



**METRO**

DATE: April 28, 1994  
 MEETING: Metro Council  
 DAY: Thursday  
 TIME: 4:00 p.m.  
 PLACE: Metro Council Chamber

Approx. Time\* Presented By

4:00 **CALL TO ORDER/ROLL CALL**

**1. INTRODUCTIONS**

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

4:05 **3. EXECUTIVE OFFICER COMMUNICATIONS**

(10 min.) **3.1 Tabloid from Region 2040**

4:15 **4. OTHER BUSINESS**

(20 min.) **4.1 Consideration and Review of MERC Resolution No. 94-15**

4:35 **5. CONSENT AGENDA** (Action Requested: Motion to Adopt the Consent Agenda)  
 (5 min.)

REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE

**5.1 Resolution No. 94-1945**, For the Purpose of Accepting a Nominee to the Metro Committee for Citizen Involvement (Metro CCI)

**6. ORDINANCES, SECOND READINGS**

REFERRED FROM THE SOLID WASTE COMMITTEE

4:40 **6.1 Ordinance No. 94-546**, For the Purpose of Amending Franchise No. 12 for Hansen  
 (10 min.) Pemco, Inc. to Authorize an Additional Temporary Location for Treatment of Petroleum Contaminated Soil and Declaring an Emergency PUBLIC HEARING (Action Requested: Motion to Recommend Adoption of the Ordinance)

**7. RESOLUTIONS**

REFERRED FROM THE PLANNING COMMITTEE

4:50 **7.1 Resolution No. 94-1937**, For the Purpose of Amending the FY 1994 Metro Devlin  
 (10 min.) Transportation Improvement Program to Allocate Funds to Support the Extension of Westside Light Rail to the City of Hillsboro (Action Requested: Motion to Adopt the Resolution)

For assistance/services per the Americans with Disabilities Act (ADA), dial TDD 797-1804 or 797-1534 (Clerk).  
 \* Times are approximate; items might not be considered in the exact order listed.

METRO COUNCIL AGENDA

April 28, 1994

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**7. RESOLUTIONS** (Continued)

5:00 (10 min.)      **7.2 Resolution No. 94-1930**, For the Purpose of Describing Intended Metro Action on Final Region 2040 Reports and Comments (Action Requested: Motion to Adopt the Resolution)      Moore

5:10 (10 min.)      **7.3 Resolution No. 94-1949**, For the Purpose of Endorsing the ODOT/DLCD Funding Recommendations for the Transportation and Growth Management Grant Program (Action Requested: Motion to Adopt the Resolution)      Gardner

REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE

5:20 (10 min.)      **7.4 Resolution No. 94-1932**, For the Purpose of Establishing Personnel Policies for Council Department Employees (Action Requested: Motion to Adopt the Resolution)      Buchanan

REFERRED FROM THE FINANCE COMMITTEE

5:30 (10 min.)      **7.5 Resolution No. 94-1933**, For the Purpose of Creating the Department of General Services and Confirming the Appointment of Douglas E. Butler to the Position of Director of General Services (Action Requested: Motion to Adopt the Resolution)      Washington

5:40 (10 min.)      **7.6 Resolution No. 94-1951**, For the Purpose of Authorizing a Multi-Year Intergovernmental Agreement with Tri-Met for Construction Management Services for the Westside Light Rail Project (Action Requested: Motion to Adopt the Resolution)      Buchanan

5:50      **8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS**

6:00      **ADJOURN**

Meeting Date: April 28, 1994  
Agenda Item No. 4.1

MERC RESOLUTION NO. 94-15



**METRO**

DATE: April 11, 1994  
TO: Paulette Allen, Clerk of the Council  
FROM: Councilor Sandi Hansen *[Signature]*  
Councilor Ruth McFarland *[Signature]*  
Councilor Rod Monroe *[Signature]*  
RE: MERC RESOLUTION NO. 94-15

Please be advised that we, Councilors Hansen, McFarland and Monroe, are requesting review of Metropolitan Exposition-Recreation Commission Resolution No. 94-15. Per Metro Code Section 6.01.080(b), we are:

- 1) Requesting review of Resolution No. 94-15, Adopting the Support Costs Analysis Report dated March 1994 and establishing guideline limits as contained in the report.
- 2) We are requesting review of this resolution because the proposed policies for allocation of support services costs are counter to current Metro policies and practices and such proposed policies could jeopardize the integrity of the District's annual cost allocation plan.
- 4) Councilors Hansen, McFarland and Monroe may be contacted at 797-1700, 600 NE Grand, Portland, Oregon, 97232.

Please schedule Resolution No. 94-15 on the April 28 Council agenda for the Council's review and/or action.

c: Metro Council  
MERC  
Rena Cusma  
Dan Cooper  
Mark Williams  
Don Carlson  
Casey Short  
Pat LaCrosse

RECEIVED APR 04 1994

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 94-15


Adopting the Support Costs Analysis Report dated March, 1994 and establishing guideline limits as contained in the report.


The Metropolitan Exposition-Recreation Commission finds:

1. There has been a shift in support services from MERC to Metro;
2. The support service costs have been analyzed;
3. Concerns have been raised regarding the rate of growth of support costs;
4. Resolution No. 94-10 recommending reallocation of hotel tax funds to support the PCPA requires that guideline limits for support costs be established;
5. It is prudent to establish guideline limits for support costs to ensure these costs are consistent with the size of business;

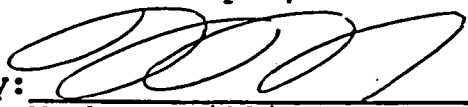
BE IT THEREFORE RESOLVED that the Commission adopts the Support Costs Analysis Report and recognizes the proposed guideline limits as an administrative standard to be used and reviewed annually during the budget process.

Passed by the Commission March 30, 1994.

  
Chairman

  
Secretary-Treasurer

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

By:   
Mark B. Williams  
Senior Assistant Counsel

**M.E.R.C.**

**SUPPORT BUSINESS PLAN**

**REPORT 1:**

**Support Cost Analysis**

**March 1994**

**MERC STAFF REPORT  
SUPPORT COSTS ANALYSIS  
MARCH, 1994**

Presented By: Pat LaCrosse and Heather Teed

**BACKGROUND**

The Stadium, PCPA, OCC and Expo Center pay for support services provided by both Metro and MERC Administration. The types of support services provided to the facilities include general management, finance, accounting, personnel, insurance and legal.

Metro support service costs are charged to MERC, as a whole unit/department based on an elaborate allocation plan. The Metro allocation plan incorporates various factors to determine the allocation percentage applicable to MERC. These factors, which include the number of accounting transactions, number of employees, property values and estimated time based on projects, are intended to reflect the level of support services used by MERC.

Once the Metro charges are calculated for MERC, these charges along with the MERC Administration charges are divided among the facilities via a MERC "internal" allocation plan. This internal allocation plan incorporates some of the same factors as used in the Metro plan. Again, the intent of the internal allocation plan is to charge the facilities based on their respective use of the support services.

**HISTORY**

When the facilities were transferred to Metro, consolidation of functions did not occur immediately; some duplication of functions occurred during the first few years. However, as Metro and MERC became more familiar with one another, it was clear that some efficiencies could be obtained by consolidating certain functions. Metro conducted several studies to obtain the expertise necessary to decide how best to provide these various support services. The consolidation of the support services met considerable resistance by the MERC Administration department, which resulted in more time involved to streamline the operation than anticipated. Nonetheless, the past two years have seen a hand-off of certain functions to Metro such as personnel and accounting. MERC continues to maintain overall management and industry-specific functions such as event settlements. This overall consolidation has worked well without much duplication of effort by MERC and Metro.

MERC STAFF REPORT  
SUPPORT COSTS ANALYSIS  
Page 2

From this consolidation, a few complications have arisen in regard to the charges by Metro. The first complication was Metro's decision to become self-insured beginning with fiscal year 91-92. This required a \$1 million investment over two years to build up an insurance fund. However, in the long run, the program will reduce overall insurance costs. A second complication was the loss of the Coliseum. That meant that administrative and support costs had to be spread across a smaller base, thus increasing the cost to each individual facility.

In order to understand the support service costs and their relationship to the MERC facilities, staff reviewed and analyzed these costs along with all other facility costs. From a historical perspective, the Metro and MERC charges were reviewed for fiscal years 90-91 through the current projected budget for 94-95. The costs were detailed by the type of functions and analyzed in relation to the business for the respective year (see Exhibits 1 & 2).

As can be seen in Exhibits 1 & 2, the combined Metro and MERC support costs historically have been reasonable. Exhibit 2 graphically shows the hand-off of support services from MERC to Metro in FY 93-94 and the fairly steady combined support services costs over the five years.

After four years' experience, overall support and administrative costs have declined from a high of \$2.2 million in FY 92-93 to a proposed \$1.8 million in the FY 94-95 budget. Significant decreases are shown in MERC Administration, insurance and information systems; increases have been experienced in accounting, procurement and personnel charges.

While some of the increase reflects a transfer of functions to Metro, continued increase in light of the loss of the Coliseum and other business is of some concern. Looking at these costs as a percentage of the total MERC budget, they have remained between 8% and 11% during the entire period. In fiscal year 90-91, they were at a low of 8.3% and rose to 10% in fiscal year 93-94. This increase was primarily due to the loss of the Coliseum's \$9 million budget. A loss of that size dramatically reduces the base upon which to spread fixed costs.

In the upper half of Exhibit 2, the loss of the Coliseum in FY 93-94 is evident from the sharp decline in total MERC costs. Overall support costs did decrease with the loss of the Coliseum, but not at the same level. The total budget decrease from fiscal year 92-93 to 93-94 was -28.9% while Metro support service charges went down 15.3% and MERC Administration decreased by 20.8%.



### CURRENT STATUS

Since the loss in July 1993 of the Memorial Coliseum (or the "cash cow" as it was called), MERC recognized a need to evaluate the remaining facilities and set a course for the future to better manage costs. The Business Plan project, which is in the final phase, has done this.

One issue that has been raised in the Business Planning process is the need to have the support service costs more closely reflect the business needs and, in turn, the changes in business. Furthermore, there needs to be a way to manage these costs, rather than simply budget for them without control. This same issue has been raised in various meetings by the PCPA Advisory Committee, the Tri County Lodging Association and MERC facility management, as well as by others.

### CONCLUSION & ESTABLISHING GUIDELINE LIMITS

The need for cost containment leads staff to propose that guideline limits be established for managing Metro and MERC support costs.

Staff proposes establishing separate guideline limits for Metro support and insurance charges and MERC support charges. During the annual budget process, these guideline limits would then be applied to the proposed total facility budgeted expenditures less transfers and reimbursements to determine if support costs are reasonable as compared to the projected business.

Staff has calculated the guideline limits using the fiscal year 93-94 budget (see Exhibit 3). Fiscal year 93-94 was used since it is the most recent fiscal year, it does not include the Memorial Coliseum and it was presumed to be a reasonable financial indicator of an average/usual year for each facility. The initial guideline limits were determined by taking the MERC and Metro transfers (separately) as a percentage of total facility budgeted expenditures less transfers and contingency.

Once staff determined the initial percentage guideline limits, we prepared an analysis which applied the limits back historically to fiscal years 90-91, 91-92 and 92-93 (see Exhibit 4). The purpose of this analysis was to determine if the initial percentage guideline limits were indeed reasonable and within the general range of where actual transfer costs were historically.

MERC STAFF REPORT  
SUPPORT COSTS ANALYSIS  
Page 4

After analysis, discussion and some minor adjustments, staff proposes the following percentage guideline limits for each facility:

	<u>MERC</u> <u>Support</u>	<u>Metro</u> <u>Support</u>
Stadium	3.7%	6.0%
PCPA	3.7%	7.0%
OCC	3.5%	7.0%

An analysis of these proposed guideline limits compared to the proposed fiscal year 94-95 budget is attached (see Exhibit 5).

