is involved in the transportation program as it relates to the development of the State Implementation Plan for carbon monoxide and ozone. As the designated MPO for the Clark County Urban Area, RTC annually develops the transportation planning work program and endorses the work program for the entire metropolitan area. RTC is also responsible for the development and endorsement of the Regional Transportation Plan, Metropolitan Transportation Plan, the Transportation Improvement Program, and other regional transportation studies, operational and near-term transit planning. The Transit Development Plan serves as the planning document that provides the guidelines for improving transit service over a five year period. C-TRAN is in the process of updating the *Transit Development Program 1992-1997*. The *Transit Development Program 1994-1999* should be completed early in 1994 and will guide transit development from 1994 through to 1999. WSDOT is also responsible for preparing a state-wide, multi-modal transportation plan and several modal system plans.

WSDOT, the Community Development and Public Works Departments of Clark County and Departments of Preservation and Development and Public Works of the City of Vancouver conduct project planning for the highway and street systems related to their respective jurisdictions.

The coordination of planning includes local and state officials in both Oregon and Washington. Coordination occurs at the staff level through involvement on advisory committees (RTC's RTAC and Metro's TPAC). Mechanisms for local, regional, and state coordination are spelled out formally in a series of Memoranda of Agreement. These memoranda are intended to assist and complement the transportation planning process:

1. The organizational and procedural arrangement for coordinating activities such as procedures for joint reviews of projected activities and policies, information exchange, etc.
2. Cooperative arrangements for sharing planning resources (funds, personnel, facilities, and services).
3. Agreed upon base data, statistics, and projections (social, economic, demographic) on the basis of which planning in the area will proceed.

The agreements will be formally reviewed and published as Memoranda of Understanding between RTC and the State, operators of publicly owned transit services, air quality agencies and with Metro, the MPO for the Oregon portion of the Portland-Vancouver metropolitan area.. The Memoranda will be drawn up and signed prior to July 1, 1994.

Issues of Interstate Significance

Both RTC and METRO have recognized that bi-state travel is an important part of the Portland-Vancouver regional transportation system and it is in the best interest of the region to keep this part of the system functioning properly. Currently, several locations on the I-5 and I-205 north corridors are at or near capacity with long traffic delays occurring frequently. The need to resolve increasing traffic congestion levels and to identify long term solutions continues to be a priority issue. Throughout FY95 the study of High Capacity Transit in the I-5 corridor continues to be the major issue of interstate significance.

RTC Board of Directors

Clark County	Commissioner John Magnano
Clark County	Commissioner Busse Nutley
Clark County	Commissioner David Sturdevant (Vice-President)
City of Vancouver	Councilman Royce Pollard (President)
City of Vancouver	John Fischbach (City Manager)
Cities East	Mayor Dean Dossett (Camas)
Cities North	Mayor Tevis Laspa (Ridgefield)
Ports	Commissioner Bob Moser (Vancouver)
C-TRAN	Leslie White (Executive Director)
WSDOT	Gerald Smith (District 4 Administrator)
ODOT	Bruce Warner (Region 1 Manager)
Metro	Councilor Rod Monroe
Skamania County	Commissioner Melissa Carlson-Price
Klickitat County	Commissioner Sverre Bakke

Regional Transportation Advisory Committee Members

WSDOT District 4	Allan McDonald
Clark County Public Works	John Bartels
Clark County Planning	Craig Greenleaf
City of Vancouver, Public Works	Thayer Rorabaugh
City of Vancouver, Community Development	Darin Atteberry
City of Washougal	Mike Conway
City of Camas	Gary Stockhoff
City of Battle Ground	Dean Hergesheimer
City of Ridgefield	Bob Wallace
C-TRAN	Pat Bonin
Port of Vancouver	Bernie Bills
ODOT	Dennis Mitchell
Metro	Mike Hoglund
Regional Transportation Council	Dean Lookingbill

B. Skamania County

The Skamania County Transportation Policy Committee was established in 1990 to oversee and coordinate transportation planning activities in the RTPPO Skamania region.

Skamania County Transportation Policy Committee

Skamania County
City of Stevenson
WSDOT, District 4
Port of Skamania

Commissioner Melissa Carlson-Price
Ann Jermann, City Council Member
Gerry Smith, District Administrator
Bill Rompa, Manager

C. Klickitat County

The Klickitat County Transportation Policy Committee was established in 1990 to oversee and coordinate transportation planning activities in the RTPPO Klickitat region.

Klickitat County Transportation Policy Committee

Klickitat County
City of White Salmon
WSDOT, District 4
Port of Klickitat

Commissioner Sverre Bakke
Mamie Gaddis, City Council Member
Gerry Smith, District Administrator
Kathleen McCuiston, Port Commissioner

I. REGIONAL TRANSPORTATION PLANNING PROGRAM

Introduction

The Regional Transportation Planning Program encompasses MPO/RTPO planning activities including (A) Metropolitan Transportation Plan, (B) Transportation Improvement Program, (C) Congestion Management System, (D) South/North Transit Corridor Alternatives Analysis/Draft EIS, (E) Skamania County RTPO, (F) Klickitat County RTPO, (G) Clark County/RTC Rural Arterial Study, (H) Vancouver Amtrak Station Study, and (I) I-205/NE 18th Street Interchange Feasibility Study. This region's 1994/5 regional transportation planning program will focus on implementing the transportation requirements of the State's Growth Management Program, the federal Intermodal Surface Transportation Efficiency Act of 1991 and the Federal Clean Air Act Amendments of 1990.

All the RTPO planning activities will be incorporated into a Regional Transportation Plan to include regional transportation policies, goals, data, and transportation needs in Clark, Skamania and Klickitat counties. The RTP is the principal transportation planning document. Its goals, objectives, and policies help to guide the work of agencies throughout the RTPO region that are involved in transportation planning and programming of projects.

Federal transportation funding for individual projects within the MPO is dependent upon their consistency with the Metropolitan Transportation Plan (MTP); the regional Transportation Plan for the Clark County metropolitan region. During FY95 the full MTP will be completed and adopted to meet GMA and ISTEA requirements. The Plan for Clark County will cover a county-wide-area, the area encompassed by the Metropolitan Area Boundary, and work will proceed on incorporating the fifteen transportation planning factors described in ISTEA into the regional planning program. Work will be carried out to incorporate an enhanced financial plan element into the Plan. Clean Air Act requirements will be met by the MTP.

ISTEA requires that the MPO, in cooperation with the state and affected transit operators, develop a Transportation Improvement Program which must include a priority list of projects and project segments for the next 3 years, together with a realistic financial plan. Projects included are those proposed for federal highway and transit funding. The 1995-1997 TIP will be analyzed for conformity with the federal Clean Air Act.

ISTEA designates regions of over 200,000 population as Transportation Management Areas (TMAs). Clark County, as a part of the Portland-Vancouver region, has been designated as a TMA. Within the TMA the MPO, in consultation with the state, selects projects for Surface Transportation, Congestion Mitigation/Air Quality and Federal Transit Programs. Under ISTEA, TMAs must have a Congestion Management System in place, to include both travel demand reduction and operation management strategies. National Highway System, Bridge and Interstate Maintenance Program projects are to be selected by the State, in cooperation with the MPO. In FY95 RTC will focus on development and possible implementation of the Traffic Congestion Management System required by ISTEA, as well as collaborate with WSDOT on development of the Public Transportation Facilities and Intermodal Transportation Systems. RTC will also cooperate with WSDOT on development of the Highway Pavement, Bridges, and Highway Safety management systems.

MPO planning program activities during FY95 will include significant regional transportation planning projects. Work on the South/North Transit Corridor Alternatives Analysis/Draft EIS will continue during FY95. The Clark County/RTC Rural Arterial Study will be completed during the

summer of 1994. The Vancouver Amtrak Station Study, currently underway, may result in a project to design and construct site and facility improvements. RTC would be involved in the project's design phase. A study of major significance in Clark County will be the I-205/NE 18th Street Interchange Feasibility Study which will include assessment of the need for an interchange in the vicinity or alternative transportation strategies. The study will focus on issues concerning transportation system needs within the sub-area, freeway access, transit accessibility and land use impacts.

RTPO program activities for Klickitat and Skamania Counties are described in the Skamania County RTPO and Klickitat County RTPO work elements.

I. REGIONAL TRANSPORTATION PLANNING PROGRAM**A. Metropolitan Transportation Plan**

During FY94 an *Interim Regional Transportation Plan* was adopted to serve as a placeholder until a full Metropolitan Transportation Plan (MTP) was developed. The Metropolitan Transportation Plan serves as the regional Transportation Plan (RTP) for the Clark County metropolitan region. The Metropolitan Transportation Plan (MTP) work element will include (i) adoption of a fully updated MTP, (ii) consideration of the environment during MTP development in accordance with the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA), (iii) continuing MTP development and (iv) system monitoring and performance analysis activities.