12/26/94  
 12/04/94 REVISED  
 12/15/94 REVISED

METRO SUPPORT SERVICES, INSURANCE AND MERC ADMIN CHARGES

DESCRIPTION	BUDGET FY 90-91	BUDGET FY 91-92	BUDGET FY 92-93	BUDGET FY 93-94	PROPOSED FY 94-95
SUPPORT SERVICES:					
INSURANCE	\$64,756	\$60,472	\$74,539	\$50,140	\$63,964
LEGAL	51,618	55,155	62,892	37,766	39,638
ACCOUNTING	159,304	192,521	233,604	287,913	298,403
OFFICE SERVICES	0	3,038	11,009	0	1,583
PERSONNEL	152,033	185,813	211,379	195,086	203,036
PROCUREMENT	6,901	587	19,144	27,130	13,278
PUBLIC AFFAIRS	18,248	4,688	6,578	2,110	406
INFORMATION SYS	90,101	144,903	129,234	94,084	99,032
CONSTR/CODE SUPP	21,756	7,019	18,026	0	0
GRAPHICS	0	0	0	0	514
GENERAL EXPENSES	0	0	0	0	21,356
INDIRECT/POOLED	17,857	100,072	83,267	48,770	85,198
FACILITIES MGMNT	0	507	0	0	0
SUPPORT SERVICES	582,574	754,775	849,672	742,999	826,408
OTHER:					
INSURANCE	185,976	510,177	535,611	327,068	236,703
EXPO CENTER ALLOC	0	0	0	103,331	108,521
TOTAL METRO CHRGS	768,550	1,264,952	1,385,283	1,173,398	1,171,632
MERC ADMIN	976,725	832,999	782,191	619,740	633,612
TOTAL ALL CHARGES	\$1,745,275	\$2,097,951	\$2,167,474	\$1,793,138	\$1,805,244

ALLOCATION OF CHARGES BY FACILITY

DESCRIPTION	ACTUAL 90-91	ACTUAL 91-92	ACTUAL 92-93	BUDGET 93-94	PROPOSED 94-95
PERFORMING ARTS	\$288,001	\$391,066	\$413,770	\$443,213	\$476,164
STADIUM	133,463	180,958	195,207	224,944	145,757
MEMORIAL COLISEUM	478,040	656,501	693,137	0	0
CONVENTION CENTER	559,279	692,432	753,222	951,642	1,001,302
EXPO CENTER	0	0	0	173,339	182,021
TOTAL ALLOCATION	\$1,458,783	\$1,920,957	\$2,055,336	\$1,793,138	\$1,805,244

TOTAL MERC EXPEND.

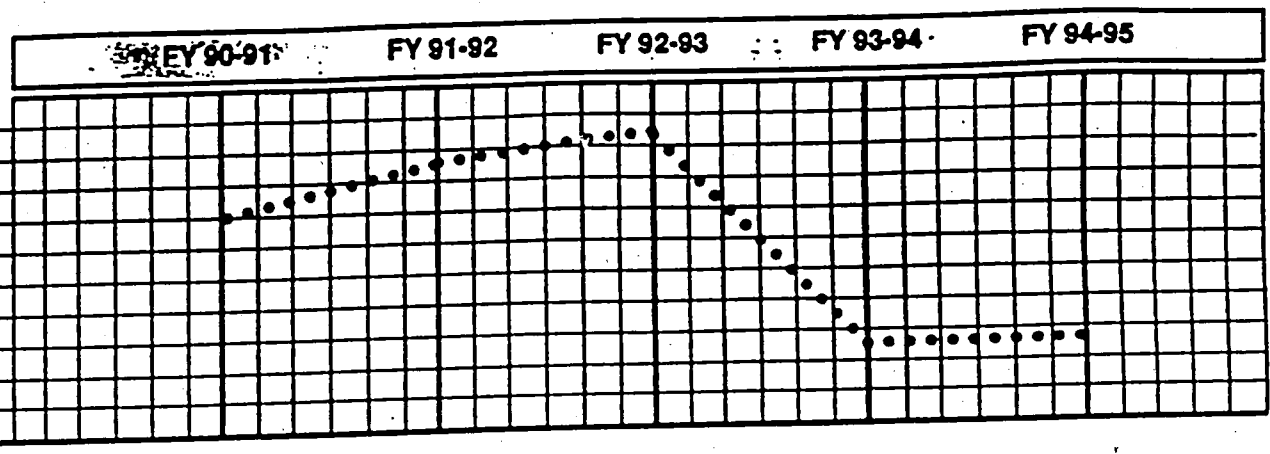
LESS METRO TRNSF

LESS RENEWAL/REPLAC

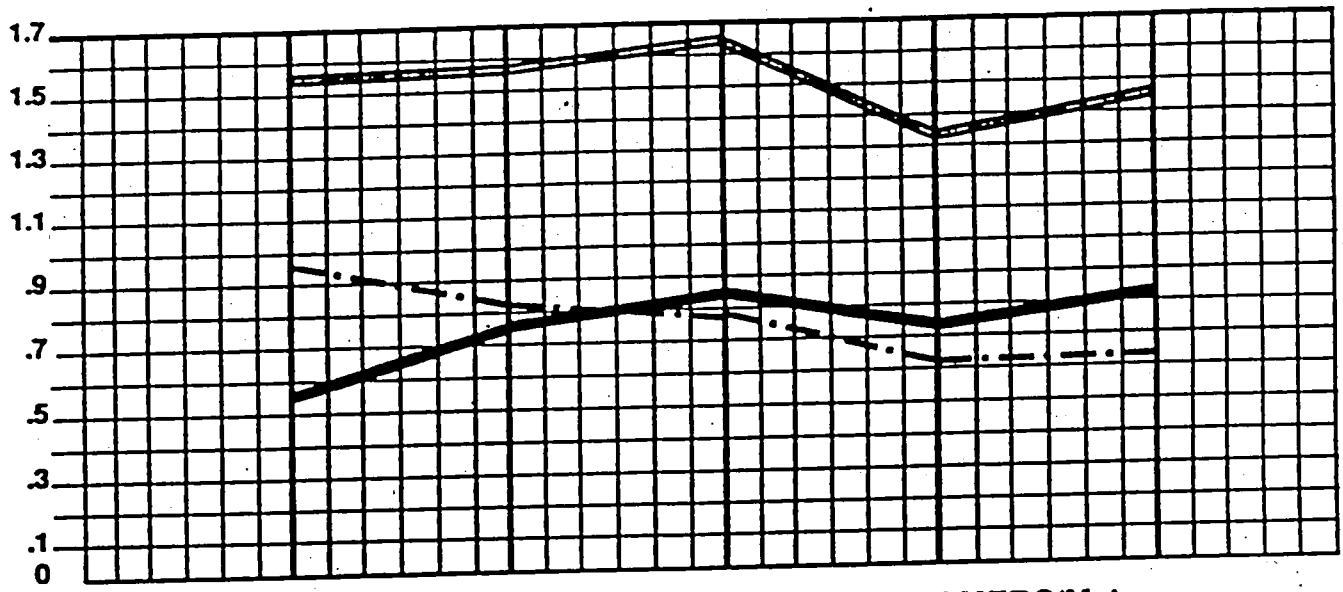
LESS CONTINGENCY \$22,087,200 \$23,470,850 \$24,379,367 \$17,402,154 \$17,744,431

IN MILLIONS

Expenditures (1)



Budgeted Support Costs(2)



Metro  
 MERC  
 Combined MERC/Metro  
 MERC Expenditures

(1) MERC Expenditures are total expenditures less Metro transfers, renewal & replacement transfers and contingency.

(2) Budgeted Metro support costs exclude Insurance and Expo Center allocation.

MERC  
 CALCULATE GUIDELINE LIMITS FOR SUPPORT COSTS  
 BASED ON FY 93-94 BUDGET  
 PREPARED FEBRUARY 15, 1994

FACILITY	TOTAL EXPENDITURES LESS TRNSF & CONTINGENCY	MERC SUPPORT TRANSFERS	% LIMIT	METRO SUPPORT TRANSFERS	% LIMIT	COMBINED SUPPORT TRANSFERS	% LIMIT
Stadium	\$2,404,291	\$82,736	3.4%	\$142,483	5.9%	\$225,219	9.4%
PCPA	\$4,466,833	\$153,653	3.4%	\$289,285	6.5%	\$442,938	9.9%
OCC	\$8,795,463	\$313,351	3.6%	\$638,291	7.3%	\$951,642	10.8%

MERC  
HISTORICAL COMPARISON OF  
CALCULATED GUIDELINE LIMITS  
PREPARED FEBRUARY 15, 1994

COMPARED TO ACTUAL FY 92-93:

FACILITY	TOTAL EXPENDITURES LESS TRNSF	MERC SUPPORT TRANSFERS	ACTUAL %	% LIMIT	\$ DIFF FROM ACTUAL TO LIMIT	METRO SUPPORT TRANSFERS	ACTUAL %	% LIMIT	\$ DIFF FROM ACTUAL TO LIMIT	COMBINED SUPPORT TRANSFERS	ACTUAL %	% LIMIT	TOTAL \$ DIFF FROM ACTUAL TO LIMIT
Stadium	\$1,710,223	\$74,817	4.4%	3.4%	\$16,669	\$120,390	7.0%	5.9%	\$19,487	\$195,207	11.4%	9.4%	\$36,156
PCPA	\$4,585,666	\$164,715	3.6%	3.4%	\$8,802	\$249,055	5.4%	6.5%	(\$49,013)	\$413,770	9.0%	9.9%	(\$40,211)
OCC	\$7,850,345	\$232,036	3.0%	3.6%	(\$50,576)	\$521,186	6.6%	7.3%	(\$51,889)	\$753,222	9.6%	10.8%	(\$102,465)

COMPARED TO ACTUAL FY 91-92:

FACILITY	TOTAL EXPENDITURES LESS TRNSF	MERC SUPPORT TRANSFERS	ACTUAL %	% LIMIT	\$ DIFF FROM ACTUAL TO LIMIT	METRO SUPPORT TRANSFERS	ACTUAL %	% LIMIT	\$ DIFF FROM ACTUAL TO LIMIT	COMBINED SUPPORT TRANSFERS	ACTUAL %	% LIMIT	TOTAL \$ DIFF FROM ACTUAL TO LIMIT
Stadium	\$1,777,991	\$72,996	4.1%	3.4%	\$12,544	\$107,962	6.1%	5.9%	\$3,061	\$180,958	10.2%	9.4%	\$15,605
PCPA	\$3,621,363	\$155,783	4.3%	3.4%	\$32,657	\$235,283	6.5%	6.5%	\$0	\$391,066	10.8%	9.9%	\$32,657
OCC	\$6,878,551	\$229,665	3.3%	3.6%	(\$17,963)	\$462,767	6.7%	7.3%	(\$39,367)	\$692,432	10.1%	10.8%	(\$57,330)

COMPARED TO ACTUAL FY 90-91:

FACILITY	TOTAL EXPENDITURES LESS TRNSF	MERC SUPPORT TRANSFERS	ACTUAL %	% LIMIT	\$ DIFF FROM ACTUAL TO LIMIT	METRO SUPPORT TRANSFERS	ACTUAL %	% LIMIT	\$ DIFF FROM ACTUAL TO LIMIT	COMBINED SUPPORT TRANSFERS	ACTUAL %	% LIMIT	TOTAL \$ DIFF FROM ACTUAL TO LIMIT
Stadium	\$1,467,380	\$68,651	4.7%	3.4%	\$18,761	\$64,812	4.4%	5.9%	(\$21,763)	\$133,463	9.1%	9.4%	(\$3,002)
PCPA	\$4,124,133	\$146,709	3.6%	3.4%	\$6,488	\$141,292	3.4%	6.5%	(\$126,777)	\$288,001	7.0%	9.9%	(\$120,289)
OCC	\$6,436,494	\$281,217	4.4%	3.6%	\$49,503	\$278,062	4.3%	7.3%	(\$191,802)	\$559,279	8.7%	10.8%	(\$142,299)