Work Element Objectives**(i) Plan Adoption**

1. Adoption of a full Metropolitan Transportation Plan (MTP) which will comply with GMA and ISTEA and be consistent with state, local and regional plans. The Plan will be adopted by December 18, 1994 to meet ISTEA requirements and will be updated regularly to reflect changing trends, conditions, or regulations and future study results. The Plan for Clark County will cover a county-wide-area, the area encompassed by the Metropolitan Area Boundary and will cover a 20-year planning horizon.

To comply with state standards the MTP will include the following components:

- a. Regional transportation goals and policies. Level of service standards will be established and used to identify deficient transportation facilities and services.
- b. Regional development strategy. Existing and proposed land uses defined on local comprehensive land use plans will be used to determine the regional development strategy and will serve as a basis for transportation planning.
- c. Identification of regional transportation needs. An inventory of existing regional transportation facilities and services, identification of current deficiencies and forecast of future travel demand will be carried out. This will address all transportation modes; highway, transit, air, rail, water-borne, bicycling and pedestrian and will address mobility of both people and goods.
- d. Development of financial plan for necessary transportation system improvements.
- e. Regional transportation system improvement and strategy plan. Specific facility or service improvements, transportation system management and demand management strategies will be identified and priorities will be determined.

To comply with ISTEA, the fifteen transportation planning factors to be considered in the regional transportation planning process, will be addressed in the MTP. The fifteen factors include the consideration of freight, as well as people, movement.

2. Public participation and review of the MTP, as well as inter-agency review of the Plan.

(ii) SEPA/NEPA Review

1. Assessment of environmental conditions, at a regional level.
2. Environmental review of the proposed MTP, prior to MTP adoption.
3. Evaluation of cumulative environmental impacts consistent with ISTEA, Clean Air Act and State requirements, including Clean Air Act conformity analysis.

(iii) Continuing MTP Development

The MTP will be subject to continuous review to ensure that changing trends, conditions or regulations and future study results are identified and that they will be reflected in the triennial update to the Plan required by ISTEA. The GMA also requires that a biennial review of the MTP takes place. Updating of the MTP will include:

1. Re-evaluation of the future regional transportation system to be used in quantifying transportation performance and cumulative environmental impacts consistent with ISTEA, Clean Air Act and State requirements.
2. Incorporation of the findings of High Capacity Transit (HCT) studies into the MTP.
3. Integration of the findings of the ISTEA management systems and any Major Investment Study results into the MTP.
4. Description of any identified Transportation Control Measures (TCMs) to attain and maintain federal clean air standards and evaluation of MTP conformity with the Clean Air Act Amendments (CAAA) of 1990.

(iv) System Monitoring

1. The MTP will be used as the document in which system monitoring is reported on.

Relationship To Other Work Elements

The MTP takes into account the reciprocal effects between land use, growth patterns and transportation system development. It also identifies the mix of transportation strategies needed to solve future transportation system problems. The MTP for Clark County is interrelated to all other work elements. In particular, the MTP provides planning support for the TIP and will relate to the ISTEA management systems currently being developed. In Transportation Management Areas (TMAs), such as the Clark County region, no federally-funded project which will add capacity for single-occupant-vehicles will be permitted unless it is part of the ISTEA Congestion Management System and transportation alternatives have been considered. The results of the management systems will be incorporated into the MTP as results are forthcoming.

FY95 Products

1. MTP for Clark County meeting GMA standards and ISTEA requirements. The MTP will include a description of the proposed regional transportation system including the number of lanes proposed for highway segments so that clean air conformity analysis assumptions are understood.
2. Identified level of service standards established to meet the State's Growth Management Act requirements for use in transportation system monitoring and particularly in relation to concurrency requirements.
3. Financial plan showing that fiscal constraint was exercised in development of the MTP.
4. Clean Air Act Amendments (CAAA) conformance documentation.
5. Performance monitoring.

FY95 Expenses:

	\$
RTC	73,000
Total	<u>73,000</u>

FY95 Revenues:

	\$
FY95 PL	30,000
FTA Sec. 8	10,000
RTPO	19,000
Local	<u>14,000</u>
	73,000

I. REGIONAL TRANSPORTATION PLANNING PROGRAM**B. Transportation Improvement Program****Work Element Objectives**

1. Development of 1995-1997 Transportation Improvement Program (TIP) consistent with ISTEA requirements.
2. Further refinement of process to prioritize projects and criteria with which to evaluate projects proposed for federal highway and transit funding for the following three years as required by ISTEA. It is envisaged that the refined project selection criteria will better reflect the multiple policy objectives of the regional transportation system (e.g. maintenance of existing system, reduction of SOVs, capacity improvements, transit expansion and air quality improvement).
3. Address programming of Congestion Mitigation/Air Quality (CM/AQ) funds with consideration given to emissions reduction benefits of such projects.
4. Development of a realistic financial plan.
5. Analysis of air quality impacts and Clean Air Act conformity documentation.
6. Opportunity for public input.
7. Define the project selection process and carry out project selection.
8. Amendment of TIP, where necessary.
9. Monitoring of TIP implementation.

Relationship To Other Work Elements

The TIP provides the link between the MTP and project implementation. The process to prioritize TIP projects will draw from data from the transportation database, regional travel forecasting model output. It relates to the Public Involvement sub-element described in section III of the FY95 UPWP.

FY95 Products

1. FY95-97 TIP, as required by ISTEA.
2. Programming of ISTEA funds.
3. Definition of project selection process and identification of selected projects.
4. Clean Air Act conformity analysis and documentation.
5. TIP amendments, as necessary.

6. Opportunity for public involvement in TIP development.

FY95 Expenses:

	\$
RTC	38,000
Total	<u>38,000</u>

FY95 Revenues:

	\$
FY95 PL	17,000
FTA Sec. 8	5,000
RTPO	11,000
Local	<u>5,000</u>
	38,000

I. REGIONAL TRANSPORTATION PLANNING PROGRAM**C. Congestion Management System**

ISTEA requires the development of six management systems: (i) Traffic Congestion Management (CMS), (ii) Public Transportation Facilities (PTMS), (iii) Intermodal Transportation (IMS), (iv) Highway Pavement (HPMS), (v) Bridges (BMS) and (vi) Highway Safety (SMS). Work on Phase I of the Congestion Management System was completed by the MPO, with project consultant assistance, in FY93/4. A CMS work plan is to be developed and in place by October 1, 1994 and the System should be fully operational by October 1995 in air quality non-attainment Transportation Management Areas (TMAs) such as Clark County. In ISTEA-designated (TMAs), such as Clark County, no facilities which will add capacity for Single Occupant Vehicles (SOVs) can be built unless identified in a CMS and alternatives should be explored first. The state will take the lead in development of the PTMS but will require locals to

Work Element Objectives

1. Completion of a Traffic Congestion Management system which will include the consideration of multi-modal, intermodal linkages, transit, TDM, and TSM strategies as alternatives to SOV capacity projects. Cooperation with WSDOT and the transit agency in developing Public Transportation Facilities and Intermodal Transportation system management plans.
2. Integration of the CMS into the MTP.

Relationship To Other Work

The development of management systems will draw from the regional transportation database and regional travel forecasting model. Results of work on the management systems will be incorporated into the MTP and identified needs will be implemented with the selection of regional transportation projects in the TIP.

FY95 Products

1. Completion of the Traffic Congestion Management Systems plan which will emphasize development of methodology and tools for performance evaluation and support transportation policy decisions as well as identify transportation strategies to relieve and/or manage congestion. Input to the Public Transportation Facilities and Intermodal Transportation management systems plans.
2. Cooperation with DOT on the Highway Pavement, Bridges and Highway Safety management studies.
3. Integration of findings from the CMS into the region's MTP in terms of policies, goals and objectives, transportation strategies, system and capital needs.

FY95 Expenses:

	\$
RTC	121,414
Consultant	109,800
Total	<u>231,214</u>

FY95 Revenues:

	\$
CM/AQ	200,000
Local	31,214
	<u>231,214</u>

I. REGIONAL TRANSPORTATION PLANNING PROGRAM**D. South/North Transit Corridor Alternatives Analysis/Draft Environmental Impact Statement**

The I-205 Bridge LRT Retrofit Study and the Internal Clark County High Capacity Transit Study were completed in FY92. The recommendations from these two "systems planning" studies resulted in the decision to continue the HCT planning process with a pre-AA study, the North/South Transit Corridor Study. The purpose of the pre-AA study was to select a high capacity transit (HCT) priority corridor either on I-5 or on I-205.

Phase I of the study was completed in April of 1993 with the recommendation of a single south/north priority corridor from Clackamas County, Oregon through Portland CBD to Clark County, Washington. The I-5 segment to the north and the Milwaukie segment to the south was selected as the single south/north priority corridor.