MERC  
 COMPARISON OF PROPOSED GUIDELINE LIMITS  
 TO PROPOSED FY 94-95 BUDGET  
 PREPARED FEBRUARY 15, 1994  
 (Revised 2/24/94)

FACILITY	TOTAL EXPENDITURES LESS TRNSF & CONTINGENCY	MERC SUPPORT TRANSFERS	PROPOSED %	X LIMIT	\$ DIFF FROM PROPOSED TO LIMIT	METRO SUPPORT TRANSFERS	PROPOSED %	X LIMIT	\$ DIFF. FROM PROPOSED TO LIMIT	COMBINED SUPPORT TRANSFERS	PROPOSED %	X LIMIT	TOTAL \$ DIFF FROM PROPOSED TO LIMIT
Stadium	\$1,869,616	\$50,295	2.7%	3.7%	(\$18,881)	\$95,462	5.1%	6.0%	(\$16,715)	\$145,757	7.8%	9.7%	(\$35,596)
PCPA	\$4,112,038	\$164,306	4.0%	3.7%	\$12,161	\$311,858	7.6%	7.0%	\$24,015	\$476,164	11.6%	10.7%	\$36,176
OCC	\$9,934,371	\$345,511	3.5%	3.5%	\$0	\$655,791	6.6%	7.0%	(\$39,615)	\$1,001,302	10.1%	10.5%	(\$39,615)

Meeting Date: April 28, 1994  
Agenda Item No. 5.1

RESOLUTION NO. 94-1945



GOVERNMENTAL AFFAIRS COMMITTEE REPORT

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RESOLUTION NO. 94-1945, ACCEPTING A NOMINEE TO THE METRO COMMITTEE FOR CITIZEN INVOLVEMENT (METRO CCI) TO FILL A VACANCY IN THE MEMBERSHIP OF THE COMMITTEE

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Date: April 13, 1994

Presented by: Councilor Gates

**COMMITTEE RECOMMENDATION:** At its April 12, 1994 meeting the Governmental Affairs Committee voted 4-0 to file Resolution No. 94-1945 with the Clerk of the Council and recommend Council adoption. All committee members were present and voted in favor.

**COMMITTEE DISCUSSION/ISSUES:** Associate Council Analyst Judy Shioishi presented the staff report. She said this resolution would fill a vacancy in a long-vacant position on the Citizens' Involvement Committee representing Council District #4. The nomination was forwarded by the Washington County citizens' involvement group after a lengthy deliberation. In response to a question from Councilor Gates, Ms. Shioishi said the discussion was lengthy because there was a shortage of applicants for the position and because the nominee is a planner employed by one of the cities in the area (Tigard).

Councilor Van Bergen expressed a concern about the size and effectiveness of the committee. Ms. Shioishi said this issue was scheduled for discussion later in the agenda, under the heading of the need to reconfigure the CCI to reflect the 1995 change in the size of the Council.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ACCEPTING	)	RESOLUTION NO. 94-1945
A NOMINEE TO THE METRO	)	
COMMITTEE FOR CITIZEN	)	Introduced by The Governmental
INVOLVEMENT (METRO CCI)	)	Affairs Committee

WHEREAS, The Metro Council adopted the Regional Urban Growth Goals and Objectives (RUGGOs) on September 26, 1991 by Ordinance 91-418B; and

WHEREAS, A partnership is described therein between Metro, citizens, cities, counties, special districts, school districts, and state and regional agencies to work together in this planning process; and

WHEREAS, Citizen Participation is included in the RUGGOs as the first objective under Goal 1, the Regional Planning Process; and

WHEREAS, Objective 1.1 states that Metro shall establish a Regional Citizen Involvement Coordinating Committee (RCICC) to assist with the development, implementation and evaluation of its citizen involvement program, and

WHEREAS, a committee was formed to draft, develop, solicit comments upon, and revise, a set of bylaws to establish the RCICC; and

WHEREAS, These bylaws identify the committee as the Metro Committee for Citizen Involvement (Metro CCI); and

WHEREAS, These bylaws have been adopted by the Metro Council by Resolution No. 92-1580A on May 28, 1992; and

WHEREAS, The Metro Charter called for the creation of an Office of Citizen Involvement, and the establishment of a citizens committee therein; and

WHEREAS, The Metro Council created said Office and established the Metro CCI as the citizen committee within that Office, by adopting Ordinance No. 93-479A,

WHEREAS, The Metro Council accepted the initial membership of the Metro CCI by Resolution No. 92-1666 on August 27, 1992; and

WHEREAS, The Metro Council approved subsequent rounds of applicants nominated to the Metro CCI by Resolution No. 92-1702; Resolution No. 92-1763, Resolution No. 93-1859, Resolution No. (5), and Resolution No. 94-1899, and

WHEREAS, on March 15, 1994, the Washington County Committee for Citizen Involvement selected and forwarded Mr. Victor Adonri as the nominee to the Metro CCI, for the member position in District 4, now, therefore,

BE IT RESOLVED,

That the Metro Council accepts Victor Adonri for membership on the Metro Committee for Citizen Involvement (Metro CCI) identified in Exhibit A attached to this resolution.

ADOPTED BY THE METRO COUNCIL this \_\_\_\_ day of \_\_\_\_\_, 1994.

---

Judy Wyers, Presiding Officer

EXHIBIT A  
METRO COMMITTEE FOR CITIZEN INVOLVEMENT (METRO CCI)  
POSITION DESCRIPTION & NOMINEE TO FILL VACANT POSITION  
PHASE VII -- April 12, 1994

**REPRESENTING AN AREA WITHIN THE METRO COUNCIL DISTRICTS:**

**Position #4 member:** Represents area within Metro Council district #4, primarily in Washington County but with portions of Clackamas and Multnomah Counties for a three year term; beginning immediately and ending on December 31, 1996.

**Member:** Victor O. Adonri  
8823 SW Brightfield Circle  
Tigard, OR 97223

## **Staff Report**

CONSIDERATION OF RESOLUTION 94-1945, FOR THE PURPOSE OF ACCEPTING A NOMINEE TO THE METRO COMMITTEE FOR CITIZEN INVOLVEMENT (METRO CCI) TO FILL A VACANCY IN THE MEMBERSHIP OF THE COMMITTEE.

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Date: April 12, 1994

Presented by: Judy Shioishi

**Background.** Metro Council adoption of the Regional Urban Growth Goals and Objectives (RUGGO) on September 26, 1991 included citizen participation as the first objective under Goal 1, the Regional Planning Process. Metro established the Metro Committee for Citizen Involvement (renamed from the Regional Citizen Involvement Coordinating Committee) to assist the Metro Council with their process of citizen involvement.

The Charter outlined an Office of Citizen Involvement, as well as a citizen committee within that office. The Council created the Office of Citizen Involvement and established the Metro CCI as the citizen's committee to assist in the same fashion as outlined above.

The first meeting of the committee took place in December of 1992. During the past year, the committee membership developed a number of vacancies, due to moves and other commitments for those involved. The fifth round of the selection process was attributable to the requirement in the bylaws that started staggered terms for the membership. Seven of the 19 positions had terms set to expire at the end of the calendar year. The fifth round was intended to fill those seats, in addition to filling vacancies that had developed.

The fifth round of the selection process did not fill all of the vacant positions, despite letters to citizen involvement leaders, newspaper ads and press releases soliciting applications. Three nominees were forwarded through the Council in February. This current round, proposes to advance one nominee to membership. The remaining vacancies will be held open until a method is developed to accommodate the new configuration of the membership to represent the seven districts required by the Charter.

Meeting Date: April 28, 1994  
Agenda Item No. 6.1

ORDINANCE NO. 94-546

**SOLID WASTE COMMITTEE REPORT**

CONSIDERATION OF ORDINANCE NO. 94-546, FOR THE PURPOSE OF AMENDING FRANCHISE NO.12 FOR PEMCO, INC. TO AUTHORIZE AN ADDITIONAL TEMPORARY LOCATION FOR TREATMENT OF PETROLEUM CONTAMINATED SOIL AND DECLARING AN EMERGENCY

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Date: April 21, 1994

Presented by: Councilor Hansen

**Committee Recommendation:** At the April 19 meeting, the Committee voted unanimously to recommend Council adoption of Ordinance No. 94-546. Voting in favor: Councilors Buchanan, Hansen, McFarland, McLain, Monroe and Wyers.

**Committee Issues/Discussion:** The Council has previously approved a franchise for PEMCO Inc. under which the company can operate its petroleum contaminated soil (PCS) treatment equipment at temporary sites in the Metro region. Initially, the equipment has operated on a site in Gresham. The terms of the franchise provide that if the equipment is to be moved to another site, the Company must obtain prior approval from Metro.

Roosevelt Carter explained to the committee that PEMCO now wishes to move its equipment to a site in Forest Grove. PCS from the Forest Grove Aquatic Center would be transported to this temporary site for processing. Carter noted that PEMCO has obtained the necessary city and DEQ approval to operate the equipment on the proposed site for a period of about three months, ending on or before August 1, 1994. DEQ will monitor the operation of the site.

Carter noted that the city of Forest Grove and PEMCO indicated that there is some urgency in disposing of the soil from the Aquatic Center site and therefore an emergency clause has been attached to the proposed ordinance.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING )	ORDINANCE NO. 94-546
FRANCHISE NO. 12 FOR PEMCO, INC. )	
TO AUTHORIZE AN ADDITIONAL )	
TEMPORARY LOCATION FOR )	INTRODUCED BY RENA CUSMA
TREATMENT OF PETROLEUM )	EXECUTIVE OFFICER
CONTAMINATED SOIL AND )	
DECLARING AN EMERGENCY )	

WHEREAS, PEMCO, Inc. has a Metro Franchise to operate a facility that may process petroleum contaminated soil (PCS) by a thermal desorption process per the terms of Metro Franchise No. 12 issued in May, 1992; and

WHEREAS, PEMCO, Inc. has applied for an amendment to Section 3.1 of its Franchise to authorize an additional temporary PCS treatment site; and

WHEREAS, Allowing this ordinance to take effect immediately is necessary for the public health, safety and welfare of the Metro area because:

1. The franchisee will be able to commence operation sooner than 90 days and will immediately begin to benefit the regional effort to process rather than landfill petroleum contaminated soils.
2. The franchisee would be unreasonably delayed in its ability to commence operation of its facility; and,

WHEREAS, The Ordinance was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore,



**THE METRO COUNCIL ORDAINS AS FOLLOWS:**

1. That the Metro Council authorizes the Executive Officer to enter into the attached Amendment (Exhibit "A") to the Franchise Agreement issued to PEMCO on May 28, 1992, within ten (10) days of the adoption of this Ordinance.
2. This Ordinance being necessary for the immediate preservation of the public health, safety, and welfare, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

---

Judy Wyers, Presiding Officer

**EXHIBIT "A"**

**AMENDMENT**

**SOLID WASTE FRANCHISE**  
issued by the  
**METROPOLITAN SERVICE DISTRICT**  
2000 S.W. First Avenue  
Portland, Oregon 97201-5398  
(503) 221-1646

FRANCHISE NUMBER: 12

DATE ISSUED: May 28, 1992

AMENDMENT DATE: \_\_\_\_\_

EXPIRATION DATE: May 28, 1997

ISSUED TO: PEMCO, INC.

NAME OF FACILITY: PEMCO Mobile Soil Remediation Unit

ADDRESS: PO Box 11569, Portland, OR 97211

LEGAL DESCRIPTION: T1N, R3E, Section 30, NE 181st, 1 mile south of I-84 in  
the City of Gresham

CITY, STATE, ZIP: Gresham, Oregon

NAME OF OPERATOR: PEMCO, Inc.