Phase II of the North/South Transit Corridor Study continued through June of 1993 and has concentrated on identifying the wide range of mode and alignment alternatives to advance into consideration into Alternatives Analysis (AA). The AA began on July 1 of 1993 and is divided into two tiers as described in the work element objectives. In December 1993 a mode was selected to advance in the AA process. It is anticipated that the AA/DEIS will be completed by March 1996.

The purpose of the South/North AA/DEIS is to select a Locally Preferred Alternative (LPA) from a variety of mode and alignment alternatives to be studied within the South/North Transit Corridor Study. If the LPA is a build alternative, then it could advance into PE/FEIS, Final Design and construction. The AA/DEIS will identify the transportation impacts, the significant environmental impacts, the costs and effectiveness, and the financial feasibility of the alternatives providing the public and decision-makers with the information necessary to make the LPA choice. The decision-making process and the work plan for the South/North AA/DEIS work program is divided into two tiers described below in more detail.

Work Element Objectives

The objectives for the South/North AA/DEIS are divided by Tier I and Tier II:

Tier One

Purpose: To select a mode and study terminus to advance into Tier II AA. Alignment options will be narrowed and used to make the mode choice, and station location criteria, land use analysis, and station siting options will be initiated.

1. Participate in the development and review of evaluation measures and list of mode and terminus options for Tier I as they relate to transportation issues within Clark County and addressing regional transportation needs
2. Review and refine draft financial plan for a local funding vote
3. Refine and review LRT alternatives and alignments within Clark County, and review for regional consistency in the definition of alternatives

4. Complete the conceptual definition of LRT, Transportation Systems Management (TSM) and No-Build alternatives to be considered in Tier II.
5. Review and refine regional travel forecasting process for modeling Clark County travel characteristics and Bi-State consistency
6. Complete detailed transportation analysis to identify transportation impacts and issues to support the selection of mode, alignment, and study terminus within Clark County. This should be done by July 1, 1994.
7. Assist in development and initiation of a public participation process for Clark County Tier One AA activities
8. Participate in the other regional study objectives to support Metro Tier One AA/DEIS activities

Tier I activities are scheduled for completion by September 1, 1994.

Tier Two

Purpose: To support the preparation of a DEIS and to select an alignment and station locations as the Locally Preferred Alternative and assist in the development of data to prepare a DEIS for the Clark County portion of the corridor as required by the Washington SEPA.

1. Participate in the preparation of the Detailed Definition of the Alternatives, including the station locations, other transit facilities, and fixed guideway and bus operations plans
2. Assist in development and initiation of a public participation process for Clark County Tier Two AA
3. Development of model to provide detailed travel forecasts and analysis to identify transportation impacts that affect the Clark County regional transportation system as well as localized impacts on alignment options. Use of the transportation forecasting model will be coordinated with local jurisdictions to assess transportation impacts.
4. Select a Locally Preferred Alternative
5. Prepare a Locally Preferred Alternative Report and application to advance the corridor into Preliminary Engineering, if a build alternative is selected

It is anticipated that the South/North AA/DEIS will conclude with the selection of an LPA by September 1995.

Local Community Involvement AA

Purpose:

To provide MPO support to C-TRAN in conduction the Local Community Involvement AA program. This will augment the regional AA process with a focus more directly to Clark County issues. Transportation planning, analysis and mapping assistance would be provided to the following major tasks.

1. Community Participation and Communication
2. Station Area Development
3. Transit Service and Facility Development
4. Financial Planning for High Capacity Transit

Relationship to Other Work

The South/North AA/DEIS relates directly to Metro's FY95 UWP work element "South/North Corridor Study". Metro is the overall project lead for the AA/DEIS and is the agency primarily responsible for completion of the project. RTC's work element is intended to support the AA/DEIS activities for the region and also recognize that, as the regional MPO for the Clark County portion of the study corridor, it is the lead regional transportation planning agency in supporting the needs of Clark County jurisdictions in the AA/DEIS. On the Clark County side, C-TRAN, WSDOT, RTC, the City of Vancouver and Clark County will be participating in this project and will be receiving revenues.

FY95 Products

1. Completion of the Tier One South/North AA.
2. The selection of a mode, alignment, and terminus for advancement into Tier Two AA.
3. Initiation of Tier Two AA/DEIS.
4. Completion of the community involvement program.

RTC Expenses:

	\$
RTC	
Materials & Services	
Total	

RTC Revenues:

	\$
Metro AA/HCTA	
C-TRAN HCTA/AA	

Total Project Expenses:

The table below is from Metro's FY95 UPWP:

	\$
Personal Services	1,029,320
Transfers	352,929
Contingency	25,988
Materials & Services	2,732,050
Computer	9,713
	4,150,000

Total Project Revenues:

	\$
South/North AA/DEIS	4,150,000
	4,150,000

RTC funding will be set in future. C-TRAN has a separate budget for this study.

I. REGIONAL TRANSPORTATION PLANNING PROGRAM**E. Skamania County RTPO**

Work by the RTPO on a transportation planning work program for Skamania County began in FY 90. The Skamania County Transportation Policy Committee meets monthly to discuss local transportation issues and concerns. Work in FY95 will focus on review of a Regional Transportation Plan to be adopted during FY94 to cover the Skamania region of the RTPO, in accordance with State guidelines. Further development of the regional transportation planning database for Skamania County will take place and RTC staff will continue to provide technical assistance for Skamania County.

Work Element Objectives

1. Continue regional transportation planning process.
2. Review of the Transportation Plan for Skamania County's regional transportation system using regional transportation planning program guidelines formulated by WSDOT for RTPOs. The transportation plan includes the following components:
 - a. Regional transportation goals and policies.
 - b. Identification of regional transportation needs after analysis of relevant traffic and demographic data.
 - c. Identification of revenue sources for necessary regional transportation system improvements.

During FY95 some of the recommendations from the RTP should be implemented.

The transportation database for Skamania County developed since the inception of the RTPO will be used as input to the Transportation Plan.

3. Implementation of transportation system performance monitoring program.
4. Assistance to Skamania County in implementing ISTEA, including assistance in development of enhancement projects, updating of federal arterial functional classification system, and TIP development.
5. Competitive Surface Transportation Program (STP) project selection process.
6. Assessment of public transportation needs, particularly specialized transportation, in Skamania County.

Relationship To Other Work Elements

The RTPO work program activities for Skamania County will be tailored to their specific needs and issues and, where applicable, coordinated across the RTPO. The Skamania Transportation Plan will be integrated into an RTP for the RTPO region.

FY95 Products

1. Continue the development of a coordinated, technically sound regional transportation planning process in Skamania County.
2. Continue the development of a technical transportation planning assistance program.
3. Review and implementation of a Regional Transportation Plan for Skamania County.
4. Process for STP project selection.

FY95 Expenses:

	\$
RTC	34,900
Total	<u>34,900</u>

FY95 Revenues:

	\$
RTPO	16,900
STP	<u>18,000</u>
	34,900

I. REGIONAL TRANSPORTATION PLANNING PROGRAM**F. Klickitat County RTPO**

Work by the RTPO on a transportation planning work program for Klickitat County began in FY 90. The Klickitat County Transportation Policy Committee meets monthly to discuss local transportation issues and concerns. Work in FY95 will focus on review of a Regional Transportation Plan to be adopted during FY94 to cover the Klickitat region of the RTPO, in accordance with State guidelines. Further development of the regional transportation planning database for Klickitat County will take place and RTC staff will continue to provide technical assistance for Klickitat County.

Work Element Objectives

1. Continue regional transportation planning process.
2. Review of the Transportation Plan for Klickitat County's regional transportation system using regional transportation planning program guidelines formulated by WSDOT for RTPOs. The transportation plan includes the following components:
 - a. Regional transportation goals and policies.
 - b. Identification of regional transportation needs after analysis of relevant traffic and demographic data.
 - c. Identification of revenue sources for necessary regional transportation system improvements.

During FY95 some of the recommendations from the RTP should be implemented.

The transportation database for Klickitat County developed since the inception of the RTPO will be used as input to the Transportation Plan.

3. Implementation of transportation system performance monitoring program.
4. Assistance to Klickitat County in implementing ISTEA, including assistance in development of enhancement projects, updating of federal arterial functional classification system, and TIP development.
5. Competitive Surface Transportation Program (STP) project selection process.
6. Assessment of public transportation needs, particularly specialized transportation, in Klickitat County.

Relationship To Other Work Elements

The RTPO work program activities for Klickitat County will be tailored to their specific needs and issues and, where applicable, coordinated across the RTPO. The Klickitat Transportation Plan will be integrated into an RTP for the RTPO region.

FY95 Products

1. Continue the development of a coordinated, technically sound regional transportation planning process in Klickitat County.
2. Continue the development of a technical transportation planning assistance program.
3. Review and implementation of a Regional Transportation Plan for Klickitat County.
4. Process for STP project selection.