PERSON IN CHARGE: Richard Y. Wayper

ADDRESS: PO Box 11569

CITY, STATE, ZIP: Portland, OR 97211

TELEPHONE NUMBER: (503) 283-2151

This is an amendment to a franchise (herein "Franchise") issued to PEMCO, Inc. on May 28, 1992. This amendment was approved by the Metro Council through passage of Ordinance 94-546, on April \_\_, 1994, and shall be effective on the date on which it has been signed by the Metro Executive Officer and an authorized representative of PEMCO, Inc.

The Franchise is amended by addition of the underlined language shown below. The remainder of the Franchise shall continue in full force and effect.

3. Location of Facility

- 3.1 The franchised Facility is located at T1N, R3E, Section 30, NE 181st, 1 mile south of I-84 in the City of Gresham.

The Franchise shall also have authority to operate the facility at an additional approved treatment location in the City of Forest Grove, more specifically at 1N. 3-32C; Tax Lot 1000, City of Forest Grove, more commonly known as the "Gardiner Substation" property. The approval of this location will terminate on August 1, 1994 or upon completion of remediation of PCS from the City of Forest Grove Aquatic Center, whichever shall be sooner.

- 3.2 The Franchisee intends to move the Facility to another location during the term of this Franchise. Sixty days prior to any such proposed move, Franchisee shall notify Metro, and provide with the notification all information necessary for Metro to evaluate the proposal. If land use approval and/or DEQ approval for the new location have been obtained, Franchisee shall submit copies of such approvals with the notice. If not, the Franchisee shall submit complete copies of the applications to be submitted for land use and DEQ approval. Council approval of the proposed new location shall be required, and additional conditions may be imposed on Franchisee if necessary relative to the new location.

\_\_\_\_\_  
Facility Owner or  
Owner's Representative

\_\_\_\_\_  
Rena Cusma, Executive Officer  
Metropolitan Service District

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## STAFF REPORT

### CONSIDERATION OF ORDINANCE NO. 94-546 FOR THE PURPOSE OF AMENDING FRANCHISE NO. 12 FOR PEMCO, INC. TO AUTHORIZE AN ADDITIONAL TEMPORARY LOCATION FOR TREATMENT OF PETROLEUM CONTAMINATED SOIL AND DECLARING AN EMERGENCY

April 4, 1994

Presented by: Bob Martin  
Roosevelt Carter

## FACTUAL BACKGROUND AND ANALYSIS

PEMCO, Inc. has two authorized franchises from Metro for processing petroleum contaminated soil (PCS). The first, Franchise NO. 12 was approved in May, 1992 and expires in May 1997. The second, Franchise NO. 15 was recently approved by the Council on March 24, 1994. Franchise NO. 12 has operated at a Metro approved site one mile south of I-84 in the City of Gresham. The newly approved Franchise NO. 15 will operate on a closed portion of the North Marion County Landfill near Woodburn, Oregon.

The present request before the Council is to amend Franchise NO. 12 to authorize a temporary processing site for PCS. This will require an amendment to Section 3.1 of the franchise as provided in the notice and approval requirements in Section 3.2 of the franchise.

The circumstances of the present request are that PEMCO has been asked to provide PCS treatment services to the City of Forest Grove. The location of the petroleum contaminated soil is on the premises of the Forest Grove Aquatic Center at 2300 Sunset Drive in Forest Grove. The Forest Grove Aquatic Center is located in a residential neighborhood and has relatively restricted space available for operation of the PEMCO thermal desorption equipment. On site treatment of the PCS would not require Metro approval, but the preference by the City and the franchisee is to move the soil (*consisting of approximately 300 cubic yards of PCS*) to another City of Forest Grove owned property located approximately 1-mile away from the Aquatic Center (see map, Attachment No. 1).

The applicant has provided a copy of a DEQ Land Use Compatibility Statement that has been issued by the City of Forest Grove. This indicates that the City of Forest Grove requires that the proposed activity comply with general industrial zone standards and erosion control standards for the City of Forest Grove. In addition, contact with City of Forest Grove staff indicates that the City wishes to give full cooperation with the PEMCO project. The City staff noted that the operation will be limited only to remediation of the soil from the Forest Grove Aquatic Center. At such time as the project is completed, the site authorization will terminate. For this reason

staff recommends that the site approval be for a period of approximately three months, to terminate on August 1, 1994 or sooner, if remediation of the soil is complete prior to that date.

Moving the soil in question is consistent with DEQ standards and policies, provided that the remediation is done according to a DEQ approved Treatment Plan. The DEQ will monitor the remediation activities consistent with DEQ requirements for such projects.

### Conclusion

Site approval is the only request from the franchisee with regard to the franchise amendment before the Council. The applicant does not seek any other modifications to its existing franchise. The City of Forest Grove supports the project and the City and the applicant desire to move and remediate the soil at the earliest opportunity. For this reason an emergency clause has been added to the ordinance.

### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance NO. 94-546.

24 19  
25 30

19 20  
30 29

ROAD

VERBOORT

FAS A683

# STAFF REPORT ATTACHMENT NO.1

NEHALEM

Council

47

ROAD  
MCGIBBON

ROAD

BEAL

ROAD

25 30  
36 31

30 29  
31 32

CONCORD LN.  
WAY  
WILLAMINA LN.  
DR.

RAYMOND ST.

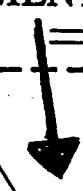
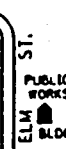
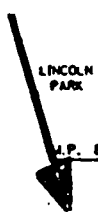
WILLAMINA AVE.

Creek Van Loo Res.

## FOREST GROVE AQUATIC CENTER

## TREATMENT SITE

ST. ST. ST. ST.  
26TH AVE.  
26TH AVE.  
24TH AVE.  
23RD PL.  
23RD AVE.  
ASH ST.  
UNIVERSITY AVE.  
22ND AVE.  
21ST PL.  
21ST AVE.  
LEGE WAY  
47  
PACIFIC UNIVERSITY



SUBSTATION

FOREST GROVE  
Pop. 12,000

FIRWOOD LN.  
BOYD LN.  
DOUGLAS ST.  
ELM ST.  
PUBLIC WORKS BLDG.  
FILBERT ST.  
KINGWOOD ST.  
22ND PL.  
22ND AVE.  
MAYWOOD DRJ  
APPEL ST.  
LAUREL ST.

Meeting Date: April 28, 1994  
Agenda Item No. 7.1

RESOLUTION NO. 94-1937



**METRO**

**DATE:** April 22, 1994

**TO:** Metro Council  
Executive Officer  
Agenda Recipients

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

**RE:** AGENDA ITEM NO. 7.1; Resolution No. 94-1937

The Planning Committee report on the above-referenced resolution will be distributed to Councilors in advance and available at the Council meeting April 28, 1994.



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE ) Resolution No. 94-1937  
FY 1994 METRO TRANSPORTATION )  
IMPROVEMENT PROGRAM TO ALLOCATE )  
FUNDS TO SUPPORT THE EXTENSION OF )  
WESTSIDE LIGHT RAIL TO THE CITY ) Introduced by  
OF HILLSBORO ) Planning Committee

WHEREAS, Metro Resolution No. 92-1598 endorsed a Full-Funding Grant Agreement with the Federal Transit Administration (FTA) to construct a light rail extension from downtown Portland to SW 185th Avenue in Washington County; and

WHEREAS, Section 7B of that Agreement specified that amendment of the Agreement would be permitted to add an extension of the light rail line to the city of Hillsboro upon completion of a Final Environmental Impact Statement (FEIS) and appropriation of federal Discretionary funds; and

WHEREAS, The Hillsboro FEIS has been submitted for FTA approval; and

WHEREAS, Tri-Met has written a letter to Metro, included as Exhibit A of this Resolution, that notifies Metro of Tri-Met's intent to request Congressional appropriation and FTA approval of \$75 million of Section 3 Discretionary funding for the Hillsboro Extension project; and

WHEREAS, Metro must approve Tri-Met's allocation of an additional \$8 million of Section 9 Reserve funds to construct the Hillsboro Extension; and

WHEREAS, Tri-Met has identified other local funding sources shown in Exhibit A sufficient to complete construction of the Extension; now therefore

BE IT RESOLVED:

1. That the FY 1994 Metro Transportation Improvement Program (TIP) be amended to allocate an additional \$8 million of Section 9 funding authority in FY 96 (total of \$30 million) and \$75 million of Section 3 funds to the Hillsboro Extension.

2. That the FY 94 TIP be amended to delay \$8 million of Section 9 bus purchase authority currently programmed for FY 96 to FY 97 to be met with allocation of \$8 million of FY 97 Section 9 Reserve funds.

3. That Metro requests amendment of the State Transportation Improvement Program to reflect this amendment.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_, 1994.

Judith Wyers, Presiding Officer

TW:lmk  
94-1937.RES  
TPAC Recommendation



TRI-MET

4012 S.E. 17TH AVENUE  
PORTLAND, OREGON 97202



MAR 14 1994

March 9, 1994

Mr. Andrew Cotugno  
Planning Director  
Metro  
600 NE Grand Avenue  
Portland, OR 97232-2736

Subject: TIP Notification for Grant Application OR-03-0043 Amendment No. 3  
Requesting Incorporation of the Hillsboro Extension into the Westside Project  
Full Funding Grant Agreement (FFGA)

Dear Andy:

Tri-Met plans to submit an application to FTA approximately March 31 requesting funding for final design and construction of the Hillsboro extension to the Westside light rail project.

The expected final cost of the proposed extension is \$225,000,000 in the year of expenditure. This budget is comprised of one-third FTA Section 3, one-third formula funds (STP and Section 9), and one-third local resources. To simplify financial obligations and cost tracking, a match ratio of 66.67/33.33 will be used as FTA Region X staff has advised. Federal funds requested in this initial application include the \$75,000,000 in Section 3 assistance and \$11,000,000 in regional FY94 funding available through the ISTEA Surface Transportation Program. A summary of anticipated revenues is shown below:

<u>Source</u>	<u>\$ Millions/YOE</u>
FTA Section 3	75.0
State Lottery Contribution	27.6
Local Government	15.0
Regional STP (11 in FY94; 11 in FY95)	22.0
State STP (all in FY96)	22.0
FTA Section 9	30.0
Regional GO Bonds	30.0
Interest Earnings	<u>3.4</u>
<b>TOTAL</b>	<b>225.0</b>

3/9/94, A. Cotugno, Metro  
Hillsboro Ext. TIP Notification  
Page 2

The \$75,000,000 in Section 3 discretionary resources is already programmed in the regional TIP. The entry is split between FY95 (at 15,000,000) and FY96 (60,000,000). Tri-Met is currently pursuing Congressional authorization of the full \$75,000,000 needed for the project. However, the actual amount to be appropriated in future years remains uncertain. Tri-Met will request Letter of No Prejudice authority concurrently with submittal of the grant application for the purpose of "accessing" whatever level of appropriation is obtained in FY95. The \$11,000,000 in regional STP funding for the Hillsboro project is also programmed in the present TIP.

The Hillsboro light rail extension is approximately 6.2 miles long and will connect the present terminus of the Westside Project located at SW 185th Avenue in Washington County with the Hillsboro Park & Ride station located at the intersection of SW Adams and Washington Street in downtown Hillsboro. The light rail route follows the present Burlington Northern railroad alignment west from 185th Avenue to 216th Avenue, where the Burlington Northern turns northward. The light rail route continues westward from 216th into downtown Hillsboro occupying right-of-way previously owned by the Oregon Electric Railway Co. In downtown Hillsboro, light rail will occupy Washington Street from 12th Avenue to the terminus at SW Adams Avenue. The extension will have eight stations including four park & ride lots.

Initial project expenditures will support consulting contracts for final design of the light rail facilities, acquisition of real property for right-of-way, first payments for purchase of light rail vehicles, and project management.

The final Environmental Impact Statement for the Hillsboro extension will be submitted to FTA about March 18. As you recall, the Westside FFGA, in section 7B, provided for amendment of the contract to incorporate Hillsboro pursuant to compliance with certain federal requirements and Congressional authorization of funds.

The Tri-Met Board of Directors will hold a public hearing on the project application on March 30. Copies of the public hearing announcement have been sent to private transportation providers. The notice of public hearing is also scheduled for publication in three areawide newspapers during the month of March.

Please contact Kim Manley at 238-5849 if you have questions about the grant application.

Sincerely,



Bruce Harder

Exec. Dir., Finance & Administration

cc: Terry Whisler, Metro

Marty Andersen, ODOT Region 1

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 94-1937 FOR THE PURPOSE OF AMENDING THE FY 1994 METRO TRANSPORTATION IMPROVEMENT PROGRAM TO ALLOCATE FUNDS TO SUPPORT THE EXTENSION OF WESTSIDE LIGHT RAIL TO THE CITY OF HILLSBORO

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Date: March 22, 1994

Presented by: Andrew Cotugno

#### PROPOSED ACTION

Adoption of this resolution would amend the FY 1994 Metro Transportation Improvement Program (TIP) to increase funding authority for the Hillsboro Extension of the Westside Light Rail System by \$8 million of additional Section 9 revenue for obligation in FY 96, resulting in a \$30 million total Section 9 commitment. This authorization would require delay of \$8 million of a planned \$13.5 million bus purchase project until FY 97. This resolution would also allocate \$75 million of Section 3 Discretionary funding authority for the extension project. (\$15 million in FY 95 and \$60 million in FY 96). The Section 3 authorization anticipates Congressional appropriation and Federal Transit Administration (FTA) approval of these funds for this use.

#### FACTUAL BACKGROUND AND ANALYSIS

Metro Resolution No. 92-1598 endorsed a Full-Funding Grant Agreement with the Federal Transit Administration to construct a light rail extension from downtown Portland to SW 185th Avenue in Washington County. Section 7B of that Agreement specified that an amendment would be permitted to add an extension of the light rail line to the city of Hillsboro upon approval of a Final Environmental Impact Statement (FEIS) and appropriation of federal Discretionary funds.

Metro has submitted the Hillsboro FEIS for FTA approval and Tri-Met has written a letter to Metro, included as Exhibit A of this resolution, that notifies Metro of Tri-Met's intent to request Congressional appropriation and FTA approval of \$75 million of Section 3 Discretionary funding for the Hillsboro Extension project.

In this same letter, Tri-Met has identified a package of federal, state and local revenue sources to finance the extension project which totals \$225 million. A key component of this funding package includes \$8 million of new Section 9 authority in FY 96 and \$75 million of Section 3 Discretionary funds. Metro's endorsement of this funding plan is required and will be demonstrated by amendment of the Metro TIP, together with a request to amend the State TIP in similar fashion.

The FY 94 TIP currently reflects programming of \$13.5 million of Section 9 funds in FY 96 for a large bus purchase and a \$14.9 million reserve fund programmed in FY 97. To free \$8 million for use by the Hillsboro Extension in FY 96, \$8 million of the bus purchase authority will be delayed to FY 97 which is the earliest that the unallocated reserve funds can be "accessed."

Other changes to the Section 9 program are anticipated as part of development of the FY 95 TIP which will occur in early summer. At that time, changes will also be made to both Regional and State STP fund programming which concern transit funding issues. However, the current amendment is a stand-alone action that accommodates the region's Hillsboro Extension funding proposal while maintaining a balance of regional revenues to anticipated resources as required by ISTEA and FTA.

The Section 3 funds have still to be appropriated by Congress. Additionally, Tri-Met will have to negotiate a Hillsboro amendment of the Westside FFGA and then submit an application for award of the funds. These programming changes are shown in Attachment A of this staff report.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 94-1937.

94-1937.RES  
3-22-94  
TW:lmk

METRO  
Transportation Improvement Program

Fiscal Years 1994 to Post 1997  
Effective October 1, 1993

Portland Urbanized Area

In Federal Dollars  
Federal Transit Administration Program

Project Description

	Estimated Grant Award by Federal Fiscal Year		1994				1995		1996		1997		Post 1997		Authorized	
	Obligated	Anticipated														

FEDERAL TRANSIT ADMINISTRATION-SEC 3 WSLR

**17 WESTSIDE LIGHT RAIL EXTENSION TO SW 185 AVE*****206*****00000**TRA*03-0043*****															
Non-Hwy Cp	81,795,000	0	104,000,000	104,000,000	108,000,000	118,200,000	0	515,995,000							
Total	81,795,000	0	104,000,000	104,000,000	108,000,000	118,200,000	0	515,995,000							
**18 WESTSIDE LIGHT RAIL EXTENSION TO HILLSBORO*****246*****06595**TRA*00-0000*****															
Non-Hwy Cp	0	0	0	15,000,000	60,000,000	0	0	75,000,000							
Total	0	0	0	15,000,000	60,000,000	0	0	75,000,000							
Total FEDERAL TRANSIT ADMINISTRATION-SEC 3 WSLR															
	81,795,000	0	104,000,000	119,000,000	168,000,000	118,200,000	0	590,995,000							

\* \* \* \* \*  
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 \* \* \* \* \*  
 Approved Program Years

Fiscal Years 1994 to Post 1997  
Effective October 1, 1993

METRO  
Transportation Improvement Program  
In Federal Dollars  
Portland Urbanized Area

Project Description  
Federal Transit Administration Program  
Estimated Grant Award by Federal Fiscal Year  
Obligated Anticipated 1994 1995 1996 1997 Post 1997 Authorized

Federal Transit Administration-Sect 9

***6 Finaled Vouchered Projects*****0 0000000*00000*****									
Pre Eng	597,664	0	0	0	0	0	0	0	597,664
Rt-of-Way	1,304,846	0	0	0	0	0	0	0	1,304,846
Constr	7,738,311	0	0	0	0	0	0	0	7,738,311
Non-Hwy Cp	9,177,692	0	0	0	0	0	0	0	9,177,692
Other	6,052,273	0	0	0	0	0	0	0	6,052,273
Total	24,870,786	0	0	0	0	0	0	0	24,870,786
***7 BUS PURCHASES*****154 *****var*****00000**OR*****									
Non-Hwy Cp	12,865,149	0	0	0	5,530,000	8,000,000	0	0	26,395,149
Total	12,865,149	0	0	0	5,530,000	8,000,000	0	0	26,395,149
***8 BUS DISPATCH CENTER REPLACEMENT*****219 *****var*****00000**OR**90-X046*****									
Non-Hwy Cp	5,326,836	0	0	0	0	0	0	0	5,326,836
Total	5,326,836	0	0	0	0	0	0	0	5,326,836
***9 WESTSIDE LIGHT RAIL EXTENSION TO HILLSBORO*****246 *****00000**TRA**90-X055*****									
Pre Eng	0	550,000	871,520	0	0	0	0	0	1,421,520
Non-Hwy Cp	0	0	10,128,480	11,000,000	8,000,000	0	0	0	29,128,480
Total	0	550,000	11,000,000	11,000,000	8,000,000	0	0	0	30,550,000
***10 BANFIELD PARK-AND-RIDES*****675 *****84*****00000**FAI**var*****									
Other	0	0	0	0	0	800,000	0	0	800,000
Total	0	0	0	0	0	800,000	0	0	800,000
***11 LIGHT RAIL VEHICLE PURCHASE (T)*****695 *****var*****00000**OR**90-X035*****									
Non-Hwy Cp	16,011,872	0	0	0	0	0	0	0	16,011,872
Total	16,011,872	0	0	0	0	0	0	0	16,011,872
***12 PARTS AND EQUIPMENT...MAINT VEHICLES/SHELTERS/ACCESS STOPS/ETC*****776 *****var*****00000**OR**90-X028*****									
Non-Hwy Cp	11,148,491	0	0	0	0	0	0	0	11,148,491
Total	11,148,491	0	0	0	0	0	0	0	11,148,491
***13 HILLSBORO ALTERNATIVES ANALYSIS/DEIS (UWP)*****783 *****var*****00000**OR**0000*****									
Pre Eng	0	0	0	0	0	0	0	0	0
Alt Anal	1,625,504	0	0	0	0	0	0	0	1,625,504
Total	1,625,504	0	0	0	0	0	0	0	1,625,504
***14 SECTION 9 CAPITAL RESERVE*****823 *****var*****00000**OR*****									
Reserve	0	0	0	0	0	6,917,000	0	0	6,917,000
Total	0	0	0	0	0	6,917,000	0	0	6,917,000
***15 SECTION 9 OPERATING PROGRAM*****824 *****var*****00000**OR**0000*****									
Operating	41,323,316	4,396,000	4,396,000	4,396,000	4,396,000	0	0	0	58,907,316
Total	41,323,316	4,396,000	4,396,000	4,396,000	4,396,000	0	0	0	58,907,316
***16 LIGHT RAIL VEHICLES - AIR CONDITIONING RETROFIT*****896 *****var*****00000**OR**0*****									
Non-Hwy Cp	0	0	0	0	400,000	3,520,000	0	0	3,920,000
Total	0	0	0	0	400,000	3,520,000	0	0	3,920,000
Total Federal Transit Administration-Sect 9									
	113,171,954	4,946,000	15,396,000	15,396,000	18,326,000	19,237,000	0	0	186,472,954

###  
###  
###  
Approved Program Years



Meeting Date: April 28, 1994  
Agenda Item No. 7.2

**RESOLUTION NO. 94-1930**



**METRO**

**DATE:** April 22, 1994

**TO:** Metro Council  
Executive Officer  
Agenda Recipients

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

**RE:** AGENDA ITEM NO. 7.2; RESOLUTION NO. 94-1930

The Planning Committee report on the above-referenced resolution will be distributed to Councilors in advance and available at the Council meeting April 28, 1994.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESCRIBING	)	RESOLUTION NO. 94-1930
INTENDED METRO ACTION ON	)	
FINAL REGION 2040 REPORTS	)	Introduced by Rena Cusma,
AND COMMENTS	)	Executive Officer
	)	

WHEREAS, Metro adopted land use regional goals and objectives called Regional Urban Growth Goals and Objectives (RUGGO) in September 1991 which are required by state law; and

WHEREAS, During the development of RUGGO, there was widespread interest in a long-range, 50-year view of regional growth which leads to Metro's Region 2040 planning program; and

WHEREAS, State law requires several significant 20-year regional land use decisions in 1995 that will be affected by identifying the region's long-term planning direction; and

WHEREAS, The Metro Council intends to identify the region's long-term planning direction in 1994 to enable Metro to complete specific complex planning tasks in 1995 after extensive public involvement and full participation of its local government partners; and

WHEREAS, Final 2040 reports and problem-solving responses to the research are anticipated in August 1994 when the Metro Council anticipates beginning its deliberations; now, therefore,

BE IT RESOLVED,

1. That the Metro Council shall review 2040 reports and shall receive comments and recommendations from the public, local governments and MPAC about the preferred conceptual approach to the form of the Metro region in 2040 including, but not limited to, growth trends (up or out, less or more), Urban Growth Boundary (UGB) and land supply, travel congestion, urban centers, urban design, intensity of development, satellite cities, neighborhoods and greenbelts.

2. That the Metro Council intends to act on final 2040 reports and public and MPAC comments by adopting a resolution identifying the region's long-term planning direction containing the following:

a. A description of the preferred configuration of Metro's urban form to the year 2040 including a map of approximate locations of the

conceptual UGB and urban reserves and phasing strategies to the extent possible.