FY95 Expenses:

	\$
RTC	36,700
Total	<u>36,700</u>

FY95 Revenues:

	\$
RTPO	18,700
STP	<u>18,000</u>
	36,700

I. REGIONAL TRANSPORTATION PLANNING PROGRAM

G. Clark County Rural Arterial Study

RTC, Clark County, WSDOT, and rural cities and towns in Clark County have recognized the importance of the rural arterial system for the mobility of people and goods within Clark County, Washington. The purpose of this study will be to inventory the existing Clark County rural arterial needs and develop a list of recommended improvements. The inventory of rural arterials will be used to evaluate how these rural arterials connect to the urban arterial system, state routes, interstate system, and the transportation systems of cities and towns in Clark County. The study is due for completion in summer 1994.

Work Element Objectives

1. RTC will co-manage the Rural Arterial Study with Clark County.
2. Inventory of arterials and analysis of arterial needs.
3. Analysis of future rural arterial needs.
4. Completion of the Rural Arterial Study.
5. Integration of study results, along with recommended improvements, into the MTP.

Relationship To Other Work

The study relates to the overall regional transportation planning program. The analysis of the rural arterial system will allow for identification and prioritizing rural regional transportation needs. Study results should be incorporated into the MTP, and recommended projects into the TIP as funding becomes available.

FY95 Products

1. Report identifying rural arterial needs.
2. Prioritization of rural arterial needs.
3. Preliminary cost estimates of conceptual solutions.

FY95 Expenses:

FY95 Revenues:

Revenues represent the FY94 UPWP amounts:

	\$		\$
RTC	8,000	Rural STP	47,575
Clark County/ Consultant	47,000	Local Match	7,425
Total	<u>55,000</u>		<u>55,000</u>

I. REGIONAL TRANSPORTATION PLANNING PROGRAM**H. Vancouver Amtrak Station Study**

The Washington State Transportation Fund contains an appropriation for rail passenger service improvements. In the Vancouver region, a study was conducted during FY94 to assess the current Vancouver Amtrak depot and to provide recommendations as to the required improvements to the site and structure to accommodate quality passenger service. It is anticipated that some of the improvements may be carried out during FY95.

Work Element Objectives

1. Implement the short-term recommendations presented in the Vancouver Amtrak Station Study carried out during FY94.

Relationship To Other Work

The provision of rail service within the region, and planning for future improved rail service, is a component of the regional transportation planning process. Future plans for rail are a required component of the Metropolitan Transportation Plan.

FY95 Products

1. Designs for implementation of the recommendations contained in the report documenting study findings and recommendations regarding ownership of the Vancouver Amtrak station, building and site conditions, and intermodal connections.

FY95 Expenses:

RTC	\$
Consultant	
Total	_____

FY95 Revenues:

State Transportation	\$
Fund, Rail Branch	

Funding is anticipated but no funding level has yet been established.

I. REGIONAL TRANSPORTATION PLANNING PROGRAM

I. I-205/NE 18th Street Interchange Study

The proposed I-205 and 18th Street Interchange Feasibility Study is a planning/conceptual design study that will investigate the need for an interchange on I-205, in the vicinity of NE 18th Street, in rapidly-growing southeast Clark County. Possible alternatives for an interchange in the vicinity will be investigated.

Work Element Objectives

1. Investigate potential transportation solutions to meet transportation needs in the rapidly growing South East Clark County area focusing on the potential costs and/or benefits of an interchange at I-205/NE 18th Street. Alternative strategies will also be investigated.
2. The study will focus on improvements to the existing system to increase the mobility of people and goods by coordinating plans for transit, auto and freight transportation modes and land use.
3. Investigate FHWA's guidelines for new or revised interchanges on the interstate freeway system.
4. Analysis of measures to relieve congestion at the I-205 interchanges to the north and south of NE 18th Street.
5. Assess improved access to C-TRAN's Evergreen Transit Center and potential future development of I-205 as a regional high capacity transit corridor.
6. Assess possible air quality benefits which would help Clark County reach attainment for ozone and carbon monoxide.
7. Address impacts on the local economy.
8. Address concurrency requirements established by the Growth Management Act..

Relationship To Other Work

Study results will be used in the Metropolitan Transportation Plan.

FY95 Products

1. Study report.

FY95 Expenses:

RTC

Total

\$

FY95 Revenues:

WA STP

\$

Funding is anticipated but no funding level has yet been established.

II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

Introduction

Data Management and Travel Forecasting Process work elements include: (A) Regional Transportation Data Base and Travel Forecasting Process, (B) Growth Management Act, (C) Metro Travel Behavior Survey, (D) Commute Trip Reduction and (E) Air Quality Planning.

The Regional Transportation Data Base and Forecasting element includes two sub-elements. Regional Transportation Data Base activities include: transit operations and ridership data, census data, transit/highway networks, population/employment allocations, traffic counts, and origin/destination travel survey data. Regional transportation data activities will include the further application of GIS technology for regional transportation planning purposes. The GIS library of coverages developed by Clark County has been used in GMA planning and has great potential for future transportation applications. Work should emphasize the need to develop more accurate measures of built-up and developable land. The Travel Forecasting Process sub-element will emphasize the continued provision of model access and applications to MPO/RTPO member agencies. In addition, this element will include model update/refinement activities, and methodological improvements for congestion management and air quality analysis.

The Growth Management Act element has been included to emphasize the significance of RTC's role in providing data and model results to local jurisdictions to assist in their planning studies under GMA. Of particular significance during FY95 will be the analysis of model data for use as a tool in assessing transportation system needs to meet GMA concurrency requirements.

The Metro Travel Behavior Survey element will involve a contribution of STP funding from the Washington portion of the Portland/Vancouver region to a region-wide effort to analyze data on travel behavior collected during the Spring 1994 survey. The project is led by Metro.

Commute Trip Reduction (CTR) is likely to play a significant part in providing for future mobility needs of Clark County's population. RTC's role will be in providing local agencies with data to assess the impacts of the CTR program.

State and Federal air quality conformity requirements are major considerations in the development of transportation plans and programs therefore an Air Quality Planning element has been included in the FY95 UPWP. Clark County is currently designated as a marginal non-attainment area for ozone and a moderate non-attainment area for carbon monoxide. The transportation conformity requirements contained in the Federal Clean Air Act Amendments and the State Clean Air Act mandate that transportation plans and programs are to be a part of air quality improvement strategies. RTC will work with Washington and Oregon agencies to coordinate air quality planning for the Clark County portion of the Portland-Vancouver region.

II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

A. Regional Transportation Data and Regional Travel Forecasting Process

(i) Regional Transportation Data Base

This sub-element includes the development, maintenance and management of the regional transportation database to support the regional transportation planning program. Use of the data includes measuring system performance, evaluating level of service standards, calibration of the regional travel forecasting model, the functional classification of roadways, routing of trucks, support for studies by local jurisdictions, support for regional HCT studies and air quality analysis. The database will be developed in FY94 with cooperation and work with Metro on a travel Origin/Destination (O/D) survey, update of the transit operations and ridership data, traffic count data and highway/transit network data. Work will proceed on use of the Census Transportation Planning Package data when it becomes available. Work will continue on developing a GIS transportation database and technical assistance will be provided to MPO/RTPO member agencies and other local jurisdictions, as needed.

Work Sub-element Objectives

1. Maintain an up-to-date transportation data base and map file for transportation planning and regional modeling.
2. Collection, analysis and reporting of regional transportation data.
3. Maintain a comprehensive, continuing, and coordinated traffic count program.
4. Analyze growth trends and relate these to future year population and employment forecasts.
5. Cooperate with, and participate in, Metro's process to update the region's forecast population and employment data for future years and allocate the region-wide growth total to Clark County's transportation analysis zones.
6. Maintain and update the TIGER highway network as necessary.
7. Continue to incorporate transportation planning data elements into the Arc/Info GIS system. Use ArcView and ArcCAD to enhance RTC's GIS capabilities which will give the PC-based system similar capabilities to a full work station.
8. Continue to collect and analyze transit ridership statistics and provide transit-related data for the development and update of transit plans and reports as needed by C-TRAN.
9. Analysis of transportation-related census data including the CTPP data when it becomes available.
10. Review designated regional transportation system and functional classification system of highways for currency.

11. Assistance to local jurisdictions relating to data and information from the regional transportation data base.
12. Collaboration with Metro to analyze travel survey data to be used to enhance the regional transportation database and regional travel forecasting model.
13. Update computer equipment.

Relationship To Other Work Elements

This sub-element is the key to interrelating all data activities. Output from the database is used by local jurisdictions and supports the development of the MTP, TIP and TDP. The traffic count program is an ongoing data activity that is valuable in understanding existing travel patterns and future travel growth. The program is also a source of county-wide historic traffic data, and is used to calibrate the regional travel forecasting model in EMME/2.