- b. A work plan based onto achieve a site-specific UGB and urban reserves and the regional Transportation Systems Plan (TSP) required by LCDC's Transportation Planning Rule.
- c. Preliminary 2015 population and employment growth allocations forecast derived from 2040 reports as the basis for discussion of the 1995 UGB and TSP.
- d. A range of preliminary 50-year population and employment growth allocations for refinement in the regional framework plan.
- e. A regional framework plan implementation strategy based on the urban form concept describing an approach to preparation and adoption of framework plan components such as required in the 1992 Metro Charter including the UGB, urban reserves, TSP, housing density, urban design, and Greenspaces, water quality, coordination with Clark County, and elements such as transit corridor and urban centers.
- f. Referral to MPAC of any draft functional plan provisions and referral to JPACT of any draft transportation functional plan provisions needed to preserve opportunities to implement the preferred urban form for review and recommendation per RUGGO Objective 5.

3. That implementation of the Region 2040 preferred alternative shall attempt to integrate local plans while still achieving regional goals.

34. That the Metro Council intends to adopt an ordinance containing a set of amendments to RUGGO based on the preferred urban form which have been reviewed by MPAC per RUGGO Objective 6.

5. That the Metro Council intends to describe applicable state, regional and local government implementation responsibilities for the adopted urban form configuration, regional framework plan strategy, and any proposed functional plan provisions.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_, 1994.

\_\_\_\_\_  
Judy Wyers, Presiding Officer

gh114

**METRO**

Date: March 15, 1994  
To: Metro Council  
From: *LS*  
Larry Shaw, Senior Assistant Counsel  
Regarding: 2040 DECISION RESOLUTION  
Our file: 7.§2.DD

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**Introduction**

At the last Council retreat, the Council discussed a series of optional 2040 decision packages, each progressively more inclusive and comprehensive. This draft resolution incorporates both the Council preference for "Option #4," the most comprehensive package and the Planning Department's recommended steps for implementation. The draft resolution is intended for action at the April 7 Planning Committee meeting and, possibly, review at a joint MPAC/JPACT meeting April 6.

**Option #4 Elements**

1. Metro Council adoption of a "preferred alternative" urban form concept illustrated with a map.  
  
This conceptual urban form is the basis for upcoming implementation actions such as urban reserves, UGB review, and the Transportation System Plan (TSP). This is a concept contingent on further work, not an appealable land use decision.
2. Metro Council adoption of a work plan leading to Metro adoption of some Charter-mandated regional framework plan components such as urban reserves, UGB, TSP, housing density, Greenspaces in 1995.
3. Metro Council adoption of preliminary 2015 population and employment growth allocations from 2040 reports as the basis for discussion of the 1995 UGB and TSP.
4. Metro Council adoption of a range of 50-year population and employment growth allocations for refinement in development of the regional framework plan.

5. Metro Council adoption of a regional framework plan implementation strategy for preparation and adoption of all framework plan components.
6. Metro Council adoption of RUGGO amendments consistent with the urban form concept that have been reviewed by MPAC prior to Council adoption. Adoption of these amendments is an appealable land use decision with statewide goal findings.
7. Metro Council referral to MPAC of any draft functional plan concepts or provisions needed to preserve opportunities to implement the adopted urban form concept. MPAC review and recommendation per RUGGO. Objective 5 would precede final Metro Council action. Final Metro actions, not referral to MPAC, are likely to be appealable land use decisions.

### Adoption Process

The Metro Council review of final 2040 reports and receipt of public comments and recommendations is anticipated to begin in August 1994.

Action on 2040 reports is proposed to be in (1) a resolution containing all of the elements of Option #4, above, and (2) an ordinance adopting RUGGO amendments (element 6, above). This is a timing change from the retreat discussions on RUGGO amendment adoption. Planning staff believes that MPAC review of the urban form concept and draft RUGGO amendments should proceed together so the regional planning policy impacts of the urban form will be clear. This is intended to allow the Metro Council to adopt urban form RUGGO amendments at or near the same time as the 2040 resolution in the fall.

### Functional Plan Provisions

The most controversial element of this 2040 decision package is likely to be any draft functional plan provisions referred to MPAC. These are not goal statements binding only on Metro. They are recommendations or requirements for changes in local comprehensive plans of 24 cities and 3 counties. Some recommendations and all requirements are likely to be appealable land use decisions. As such, findings of compliance with both RUGGO and applicable statewide goals and LCDC regulations will be required later, at adoption. Since the resolution is merely Council initiation of any proposed functional plan provisions, that action is not a land use decision reviewable by LUBA.

### Conclusion

This resolution describes intended Metro actions at the end of the 2040 planning process. It includes all of the elements of the most comprehensive option discussed at the Council retreat. The proposed 2040 resolution would include a description of the preferred urban

**Metro Council**  
**March 15, 1994**  
**Page 3**

form and a map, 1995 work plan, preliminary 2015 growth allocations, 50-year ranges of growth allocation, and a regional framework plan implementation strategy. The resolution would include a referral to MPAC of any draft functional plan concepts or provisions the Council deems necessary. At or near adoption of the 2040 resolution, an ordinance of RUGGO amendments reflecting the preferred urban form would be adopted.

**ds**  
**1729**

Meeting Date: April 28, 1994  
Agenda Item No. 7.3

RESOLUTION NO. 94-1949





**METRO**

**DATE:** April 22, 1994

**TO:** Metro Council  
Executive Officer  
Agenda Recipients

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

**RE:** AGENDA ITEM NO. 7.3; RESOLUTION NO. 94-1949

The Planning Committee report on the above-referenced resolution will be distributed to Councilors in advance and available at the Council meeting April 28, 1994.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING THE ) RESOLUTION NO. 94-1949  
ODOT/DLCD FUNDING RECOMMENDATIONS )  
FOR THE TRANSPORTATION AND GROWTH ) Introduced by the  
MANAGEMENT GRANT PROGRAM ) Planning Committee

WHEREAS, The Land Conservation and Development Commission (LCDC) adopted the Transportation Planning Rule (TPR) on April 26, 1991; and

WHEREAS, The TPR, in part, directs urban areas to develop balanced, multi-modal transportation system plans and, in the Portland metropolitan area, to consider land use alternatives in order to better coordinate the provision of transportation services and reduce reliance on single-occupant vehicles; and

WHEREAS, The 1993 Oregon Legislature approved funding of a joint Oregon Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCD) Transportation and Growth Management Program (TGM) to assist local jurisdictions and metropolitan areas in implementing the TPR; and

WHEREAS, The TGM Program includes three categories and totals \$2,052,300 for ODOT Region 1, which includes the Metro area; and

WHEREAS, The TGM Program requires Metro endorsement for Category 1 projects to implement the TPR and for Category 2 projects to evaluate land use alternatives; and

WHEREAS, Category 1 and 2 grants generally total up to \$1,587,000 for ODOT Region 1; and

WHEREAS, Metro has consulted with ODOT and DLCD in the development of the TGM Program and in the review of project proposals; now, therefore,

BE IT RESOLVED,

1. That the Joint Policy Advisory Committee on Transportation, the Metro Policy Advisory Committee and the Metro Council endorse for funding under the ODOT/DLCD

Transportation and Growth Management Program those projects within the Metro boundary or those associated with Metro area planning activities as shown in Exhibit A to this resolution; and

2. That Metro staff is directed to lead regional/local coordination efforts on program elements of mutual concern, in particular, those related to transit, bicycle and pedestrian systems, and parking inventory and management.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_, 1994.

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Judy Wyers, Presiding Officer

MH/arb/lmk  
94-1949.RES  
JPACT/MPAC Recommendation  
04/14/94

Transportation Growth Management Program  
Projects Recommended by Metro for Funding

April 14, 1994

File Code	Jurisdiction	Project Title	Category 1 Amount	Category 2 Amount
1I	Clackamas County	Pedestrian Plan	\$48,994	
1J	Clackamas County	Oak Grove Community Plan		\$34,962
1K	Clackamas County	Regional Bicycle System Plan	30,000	
1O	Forest Grove	Pedestrian Bicycle Network Plan	16,500	
1P	Gladstone	Transportation System Plan	17,000	
1R	Gresham	Land Use Alternatives Study		50,000
1S	Gresham	Long-Range Transit Plan	50,000	
1V	Lake Oswego and Clackamas County	Waluga Triangle Transportation/Land Use Study	47,650	
1W	Metro	Regional Bicycle/Pedestrian Program	50,000	
<u>1X</u>	<u>Metro</u>	<u>Regional Pedestrian System Plan</u>	31,000	
1Y	Metro	Parking Area Inventory	80,000	
1Z	Metro	Regional Main Streets		75,000
1AA	Metro	TOD Implementation Program		60,000
1BB	Milwaukie	Transportation System Plan	42,245	
1CC	Multnomah County	Pedestrian Plan for East Multnomah Co.	50,000	
1DD	Multnomah County	Suburban Street Design Charette		22,500
1GG	Oregon City	Transportation Master Plan Update	37,500	
<u>1NN</u>	<u>Portland</u>	<u>Parking Management Plan</u>	20,000	
1OO	Portland	TSP - Pedestrian Element	50,000	
<u>1PP</u>	<u>Portland</u>	<u>Bicycle Master Plan</u>	30,000	
<u>1UU</u>	<u>Sandy, Canby, North Plains and Metro</u>	<u>Metro Preferred Alternative - 2040</u>		195,000
1VV	Sherwood	Transportation Rule Implementation	20,000	
1XX	Tigard	Multi-Model Connections/Pathways	25,500	
1YY	Tri-Met and Metro	Primary Transit Network	50,000	
1ZZ	Troutdale	Transportation System Plan	30,000	
1AAA	Washington County	Bicycle Plan Update	50,000	
1CCC	Washington County	Transit Supportive Corridor Project		50,000
1DDD	Washington County	Revise Local Street Standards	42,500	
1EEE	Washington County	Additional Neighborhood Commercial		50,000
1FFF	Wilsonville	Bicycle and Pedestrian Ordinance	21,250	
<b>TOTAL FUNDING RECOMMENDATION</b>			<b>\$840,139</b>	<b>\$537,462</b>

Notes:

Projects underlined are recommended for less than funding requested.

All projects are subject to approval of detailed scope of work, including coordination between related projects, as applicable.

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 94-1949 FOR THE PURPOSE OF ENDORING THE ODOT/DLCD FUNDING RECOMMENDATIONS FOR THE TRANSPORTATION AND GROWTH MANAGEMENT GRANT PROGRAM

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Date: April 14, 1994

Presented by Mike Hoglund

#### PROPOSED ACTION

Request Metro Council to consider approval of Resolution No. 94-1949 for the purpose of endorsing the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD) funding recommendations for the Transportation and Growth Management (TGM) Grant Program.

Metro is responsible for reviewing ODOT and DLCD funding recommendations in the Portland area for two of the three categories of grants, Category 1, Transportation System Plan projects and Category 2, land use planning projects. Metro's Unified Work Program will be revised to reflect the specifics of the TGM Grant Program. The resolution was approved on April 6 at a joint meeting of the Metropolitan Policy Advisory Committee (MPAC) and the Joint Policy Advisory Committee on Transportation (JPACT). Further review was through the Metropolitan Technical Advisory Committee (MTAC) and the Transportation Policy Alternatives Committee (TPAC). The major comments of each group are summarized below:

#### MTAC and TPAC Recommendations

MTAC (Metro's Technical Advisory Committee on land use issues) met on March 24, 1994, and reviewed the grant recommendations proposed by ODOT and DLCD. MTAC agreed with the DLCD and ODOT recommendations as outlined in this memorandum. The comments on the recommendations were:

- Support funding for planning work for the development of the Primary Transit Network;
- Ensure or coordinate the funding of long-range planning for Canby and Sandy prior to a Region 2040 decision; and
- Ensure that the planning for regional bike and pedestrian networks be a coordinated effort to avoid duplication of programs.

TPAC (Metro's Technical Advisory Committee to JPACT on transportation issues) discussed the grant recommendation at their April 1, 1994, meeting. TPAC recommends approval of the TGM Program Resolution No. 94-1949 with the following comments:

- Consistent with MTAC, combine Sandy/Metro Satellite City Plan (project IUU) and Canby Alternative Plan (project IE) and fund up to \$195,000 for work elements which support the growth concept adopted at the conclusion of Region 2040. The work elements should focus on the interurban relationships of these areas with the Portland area; and

Ensure extensive coordination and integration of Metro regional studies with local jurisdiction's projects, specifically, the regional bicycle and pedestrian studies, transit system planning and regional parking.

### **MPAC/JPACT Comments**

MPAC and JPACT reiterated comments of MTAC/TPAC for coordination of projects. They also recommended that North Plains be included in Project 1UU, "Metro Preferred Alternative - 2040." They strongly supported defining the interrelationships and urban form implications of these "satellite" areas to the Metro area.

### **FACTUAL BACKGROUND AND ANALYSIS**

The 1993 Legislature approved the funding of the joint ODOT and the DLCD, TGM Grant Program. The TGM Grant Program includes approximately \$2,052,300 in Region 1, for work by local governments to better integrate transportation and land use planning and develop new ways to manage growth to achieve compact pedestrian, bicycle and transit-friendly urban development.

Metro is assisting ODOT and DLCD in reviewing Portland area grant applications in two of the three categories of grants, Category 1, Transportation System Plan projects and Category 2, land use planning projects. Since Metro is an applicant for Category 1 and Category 2 Grants, DLCD and ODOT staff took the lead role in evaluating the applications against the grant criteria. This should assure scoring consistency, and remove questions of bias or preference in favor of Metro proposals on the part of other applicants. Consequently, Metro staff's role in reviewing the proposals was to comment on and provide background information on the applicability of local grant projects to regional projects, such as Region 2040 and the Regional Transportation Plan.

ODOT and DLCD's joint recommendations for funding of TGM Grants in Region 1 are listed on Attachment A. Attachment B provides a synopsis of the different proposals. Since the program delegates decisions on Category 1 and 2 Grants to Metro, this memo constitutes DLCD/ODOT's recommendations to Metro for those grants. DLCD will make decisions on Category 3 Grants in coordination with ODOT and in consideration of Metro's comments.

Generally, DLCD and ODOT's recommendations for funding follow the criteria listed below for ranking grant proposals:

- |  |             |
|--|-------------|
| The work will result in specific products (e.g., plan or ordinance objectives).  | 0-20 points |
| The application demonstrates likelihood of success in achieving its stated objectives.   | 0-20 points |
| Complements and is coordinated with periodic review, ODOT-sponsored corridor planning and other activities related to the project.     | 0-10 points |
| Clearly addresses a demonstrated transportation problem or opportunity of community, regional and state importance related to the TPR. | 0-30 points |

Clearly contributes to development patterns that enhance opportunities for use of bicycles, walking and transit.

0-10 points

The application demonstrates special merit (e.g., collaborative process; innovative approach; joint project, volunteers, models, such as plans, ordinances and agreements, etc.).

10 points

Proposals were scored individually by ODOT and DLCD staff prior to joint meetings with Metro staff to discuss and compare ratings and details of the grant applications. In general, the recommendations flow directly from the resulting ranking. However, in making final funding recommendations, several other factors were considered by ODOT and DLCD:

- Whether funding was available from other sources. For example, ODOT has corridor planning funding available for some system planning projects in the region.
- Whether the project is timely, considering other planning efforts in the metropolitan area. Some projects would appear to be premature and depend upon planning decisions which have not yet been made.
- Achieving some balance in the distribution of grant funds across the region and providing funding to smaller jurisdictions.

Major reasons projects ranked low and are not recommended included the following:

- The application included only a very general work program or the work program did not clearly address specific transportation problems or issues in a way which would achieve Transportation Planning Rule (TPR) objectives.
- The application did not clearly describe how the work was related to other ongoing work or their appeared to be duplication with other work.

### Funding Recommendations

Grant proposals recommended for funding are listed in Exhibit A attached to Resolution No. 94-1949 at the back of this packet. A full listing of grant proposals submitted under all the grant categories, are summarized in Attachment A of this staff report. Attachment B of this report provides a synopsis of the different proposals.

The focus of this staff report is to outline the reasons why specific grant proposals were not recommended for funding. Also included is a discussion of proposals recommended for funding for amounts less than requested.

### **Category 1 Grants**

Category 1 Grants are for preparation or amendment of Transportation System Plans to comply with the TPR. A total of \$934,000 is allocated to Region 1 for funding of Category 1 Grants. Applications for \$1.21 million were received. Recommended funding is \$840,139. All grant awards are subject to approval by ODOT of detailed work plan, including coordination between related projects, as applicable.

### **Category 1 Proposals Not Recommended for Funding**

The majority of planning proposals are recommended for funding. The following list focuses on those projects not funded or projects that will be funded at an amount less than requested.

- **1B Beaverton Transportation System Plan**

The work program provided by the city is very general. It is unclear what specific objectives in the TPR or local problems that the city is attempting to address. The work program would have to be considerably more detailed to justify funding. DLCD and ODOT do not recommend this project for funding given the limited level of information on local issues or needs to be addressed and the very general level of the work program with respect to implementation of the TPR.

- **1L Clackamas County Sunnyside Road Corridor Design Plan**

This project appears directed primarily at designing a road improvement to provide additional vehicular capacity. Although alternative modes (bike, pedestrian and transit) are mentioned, the work program does not describe what planning related to these modes will be done. Consequently, it is unclear how this project advances or achieves the objectives of the TPR, especially with respect to increasing use of alternative modes.

- **1F Canby Transportation System Plan**

- **1N Clatskanie Transportation Network Plan**

Other funds are available.

- **1RR Rainier Transportation System Plan**

Other funds are available.

- **1SS Sandy Urban Growth Strategy**

- **1GGG Scappoose Comprehensive Transportation Plan**

Other funds are available.

### **Category 1 Proposals with Reduced Funding**

Listed below are grant proposals which will be funded at an amount less than requested.

- **1NN Portland Parking Management Plan**

Originally, ODOT and DLCD did not recommend funding this grant proposal. The reasons were that the city's proposed work program appeared to call primarily for staff participation in regional discussions regarding development of a parking plan. Although the program also calls for the development of city strategies, this is limited to the last two months of the schedule. Consequently, it is unclear what specific products will result from this project.



ODOT and DLCD requested clarification of the proposal. Subsequently, partial funding, of \$20,000, has been recommended. The grant proposal was for \$50,000.

The eight grant proposal listed below represent a total funding request of \$379,000. All of these applications cover similar work and are intended to be coordinated with one another. The work programs, however, are somewhat different and could benefit from clarification. For example, the areas to be covered are not clear and the relationship between Metro's regional plan policy and the local plans is not clear. DLCD and ODOT support funding of these projects, but at a slightly lower total level. DLCD and ODOT propose to reserve \$313,000 for these projects in total and negotiate more detailed work programs which clarify the products to be created and how the efforts between Metro and counties will be coordinated.

- 1I Clackamas County - Pedestrian Plan
- 1K Clackamas County - Regional Bicycle Plan
- 1W Metro Regional Bicycle Program
- 1X Metro Regional Pedestrian System Plan
- 1CC Multnomah County - Pedestrian Plan for East Multnomah County
- 1OO Portland - TSP Pedestrian Element
- 1PP Portland - Bicycle Master Plan
- 1AAA Washington County Bicycle Plan Update

### ***Category 2 Grants***

Category 2 Grants are for consideration of land use alternatives which evaluate increased densities and mixing of uses to reduce dependence on the automobile and increase use of alternative modes (i.e., biking, walking and transit).

A total of \$652,800 is allocated to the Metro area for Category 2 projects and applications totaling \$869,359 were received. In addition, cities near, but outside the Metro area, are eligible for these funds at Metro's discretion. Recommended proposals for funding in this category total \$537,462. All grant awards are subject to approval by ODOT of a detailed work plan including coordination between related projects, as applicable.

### **Category 2 Proposals Not Recommended for Funding**

Proposals not recommended for funding in this category either did not clearly address the objectives of Category 2 (i.e., to consider increases in density or changes in land use design or mix of uses) or were more appropriate for funding under other categories.

- 1A Beaverton LRT Station Area Plan

This project appears to be a design plan for a specific project rather than a planning study to evaluate land use plan changes which would increase density, mix uses or otherwise change the existing land use plan to further encourage alternative modes. The site is already designed as a station area and has been the subject of station area planning efforts by Tri-Met and the city. Further site planning would appear to be appropriate as part of station area planning.

DLCD and ODOT also evaluated the project as a specific development plan under Category 3. It was not recommended for funding under this Category because the site includes only a single ownership and the purpose of specific development plans is to do subdivision level planning for multiple ownerships to address broader than single parcel issues.

- **1EE North Plains Westside Urban Growth Boundary Plan**

The city has provided only a very general work program addressing possible satellite city issues.

- **1JJ Eastbank Integrated Master Plan**

This project does not appear to result in specific plan or ordinance changes nor does it clearly address the objectives of Category 2 to evaluate land use plan amendments to increase densities or mix uses to reduce travel. The product of this work is a strategy and a work program for subsequent planning and intergovernmental coordination to address admittedly complex and important transportation issues on the Eastbank of the Willamette River. While these issues are important, they are not addressed through the proposed application in a way which would justify Category 2 funding for this project.

#### **Category 2 Proposals with Reduced Funding**

Listed below are grant proposals which will be funded at an amount less than requested.

- **1E Canby - Evaluation of 2040 and IUU Sandy/Metro Satellite City Plan**

DLCD and ODOT recommend funding these proposal up to a total grant award of \$195,000 contingent on successful negotiation of the work plans.

#### **Category 3 Grants**

For information regarding grants, contact DLCD.

#### **Projects Recommended for Funding in Other Categories**

Listed below are proposals recommended for funding under other categories. All grant awards are subject to approval by ODOT of a detailed work plan.

- **1H Clackamas County - Sunnyside Village Center Design Plan**

This project is principally a detailed site plan for the public plaza and transit stop at the proposed Sunnyside Village Center. The project implements the existing plan rather than as Category 2 is intended to do, consider changes to land use which increase density or mix uses. DLCD and ODOT support this work, but do not believe that it is eligible for Category 2 funding. DLCD and ODOT also evaluated this project for funding under Category 3 and support funding the proposal.

- **1MM Portland SE Main Streets Study**

This project would identify and address building and development code barriers to accomplishing higher density residential development and infill in the southeast Portland area. Most of the project appears directed at building and structural code issues rather than consideration of changes to land use plans which would increase planned densities or change the mix of land uses from current planning designations. Consequently, ODOT and DLCD feel that most of this work does not qualify for Category 2 funding. Nonetheless, DLCD and ODOT do support funding for all or most of this project as a Category 3 Infill and Redevelopment project.

- **1YY Tri-Met Primary Transit Network**

DLCD and ODOT support this work and recommend funding. However, Tri-Met is not an eligible applicant and the work is not eligible for funding under Category 2. Funding is contingent on successful negotiations with Metro and Tri-Met and approval by the TGM Management Committee.

**EXECUTIVE OFFICER'S RECOMMENDATION**

The Executive Officer recommends adoption of Resolution No. 94-1949.