FY95 Products

1. Maintenance and update of the regional transportation database.
2. Monthly, weekly, and year-to-date transit ridership data, update of ridership survey data and reports and graphs relating to transit use.
3. Work on future population and employment forecasts.
4. Allocation of future population and employment forecast data to Clark County transportation analysis zones.
5. Transportation planning data and GIS Arc/Info data integration.
6. Maintenance and update of the geographically correct highway network and local street system in a GIS coverage.
7. Integration of CTPP into the regional transportation database.
8. Integration of freight traffic data into the regional transportation database.
9. Update of traffic count database.
10. Further development of traffic count program to automate links with GIS and EMME/2.
11. Assistance to local jurisdictions.
12. Analysis of results from the travel behavior surveys carried out in collaboration with Metro.
13. Purchase of updated computer equipment with RTPO revenues.

FY95 Sub-Element Expenses:

	\$
RTC	47,000
Computer Equipment (use of RTPO revenues)	6,000
Total	<u>53,000</u>

FY95 Sub-Element Revenues:

	\$
FY95 PL	31,000
FTA Sec. 8	6,000
RTPO	5,000
Local	<u>11,000</u>
	53,000

(ii) Regional Travel Forecasting Process

The regional travel model serves as the forecasting tool to estimate and analyze future transportation needs. EMME/2 software is used to carry out travel demand and traffic assignment steps. In FY91, the forecasting models used by RTC and METRO were integrated, allowing the Clark County region to carry out mode split analysis of person-trip assignments. Work was undertaken in FY92 to refine and develop the integrated model for local use. Work in FY94 will focus on the provision of increased model access and applications to MPO/RTPO member agencies. In addition, this element will include model update/refinement activities, and methodological improvements for GMA concurrency, congestion management and air quality analysis.

Work Sub-element Objectives

1. Work with local agencies to increase their accessibility to model use and to expand model applications for use in regional plans, local plans, transportation demand management planning and transit planning.
2. Continue local Transportation Model Users' Group (TMUG).
3. Develop and maintain the regional travel model to include: periodic update and re-calibration, network changes, speed-flow relationships, land use changes, and interchange/intersection refinements. Develop model to cover the twenty-year planning horizon required for the MTP.
4. Coordinate the utilization, development and refinement of the Clark County regional travel forecasting model with Metro and other local agencies.
5. Further develop procedures to carry out post-processing of results from travel assignments.
6. Develop data on vehicle miles traveled (VMT) and vehicle occupancy measures for use in air quality and Transportation Demand Management (TDM) planning.
7. Incorporate travel behavior survey results into the regional travel forecasting model.
8. Assist local agencies by supplying regional travel model output for use in local GMA plans.

Relationship To Other Work Elements

This sub-element advances work toward the development and maintenance of the regional travel forecasting model which is the most significant tool for long-range transportation planning. It relates to the MTP, TIP, management systems, traffic count, transit planning, and clean air planning.

FY95 Products

1. Continued implementation of interlocal agreement relating to use of model in the region.
2. Model Users' Group meetings.
3. Refined travel forecasting methodology using EMME/2 program.
4. Re-calibration of model as necessary.
5. Review and update of model networks.
6. Model for use in MTP development.
7. Base data for air quality data analysis and documentation.
8. Post-processing techniques.
9. Enhanced model using results from travel behavior surveys.
10. Development of regional model alternative scenarios, running of alternative network assignments and modeled turning movement data, to assist local agencies in their planning studies and concurrency analysis.

FY95 Sub-element Expenses:

	\$
RTC	53,000
Total	<u>53,000</u>

FY95 Sub-element Revenues:

	\$
FY95 PL	31,000
FTA Sec. 8	6,000
RTPO	5,000
Local	<u>11,000</u>
	53,000

A. Regional Transportation Data and Regional Travel Forecasting ProcessFY95 Element Expenses:

	\$
RTC	100,000
Computer Equipment (use of RTPO revenues)	6,000
Total	<u>106,000</u>

FY95 Element Revenues:

	\$
FY94 PL	62,000
FTA Sec. 8	12,000
RTPO	10,000
Local	<u>22,000</u>
	106,000

II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

B. Growth Management Act

The Washington State Growth Management Act (GMA) was passed in 1990 and since then local jurisdictions, regional and state agencies have been working to adopt plans required by the GMA and implement plan recommendations. The GMA requires that transportation infrastructure is provided concurrent with the development of land. This element defines the role of RTC in assisting local jurisdictions in their efforts to implement a transportation concurrency program.

Work Element Objectives

1. Provide assistance to local jurisdictions in implementing their GMA plans.
2. Assist jurisdictions in providing data for the concurrency test and analyzing transportation concurrency needs.

Relationship To Other Work Elements

The GMA is fundamental to many of RTC's work activities. The Metropolitan Transportation Plan (MTP), Regional Transportation Data Base, Regional Travel Forecasting Process and Regional Transportation Program Coordination and Management elements all contain reference to RTC's activities in carrying out the requirements of the GMA. RTC will develop the MTP according to GMA guidelines, will enhance the forecasting model for use in long-range planning and for use as a tool in measuring concurrency needs and RTC will review the transportation elements of GMA local plans to certify that they meet the GMA requirements and that the elements are consistent with the MTP.

FY95 Products

1. Assistance to local jurisdictions in measuring and testing for concurrency.

FY95 Element Expenses:

	\$
RTC	11,000
Total	11,000

FY95 Element Revenues:

	\$
FY95 PL	2,000
RTPO	8,000
Local	1,000
	11,000

II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

C. Metro Travel Behavior Surveys

This element will be led by Metro and is closely related to the regional travel forecasting model refinement process.

Work Element Objectives

1. Analyze metropolitan region travel survey results to better understand travel behavior, trip origin and destinations and travel flow.
2. Use of survey results as input to the regional travel forecasting model.

Relationship To Other Work Elements

This work element relates to Metro's FY95 UPWP element "Travel Forecasting Surveys and Research". The element will enhance the regional travel database and the regional travel forecasting model.

FY95 Products

1. Analysis of travel behavior survey.
2. Incorporation of survey results in the regional travel forecasting model by Metro.

FY95 RTC Expenses:

	\$
Metro	134,509
RTC	10,000
Total	<u>144,509</u>

FY95 RTC Revenues:

	\$
WA STP	125,000
Local	19,509
	<u>144,509</u>

Refer to Metro's FY95 UPWP (Travel Forecasting Surveys and Research element) for full revenues and expenses.

II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

D. Commute Trip Reduction

In 1991, the Washington State legislature passed the Commute Trip Reduction (CTR) Law requiring that local jurisdictions with major employers adopt a Commute Trip Reduction Ordinance and that employers who have 100 or more employees arriving at work between 6 a.m. and 9 a.m. should establish a commute trip reduction program for their employees. The Law established goals of a 15% reduction in trips by 1995, a 25% reduction by 1997 and a 35% reduction by 1999. All affected Clark County jurisdictions have now adopted CTR ordinances. RTC's role in the CTR program will include providing technical assistance to jurisdictions in implementing and measuring the impacts of their CTR programs. CTR is a form of Transportation Demand Management (TDM).

Work Element Objectives

1. Provide technical assistance to local jurisdictions in implementing, measuring and evaluating CTR impacts.
2. Training of Employer Transportation Coordinators (ETCs).
3. Integration of CTR into the regional transportation planning process including MTP, TIP, Transportation Management Systems and Regional Transportation Data Base and Forecasting Model.
4. CTR program administration, including coordination with local jurisdictions, participation in the Clark County Regional TDM Planning Team and coordination with Oregon TDM activities, notably the Transportation Planning Rule (TPR) requirements.

Relationship To Other Work Elements

CTR is a form of Transportation Demand Management (TDM) and relates to MTP development, the TIP and uses data from the regional transportation database. TDM should be a strategy for reducing trips on the transportation system and will be addressed in the Congestion Management System work required by ISTEA.

FY95 Products

1. Review of annual TDM survey results.
2. Use of travel model, Transportation Control Measure (TCM) Tools planning software in conjunction with survey results to determine the impacts of employer programs on CTR zone and regional Single Occupant Vehicle (SOV) usage and Vehicle Miles Traveled (VMT) as well as travel speed impacts and air quality impacts.
3. Maps and graphics showing employer distribution, travel patterns, and survey results.
4. Participation in the annual training of ETCs from affected employers.

5. Integration of CTR into the regional transportation planning process.
6. Participate in Clark County Regional TDM Planning Team.
7. Quarterly reporting to Clark County, the lead agency for this work activity, on RTC's CTR activities.
8. Set up system for monitoring effectiveness of CTR in comparison with Oregon's TPR.

FY95 Expenses:

	\$
RTC	20,000
Total	<u>20,000</u>

FY95 Revenues:

	\$
WA State Energy Office	20,000
	<u>20,000</u>

II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

E. Air Quality Planning

(i) Air Quality Planning

In an effort to improve and/or maintain air quality, the federal government enacted the Clean Air Act Amendments in 1990. As a result, state and federal air quality conformity requirements are major considerations in the development of transportation plans and programs. Vehicle emissions are a source of air pollution and any measure taken to reduce or prevent an increase in such emissions will contribute to an improvement in air quality.; The MPO will monitor federal activity on the Clean Air Act and seek to implement any necessary transportation measures to maintain or reach attainment of national ambient air quality standards.

Clark County is currently designated as a marginal non-attainment area for ozone and a moderate non-attainment area for carbon monoxide. The transportation conformity requirements contained in the Federal Clean Air Act Amendments and the State Clean Air Act mandate that transportation plans and program are to be a part of air quality improvement strategies. To meet these requirements, data and analysis methodologies are required to develop demographic forecasts for attainment years, develop a VMT grid, monitor changes in VMT and analyze air quality implications through the EPA Mobile Emissions model and measure project level air quality impacts.

Work Element Objectives

1. Monitor federal guidance on the Clean Air Act.
2. Monitor state Clean Air Act legislation.
3. Identify potential Transportation Control Measures (TCMs) to attain and maintain air quality and relate to the State Implementation Plan (SIP).
4. Programming of identified TCMs in the Transportation Improvement Program (TIP).
4. Cooperate and coordinate with State Department of Ecology in their research and work on air quality in Washington State.
5. Use data and analysis methodologies to meet Federal Clean Air Act requirements.
6. Use data and analysis methodologies to meet State Clean Air Act requirements.
7. Participate in review and development of the State Implementation Plan (SIP) in integrating appropriate Transportation Control Measures (TCMs) for the region.
8. Prepare and provide data for DOE in relation to the car exhaust and maintenance (I/M) program implemented in the urbanized portion of the Clark County region.
9. To provide for consistency within the region RTC will provide project level conformity analysis for local jurisdictions.

Relationship to Other Work Elements

This work element relates to the Metropolitan Transportation Plan, the Transportation Improvement Program, Transit Development Program activities and planning for high occupancy vehicle modes of travel.

FY95 Products

1. Monitoring and implementation activities relating to the Federal and State Clean Air Acts.
2. Data and conformity documentation for MTP, TIP and project level analysis as required by the Clean Air Act Amendments of 1990.
3. Coordination with local agencies, South West Washington Air Pollution Control Authority (SWAPCA), the Washington State Department of Ecology (DOE), Metro and Oregon Department of Environmental Quality (DEQ) relating to air quality activities.

FY95 Sub-element Expenses:

	\$
RTC	22,000
Total	22,000

FY95 Sub-element Revenues:

	\$
FY95 PL	16,000
FTA Sec. 8	1,000
RTPO	2,000
Local	3,000
	22,000

(ii) TCM Evaluation Model

As a non-attainment area for ozone and carbon monoxide, it is important to have a reliable tool for the evaluation of transportation control measures. This work element will consist of developing analysis software to quantify the travel and emissions reductions of various transportation control measures and their cost-effectiveness for the Puget Sound, Spokane, and Vancouver urban areas. Most of the work in the element was carried out during FY94.

Work Element Objectives

1. To develop sketch planning level emissions analysis software customized to the travel and air shed characteristics of the three urban areas.
2. Integration of the TCM analysis capability into SIP Maintenance Plan process.
3. Utilization of emissions element of the analysis software to assist in complying with the quantification requirements for CM/AQ project funding.

Relationship to Other Work

This project draws from the regional transportation database and travel forecasting model to quantify travel and emissions impacts specific to the Vancouver area. The completion of the project will provide the capability to support and enhance a wide range of planning activities. It will provide technical staff and policy officials with technical information to assist in making decisions on criteria for project selection under ISTEA and will quantify the air quality benefits of transportation projects and programs for CM/AQ. This project also supports the federally-required air quality maintenance development which will likely require locally-developed TCMs.

FY95 Products

1. Development and incorporation of travel characteristics for a base and single horizon year specific to the Vancouver region for use in the TCM tool software analysis package.
2. Incorporation of Mobile 5A emission factors into emissions module of the TCM analysis software.
3. Evaluation of a wide range of TCMs for the Vancouver region including a summary of impacts on speed, VMT, emissions reduction and cost-effectiveness.
4. Training sessions on the operation, use, and interpretation of results from the TCM software.

FY95 Regional Expenses:

	\$
RTC	75,000
Total	<u>75,000</u>

FY95 State-wide Revenues:

	\$
CM/AQ	242,200
Local (State)	<u>37,800</u>
	280,000

NOTE: This sub-element is a Puget Sound Regional Council UPWP work element.

III. TRANSPORTATION PROGRAM COORDINATION AND MANAGEMENT

Introduction

The third section of the FY95 UPWP includes one main element, the **Regional Transportation Program Coordination and Management** element with four sub-elements, (i) **Transportation Coordination and Management**, (ii) **Bi-State Coordination**, (iii) **Public Involvement** and (iv) **Federal Compliance**.

Transportation Program Coordination and Management will include the development of meeting packets, minutes and reports for RTAC and the RTC Board, maintenance and development of the computer system, staff training, development of an annual Unified Planning Work Program (UPWP), production of quarterly and annual progress reports, MPO certification and certification that the local governments' comprehensive land use plans conform with the requirements of Section 7 of the Growth Management Act and that local transportation elements are consistent with the MTP.

The Bi-State Coordination element will include participation with Metro's transportation technical and policy committees as well as coordination of air quality and growth allocation issues.

The Public Involvement sub-element will include activities related to ensuring public input on the MTP, TIP and other major regional transportation planning activities.

The Federal Compliance element will address compliance with Title VI, ADA, competitive services planning and emergency preparedness planning.

III. TRANSPORTATION PROGRAM MANAGEMENT

A. Transportation Program Coordination and Management

This work element provides for the overall coordination and management of regional transportation planning program activities. It includes coordination with local transportation planning, studies and committees and relates to coordination required by the following program areas: Intermodal Surface Transportation Efficiency Act, Growth Management Act, Transportation Demand Management, High Capacity Transit and Air Quality.

(i) Transportation Program Coordination and Management

Work Element Objectives

1. Participate in and coordinate with special purpose state/local transportation committees such as the C-TRAN Board, the Vancouver Chamber of Commerce Transportation Committee, Clark County GMA Committees, WSDOT Committees such as the RTP/MPO Advisory Committee, Multi-Modal Transportation Program and Project Selection Committee and Transportation Enhancement Advisory Committee (EAC) and others.
2. Coordinate local transportation plans and projects.
3. Coordinate with State Department of Ecology in their research and work on air quality in Washington State.
4. Manage the regional transportation planning program.
5. Develop meeting packets, agenda, minutes, and reports/presentations for the RTC Board, Regional Transportation Advisory Committee, Skamania County Transportation Policy Committee and Klickitat County Transportation Policy Committee.
6. Monitor new legislative activities as they relate to regional transportation planning and certification requirements.
7. Certify that the transportation elements of local governments' comprehensive land use plans conform with the requirements of Section 7 of the Growth Management Act and certify that local transportation elements are consistent with the MTP
8. Participate in key transportation seminars and training.
9. Certification of the transportation planning process as required by ISTEA.
10. Annually develop and adopt a UPWP that describes all transportation planning activities to be carried out in the Washington portion of the Portland-Vancouver metropolitan area.
11. Maintain and upgrade the MPO/RTP/MPO computer system, including review of hardware and software needs to efficiently carry out the regional transportation planning program.
12. Provide computer training opportunities for MPO/RTP/MPO staff.

Relationship To Other Work Elements

Regional transportation coordination activities are vital to the success of the regional transportation planning program and interrelate with all UPWP work elements. Program management is interrelated with all the administrative aspects of the regional transportation planning program and to all the program activities. The UPWP represents a coordinated program that responds to regional transportation planning needs.

FY95 Products

1. Coordination efforts and participation in numerous transportation planning programs and committees.
2. Management of the regional transportation planning program.
3. Organization and administration relating to participation in transportation committees at the regional level.
4. Involvement of the business community in the transportation planning process.
5. Preparation of documentation for MPO certification and certification review as required by ISTEA. RTC's certification is due before September 30, 1994.
6. An adopted FY96 UPWP.
7. FY95 UPWP amendments, as necessary and quarterly progress reports on FY95 UPWP work activities.
8. Certification that the transportation elements of local governments' comprehensive land use plans conform with the requirements of Section 7 of the Growth Management Act and certify that local transportation elements are consistent with the MTP.
9. Efficient and effective use of existing computer system capabilities and research into future needs.

FY95 Sub-element Expenses:

	\$
RTC	64,164
Total	64,164

FY95 Sub-element Revenues:

	\$
FY95 PL	25,412
FTA Sec. 8	9,344
RTPO	16,374
Local	13,034
	64,164

III. TRANSPORTATION PROGRAM COORDINATION AND MANAGEMENT

(ii) Bi-State Coordination

The Bi-State Coordination sub-element will include participation with Metro's transportation technical and policy committees as well as coordination of air quality and growth allocation issues.

Work Element Objectives

1. Participation in Metro's Joint Policy Advisory Committee (JPACT) meetings.
2. Participation in Metro's Transportation Policy Alternatives Committee (TPAC).
3. Development of Bi-state ISTEA strategies.
4. Liaison with Metro and Oregon Department of Environmental Quality regarding air quality planning issues.
5. Participation in Metro's regional growth allocation workshops for future population and employment forecasts.
6. Co-ordination with Metro's Region 2040 work activities
7. Participation in bi-state transportation studies.

Relationship To Other Work Elements

The Bi-State Coordination sub-element relates to regional transportation planning activities and to HCT studies.

FY95 Products

1. Participation in Metro's regional transportation planning activities.

FY95 Sub-element Expenses:

	\$
RTC	9,530
Total	<u>9,530</u>

FY95 Sub-element Revenues:

	\$
FY95 PL	5,000
FTA Sec. 8	3,000
Local	<u>1,530</u>
	9,530

III. TRANSPORTATION PROGRAM MANAGEMENT

(iii) Public Involvement

Work Element Objectives

1. Implement the Public Involvement Program which is to be adopted before July 1, 1994. Any changes to the Program requires that the MPO meet the procedures outlined in the Metropolitan Planning regulations relating to ISTEA.
2. Conduct public review process for the MTP.
3. Conduct public review process for the TIP.
4. Draft press releases to provide a communication link with local media.
5. Communications will be mailed to interested citizens, agencies, and businesses.
6. Throughout the year requests are consistently received from various groups, agencies and organizations to provide information and give presentations on a series of regional transportation topics. These requests provide an important opportunity to gain public input and discussion on a variety of transportation issues.

Relationship To Other Work Elements

This sub-element provides for public participation in the regional transportation planning process. The public's participation in the regional transportation planning process and their input on the MTP and TIP is most valuable.

FY95 Products

1. Increased public awareness and information about regional and transportation issues.
2. Public information and input on transport issues and activities affecting the regional transportation system in Clark County and the Portland area.
3. Public meetings on the MTP and TIP.
4. Information publication and distribution on the regional transportation planning program.
5. Public notification and comment period for any proposed changes to the Public Involvement Program.

FY95 Sub-element Expenses:

	\$
RTC	25,016
Total	<u>25,016</u>

FY95 Sub-element Revenues:

	\$
FY95 PL	8,000
FTA Sec. 8	3,000
RTPO	6,000
Local	<u>8,016</u>
	25,016

III. TRANSPORTATION PROGRAM MANAGEMENT

(iv) Federal Compliance

The federal compliance sub-element will address certain issues relating to compliance with ISTEA, the Clean Air Act Amendments of 1990, the ADA, Title VI, competitive services planning, emergency preparedness planning and other federal requirements.

Work Element Objectives

1. Understanding of Clean Air Act Amendments conformity regulations as they relate to development of the State Implementation Plan (SIP). Participation in SIP development process led by the Washington State Department of Ecology (DOE). Development of a strategy for attaining and maintaining clean air standards by such means as analysis of Transportation Control Measures (TCMs) in terms of emissions reductions, identification of long-term TCMs in a maintenance plan and development of an emissions budget.
2. In 1990 the federal government enacted the Americans with Disabilities Act (ADA). The Act requires that mobility needs of persons with disabilities are comprehensively addressed. The MPO/RTPO will undertake planning activities, such as data gathering and analysis, needed to support C-TRAN's implementation of the ADA's provisions.
3. Assist C-TRAN in their implementation plans for a wheelchair-accessible fixed route transit service. Assistance will mainly be in provision of data, analysis and maps to help the accessibility program.
4. Participate as a staff member of C-TRAN's Special Services Advisory Committee (SSAC). The SSAC makes recommendations for the accessibility and paratransit Plan required by ADA.
5. FTA Circular 4702.1 outlines reporting requirements and procedures for transit agencies and MPOs to comply with Title VI of the Civil Rights Act of 1964. RTC and C-TRAN will work cooperatively to provide the necessary Title VI documentation, certification and updates to the information. C-TRAN Title VI documentation was updated with the release of 1990 Census data in FY92.
6. Consult with private providers and continue to notify them of plans for new transit service.
7. Coordination with local agencies in transportation emergency service planning and provision of data from the regional transportation database to assist in planning for routing of hazardous materials, identification of vulnerable transportation links and alternative routes. Development of strategic plans to cope with emergency situations such as earthquakes, volcanic eruptions, flooding, fires and spills of hazardous materials.

Relationship To Other Work Elements

This sub-element relates to the overall MPO/RTPO regional transportation planning program. Data to meet with federal requirements is obtained from the regional transportation database and federal requirements are addressed in the MTP and TIP.

FY95 Products

1. Development of strategy for clean air attainment and maintenance in collaboration with the state's Department of Ecology and local agencies.
2. Implementation of the requirements of the Americans with Disabilities Act relating to transportation planning and provision.
3. Assistance, particularly in production of maps and data analysis, to C-TRAN in their efforts to implement ADA and Title VI.
4. Title VI documentation and certification as required by FTA.
5. Coordination with C-TRAN to review opportunities for the private sector to provide public transportation services in the Clark County region and. cooperate and coordinate with C-TRAN in organizing and holding a meeting for private sector transportation providers, giving them an opportunity to discuss the region's Transportation Improvement Program.
6. TIP competitive services documentation.
7. Incorporate emergency preparedness provisions into the Metropolitan Transportation Plan.

FY95 Sub-element Expenses:

	\$
RTC	5,205
Total	<u>5,205</u>

FY95 Sub-element Revenues:

	\$
FY95 PL	2,000
FTA Sec. 8	2,000
Local	<u>1,205</u>
	5,205

A. Transportation Program Coordination and ManagementFY95 Expenses:

	\$
RTC	103,915
Total	<u>103,915</u>

FY95 Revenues:

	\$
FY95 PL	40,412
FTA Sec. 8	17,344
RTPO	22,374
Local	<u>23,785</u>
	103,915

IV. TRANSPORTATION PLANNING ACTIVITIES OF STATE AND LOCAL AGENCIES

Introduction

Federal ISTEA legislation requires that all transportation planning studies to be undertaken in the region are included in the MPO's UPWP regardless of the funding source or agencies conducting the activities. Section IV provides a description of identified planning studies and their relationship to the MPO's planning process.

A. Washington State Department of Transportation, District 4

Washington State Department of Transportation, District 4, publishes a FY95 Unified Planning Work Program to document their proposed planning activities for the fiscal year. Development of the MPO and WSDOT UPWPs was coordinated by RTC and WSDOT staff. The *Washington State Department of Transportation, District 4, FY95 Unified Planning Work Program* provides details of each of their planning elements and describes funding levels for each element.

Work Elements

- **WSDOT Planning, Coordination and Management:** WSDOT includes several elements relating to planning, coordination and management of their local planning program.

The following elements are of particular significance to RTC's MPO/RTPO work program:

- **I-205/NE 18TH STREET INTERCHANGE FEASIBILITY STUDY:** Coordination with MPO and local agencies to include freeway access issues, transit accessibility and land use impacts. The element is described in the MPO UPWP. Funding will be sought from STP state-wide competitive funds.
- **SR-14 Management Plan:** will be included in WSDOT's UPWP. Funding is already secured for the Plan.

Funding sources have not yet been identified for the following elements so they may be deferred to future work programs:

- **SR-14/Camas Slough to Scenic Area Boundary Needs Study**
-
- **SR-500/162nd to Camas Corridor Study**

IV. TRANSPORTATION PLANNING ACTIVITIES OF STATE AND LOCAL AGENCIES**B. C-TRAN**

The following FY95 planning elements have been identified by C-TRAN:

- **Management Information Study** to determine data collection process (Estimated Budget \$10,000)
- **Latent Demand Study** to determine unmet potential ridership (Estimated Budget \$40,000)
- **Marketing Research/Development:** for HCT research, focus groups/surveys, executive interviews (Estimated Budget \$82,000).
- **Park and Ride Planning:** (Fisher's Landing and Central County Park and Ride budgets, to include planning, property acquisition and engineering/design, are \$1,991,000 and \$935,000 respectively).
- **Signal Preemption Study (Phase II)** to analyze feasibility of implementing traffic signal preemption system to reduce bus travel times. (Estimated Budget \$50,000).
- **Commute Trip Reduction Program** to provide support in program development for impacted employers to reduce SOV trips. (Estimated Budget \$117,000).
- **HCT Study, Tier I and Tier II,** is described in Section I of RTC's FY95 UPWP (South/North Transit Corridor Alternatives Analysis/Draft EIS element).

IV. TRANSPORTATION PLANNING ACTIVITIES OF STATE AND LOCAL AGENCIES

C. Clark County

The following planning study has been identified by Clark County:

- **Felida/West Hazel Dell Sub-Area Planning Study:** to analyze local transportation needs in the Felida/West Hazel Dell area of Clark County.

GLOSSARY

ADA	Americans with Disabilities Act
AQMA	Air Quality Maintenance Area
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CO	Carbon Monoxide
CM/AQ	Congestion Mitigation/Air Quality
CTAC	Consolidated Transportation Advisory Committee
CTPP	Census Transportation Planning Package
CTR	Commute Trip Reduction
DOE	Department of Ecology (State)
DOT	Department of Transportation (U.S.)
EPA	Environmental Protection Agency
FHWA	Federal Highways Administration
FTA	Federal Transit Administration (formerly UMTA)
FY	Financial Year
GMA	Growth Management Act (State)
HCT	High Capacity Transit
I/M	Inspection/Maintenance
IRC	Intergovernmental Resource Center
ISTEA	Intermodal Surface Transportation Efficiency Act (1991)
JPACT	Joint Policy Advisory Committee, Metro, Portland, Oregon
LMC	Lane Mile Congestion
LOS	Level of Service
LRT	Light Rail Transit
Metro	Metropolitan Service District, Portland, Oregon
MPO	Metropolitan Planning Organization
MTP	Metropolitan Transportation Plan
NAAQS	National Ambient Air Quality Standards
NHS	National Highway System
ODOT	Oregon Department of Transportation
PTBA	Public Transportation Benefit Authority
RTC	Southwest Washington Regional Transportation Council
RTP	Regional Transportation Plan
RTPO	Regional Transportation Planning Organization
SIP	State Implementation Plan
SSAC	Special Services Advisory Committee
TAZ	Transportation Analysis Zone
TCMs	Transportation Control Measures
TDM	Transportation Demand Management
TDP	Transit Development Program
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TPAC	Transportation Policy Alternatives Committee, Metro, Portland, Oregon
TPC	Transportation Policy Committee
TPR	Transportation Planning Rule
TSM	Transportation System Management
UMTA	Urban Mass Transportation Administration (now FTA)
UPWP	Unified Planning Work Program
VMT	Vehicle Miles Traveled
WSDOT	Washington State Department of Transportation

SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL FY95 UNIFIED PLANNING WORK PROGRAM - SUMMARY OF REVENUES/EXPENDITURES BY FUNDING SOURCE (\$000's)									
WORK ELEMENT		PL	FTA	RTPO	CM/AQ	STP	OTHER	MPO Funds	RTC TOTAL
I REGIONAL TRANSPORTATION PLANNING PROGRAM									
A	Metropolitan Transportation Plan	30,000	10,000	19,000	0	0	0	14,000	73,000
B	Transportation Improvement Program	17,000	5,000	11,000	0	0	0	5,000	38,000
C	Congestion Management System	0	0	0	200,000	0	0	31,214	231,214
D	South/North Alternatives Analysis/Draft EIS 1	0	0	0	0	0	0	0	0
E	Skamania County RTPO 2	0	0	16,900	0	18,000	0	0	34,900
F	Klickitat County RTPO 2	0	0	18,700	0	18,000	0	0	36,700
G	Clark County/RTC Rural Arterial Study 3	0	0	0	0	47,575	7,425	0	55,000
H	Vancouver Amtrak Station Project 4	0	0	0	0	0	0	0	0
I	I-205/NE 18th St. Interchange Study 4	0	0	0	0	0	0	0	0
	Sub-Total	47,000	15,000	65,600	200,000	83,575	7,425	50,214	468,814
II DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS									
A	Reg. Transp. Data Base and Forecasting	62,000	12,000	10,000	0	0	0	22,000	106,000
I	Regional Transportation Data Base	31,000	6,000	5,000	0	0	0	11,000	53,000
II	Regional Travel Forecasting Process	31,000	6,000	5,000	0	0	0	11,000	53,000
B	Growth Management Act	2,000	0	8,000	0	0	0	1,000	11,000
C	Metro Travel Behavior Survey 1	0	0	0	0	0	0	0	0
D	Commute Trip Reduction 5	0	0	0	0	0	20,000	0	20,000
E	Air Quality Planning	16,000	1,000	2,000	0	0	75,000	3,000	97,000
I	Air Quality Planning	16,000	1,000	2,000	0	0	0	2,750	21,750
II	TCM Evaluation Model 6	0	0	0	0	0	75,000	0	75,000
	Sub-Total	80,000	13,000	20,000	0	0	95,000	26,001	234,001
III TRANSPORTATION PROGRAM COORDINATION AND MANAGEMENT									
A	Reg. Transp. Program Coord. & Management	40,412	17,344	22,374	0	0	0	23,785	103,915
I	Reg. Transp. Program Coord. & Management	25,412	9,344	16,374	0	0	0	13,034	64,164
II	Bi-State Coordination	5,000	3,000	0	0	0	0	1,530	9,530
III	Public Involvement	8,000	3,000	6,000	0	0	0	8,016	25,016
IV	Federal Compliance	2,000	2,000	0	0	0	0	1,205	5,205
	Sub-Total	40,412	17,344	22,374	0	0	0	23,785	103,915
Totals		167,412	45,344	107,974	200,000	83,575	102,425	100,000	808,730

Feb. 9, 1994

NOTES: PL and FTA Allocations (WSDOT Memo, 12/1/93); RTPO Allocation per 2/9/94 telephone call from B. Wiebe, WSDOT HQ)

Numbers may not add due to rounding in the spreadsheet program

1 Funding will be set in next UPWP draft

2 Local match for STP will be provided from RTPO funds

3 Clark County is providing match (see Other column)

4 Funding anticipated, but amount unknown

6 Washington State Energy Office funding through Clark County

6 Puget Sound Regional Council UPWP Element

BEFORE THE METRO COUNCIL

Council
3/24/94
8.1

FOR THE PURPOSE OF ACQUIRING)	RESOLUTION NO. 94-1939
LEGAL SERVICES FOR OPINION ON)	
COUNCIL CONTRACTING AUTHORITY)	Introduced by Governmental
)	Affairs Committee

WHEREAS, The lines of authority are not clear between the Council and the Executive Officer regarding approval of contracts and amendments to existing contracts; and

WHEREAS, The Metro Council would like clarification of the authorities of the Council and the Executive Officer on contracting matters pursuant to the provisions of the 1992 Metro Charter; and

WHEREAS, Metro's General Counsel is normally requested to provide legal opinions for the agency, but in cases of questions involving the division of powers of the Council and the Executive Officer as established by the Metro Charter the General Counsel may be precluded from giving advice; and

WHEREAS, The General Counsel is authorized to employ outside legal counsel on behalf of the Council; and

WHEREAS, The Council recognizes that appropriate budget adjustments will need to be made once costs are known; now, therefore,

BE IT RESOLVED,

That the Metro Council authorizes the General Counsel, pursuant to the provisions of Metro Code Section 2.08.070(b), to employ outside legal counsel acceptable to the Presiding Officer and Chairs of the Governmental Affairs and Finance Committees to advise the Council regarding its authority under the 1992 Metro Charter to control the approval of contracts and contract amendments.

Adopted by the Metro Council this 24th day of March, 1994.

Judy Wyers, Presiding Officer

Council 3/24/94 8.1 Councilor Van Bergen Speech

TUESDAY, ON THE GOVERNMENTAL AFFAIRS COMMITTEE AGENDA, THERE WAS A DISCUSSION ITEM ON THE SEPARATION OF POWERS BETWEEN THE EXECUTIVE AND THE COUNCIL.

THIS DISCUSSION WAS GENERATED BY THE MANNER IN WHICH AN AMENDMENT WAS SIGNED BY THE EXECUTIVE AS TO THE WASTE MANAGEMENT CONTRACT.

THE ISSUE IS NOT THAT THE AMENDMENT WAS GOOD OR BAD -- BUT RATHER WHO HAS THE ULTIMATE AUTHORITY TO SIGN.

THE BASIS FOR THE DISCUSSION AT THE COMMITTEE WAS THAT:

- (1) THE DESIGNATED FACILITIES CODE REQUIRES AMONG OTHER THINGS THAT AMENDMENTS ARE TO BE APPROVED BY THE COUNCIL

-AND-

- (2) OUR VIEW WAS THAT LEGAL COUNSEL IS DESIGNATED TO HAVE A CONFLICT OF INTEREST IF A REQUESTED OPINION DEALS WITH THE DIVISION OF POWERS BETWEEN THE EXECUTIVE AND THE COUNCIL

-AND-

- (3) WHILE THERE ARE PARTICULAR STATUTES AND CODE PROVISIONS