MW/arb/lmk  
94-1949.RES  
MPAC/JPACT Recommendation  
04/14/94

## ATTACHMENT A

**Transportation Growth Management Program  
Summary Grant Applications**

March 1994

File Code	Jurisdiction	Project Title	Category 1 Amount	Category 2 Amount	Category 3 Amount
1A	Beaverton	Central LRT Station Specific Plan		\$75,000	
1B	Beaverton	Transportation	\$40,000		
1C	Beaverton	Infill			\$33,400
1D	Canby	99E Access Management Plan	49,000		
1E	Canby	Metro Preferred Alternative - 2040		70,000	
1F	Canby	Transportation System Plan	20,000		
1G	Canby	Application of Tools			30,000
1H	Clackamas County	Sunnyside Village Center Design Plan		50,000	
1I	Clackamas County	Pedestrian Plan	48,994		
1J	Clackamas County	Oak Grove Community Plan		34,962	
1K	Clackamas County	Regional Bicycle System Plan	30,000		
1L	Clackamas County	Sunnyside Road Corridor Design Plan	48,910		
1M	Clackamas County	Public Investment Area			50,000
1N	Clatskanie	Transportation Network Plan	21,250		
1O	Forest Grove	Pedestrian Bicycle Network Plan	12,000		
1P	Gladstone	Transportation System Plan	17,000		
1Q	Gresham	Rockwood Center Mixed-Use Plan			40,000
1R	Gresham	Land Use Alternatives Study		50,000	
1S	Gresham	Long-Range Transit Plan	50,000		
1T	Hood River	Urban Area Transportation System Plan	48,850		
1U	Hood River County	Multi-modal Transportation Services Fac.			80,000
1V	Lake Oswego and Clackamas County	Waluga Triangle Transportation/Land Use Study	47,650		
1W	Metro	Regional Bicycle/Pedestrian Program	50,000		
1X	Metro	Regional Pedestrian System Plan	50,000		
1Y	Metro	Parking Area Inventory	80,000		
1Z	Metro	Regional Main Streets		75,000	
1AA	Metro	TOD Implementation Program		60,000	
1BB	Milwaukie	Transportation System Plan	42,245		
1CC	Multnomah County	Pedestrian Plan for East Multnomah County	50,000		
1DD	Multnomah County	Suburban Street Design Charette		22,500	
1EE	North Plains	Westside UGB Plan		17,000	

File Code	Jurisdiction	Project Title	Category 1 Amount	Category 2 Amount	Category 3 Amount
1FF	Oak Lodge Sanitation District	Model Process for Urban Services Agreement			40,000
1GG	Oregon City	Transportation Master Plan Update	37,500		
1HH	Oregon City	Clackamette Cove Development Plan			40,000
1II	Portland	Knott Street/Martin Luther King Jr. Boulevard Mixed Use Project			39,500
1JJ	Portland	Eastbank Integrated Master Plan		50,000	
1KK	Portland	Hollywood Pilot Project			40,000
1LL	Portland	Livable City Target Sites			40,000
1MM	Portland	SE Main Streets Study		40,000	
1NN	Portland	Parking Management Plan	50,000		
1OO	Portland	TSP - Pedestrian Element	50,000		
1PP	Portland	Bicycle Master Plan	50,000		
1QQ	Portland	Banfield Light Rail Development Opportunity Site			40,000
1RR	Rainier	Transportation System Plan	20,000		
1SS	Sandy	Urban Growth Strategy	25,063		41,230
1TT	Sandy	Downtown Transportation Design	19,956		
1UU	Sandy	Sandy/Metro Satellite City Plan		174,897	
1VV	Sherwood	Transportation Rule Implementation	20,000		
1WW	St. Helens	Access Management Highway 30	17,000		
1XX	Tigard	Multi-Model Connections/Pathways	25,500		
1YY	Tri-Met	Primary Transit Network		50,000	
1ZZ	Troutdale	Transportation System Plan	30,000		
1AAA	Washington County	Bicycle Plan Update	50,000		
1BBB	Washington County	SD Cooperative/Urban Services Agreement			40,000
1CCC	Washington County	Transit Supportive Corridor Project		50,000	
1DDD	Washington County	Revise Local Street Standards	42,500		
1EEE	Washington County	Additional Neighborhood Commercial		50,000	
1FFF	Wilsonville	Bicycle and Pedestrian Ordinance	21,500		
1GGG	Scappoose	Comprehensive Transportation Plan	50,000		
		<b>TOTAL APPLICATIONS</b>	<b>\$1,218,418</b>	<b>\$869,359</b>	<b>\$554,130</b>
		Amount Available	\$934,200	\$652,800	\$465,300
		Amount Funded	934,195	607,462	452,900

Attachment B

TRANSPORTATION/GROWTH MANAGEMENT PROGRAM  
APPLICATION DESCRIPTION  
MARCH 1994

Within Metro Boundaries

**Applicant:** City of Beaverton  
**File Code:** 1A  
**Amount:** 75,000  
**Grant Type:** LUA  
**Project Title:** Beaverton Central LRT Station Specific Plan  
**Description:** The project will be to prepare a specific plan on City-owned property adjacent to the planned Beaverton Central Light Rail Station, to implement the Civic Center concept of the adopted Downtown Development Plan to better integrate transportation and land use to achieve compact pedestrian, and transit-friendly urban development.

**Applicant:** City of Beaverton  
**File Code:** 1B  
**Amount:** 40,000  
**Grant Type:** TPR  
**Project Title:** Transportation  
**Description:** This project involves updating the Plan and Development Code standards for local, collector, and arterial streets to meet the changing needs of the community and the Transportation Rule.

**Applicant:** City of Beaverton  
**File Code:** 1C  
**Amount:** 33,400  
**Grant Type:** UGM  
**Project Title:** Infill  
**Description:** This project involves evaluating the issues surrounding infill development and developing a method to overcome these controversial issues. A community education program will be developed for dealing with public concerns. Amendments to the Plan and Code will result.

**Applicant:** City of Canby  
**File Code:** 1E  
**Amount:** 70,000  
**Grant Type:** LUA  
**Project Title:** METRO Preferred Alternative 2040 Plan - Applied to Canby  
**Description:** METRO will adopt a preferred alternative for their 2040 plan. This proposed project will evaluate such a plan for its impact upon Canby. So far, the published information assumes Canby will have minimal growth while, in recent years, growth has been at about 4%, and 5.4% within the last year. The impact analysis would show what changes are needed to implement the selected alternative in Canby. Canby has been described in numerous public meetings as one of the satellite cities.

**Applicant:** Clackamas County  
**File Code:** 1H  
**Amount:** 50,000  
**Grant Type:** LUA  
**Project Title:** Sunnyside Village Center Design Plan, Funding Study & Ordinance Update  
**Description:** There are three major components to the project for which we are seeking funding: 1) A detailed Design Plan for Village Green and Transit Plaza; 2) Funding alternatives for implementing unfunded aspects of Sunnyside Village; 3) Monitoring, evaluation and revision of Sunnyside Village Plan and Zoning Ordinance.

**Applicant:** Clackamas County  
**File Code:** 1I  
**Amount:** 48,994  
**Grant Type:** TPR  
**Project Title:** Pedestrian Plan  
**Description:** This project will consist of an inventory of existing pedestrian paths and sidewalks, review policies for pedestrian facilities as part of our transportation system planning effort, and set priorities for construction and repair of substandard facilities. New segments are expected to link activity centers such as schools and commercial developments to neighborhoods. Safety and convenience are major concerns.

**Applicant:** Clackamas County  
**File Code:** 1J  
**Amount:** 34,962  
**Grant Type:** LUA  
**Project Title:** Oak Grove Community Plan  
**Description:** This plan provide a strategy for redevelopment to integrate transportation as land use more effectively. Through a process of examining current land use densities and borrowing from the neo-traditional concept, the Oak Grove Community Plan will enhance this community's historic development patterns and provide for desirable uses within a pedestrian/bicycle-friendly and transit-supportive environment.

**Applicant:** Clackamas County  
**File Code:** 1K  
**Amount:** 30,000  
**Grant Type:** TPR  
**Project Title:** Bike Plan  
**Description:** This TSP work will meet the requirements of the Transportation Planning Rule (RPR). It will include an inventory of existing bikeway facilities, a review and possibly changes to policies for bikeway facilities, inclusion of projects in our CIP, and coordination.

**Applicant:** Clackamas County  
**File Code:** 1L  
**Amount:** 48,910  
**Grant Type:** TPR  
**Project Title:** Sunnyside Road Corridor Design Plan  
**Description:** The project would develop a design plan and implementation strategies for the ultimate design of Sunnyside Road from I-205 to the East Sunnyside Village near 152nd Avenue. This project will: 1) Identify the multimodal needs of Sunnyside Road, and 2) Determine when these improvements are needed.

**Applicant:** Clackamas County  
**File Code:** 1M  
**Amount:** 50,000  
**Grant Type:** UGM  
**Project Title:** Public Investment Area  
**Description:** Phase II of the Public Investment Area (PIA) project will concentrate on refining the information used in the PIA model. The study area is North Clackamas County; this includes the cities of Gladstone, Happy Valley and Milwaukie, along with a number of special districts. The study will test the applicability of the model to regional growth alternatives. It will evaluate the fiscal ability of local jurisdictions to develop as planned.

Phase II of the PIA will increase the accuracy of the financial and demographic data. It also identifies steps needed to incorporate financial impact analysis into the comprehensive planning process.

The result of the Phase II analysis will identify areas of disproportionate fiscal impact resulting from development. Thus, the tool can be used to provide feedback to planners and policy makers on the anticipated financial drain from existing comprehensive plans.

**Applicant:** City of Forest Grove  
**File Code:** 10  
**Amount:** 12,000  
**Grant Type:** TPR  
**Project Title:** Forest Grove Pedestrian/Bicycle Network Plan  
**Description:** A non-auto transportation network plan which a) becomes part of the Comprehensive Plan and the Capital Improvement Program, b) combines and links non-auto transportation routes (pedestrian and bicycle) for a range of purposes including commuter and recreational, c) ranks the routes in order of importance based on safety, projected amount of use, acquisition needs, linkages to outside city routes, and overall economic development potential such as improving downtown access, and d) provides rough estimates of costs for all sections.

**Applicant:** City of Gladstone  
**File Code:** 1P  
**Amount:** 17,000  
**Grant Type:** TPR  
**Project Title:** Transportation Systems Plan  
**Description:** Development of elements of a transportation systems plan including comparing costs and benefits of street improvements to investment in alternate transportation facilities.

**Applicant:** City of Gresham  
**File Code:** 1Q  
**Amount:** 40,000  
**Grant Type:** UGM  
**Project Title:** Rockwood Center Mixed-Use Plan  
**Description:** This is a proposal to create a specific development plan for a sub-area of Gresham known as Rockwood. The plan will emphasize mixed-use development and will incorporate infill strategies, a focused public investment plan, minimum density zoning, and other transportation-efficient land-use strategies.



**Applicant:** City of Gresham  
**File Code:** 1R  
**Amount:** 50,000  
**Grant Type:** LUA  
**Project Title:** Gresham Land Use Alternative Study  
**Description:** The purpose of this project is to evaluate different land use designations, densities and design standards in order to reduce automobile trips and support alternative modes of transportation. This report will provide the basis for new zoning districts, modification to existing districts, and development of new or revised design standards.

**Applicant:** City of Gresham  
**File Code:** 1S  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** Long Range Transit Plan  
**Description:** This Consultant Study develops a 20-year transit plan for the City of Gresham, which will be used as the transit element for the State-mandated Transportation System Plan. This plan will identify potential transit services and routes, funding and implementation. The key issues are two light rail extensions, the need for feeder bus and shuttle bus systems, vanpool-carpool, intercity and in-city transit, and demand-responsive transit. The plan will leverage services and facility investments and promote transit-supportive land use patterns.

**Applicant:** City of Lake Oswego in conjunction with Clackamas County  
**File Code:** 1V  
**Amount:** 47,650  
**Grant Type:** TPR  
**Project Title:** Transportation Management and Land Use Study for the Waluga Triangle  
**Description:** The City of Lake Oswego and Clackamas County desire to develop a transportation and land use management plan for the Waluga Triangle. This area, roughly in the shape of a triangle, (Exhibit "A") is within the City of Lake Oswego Urban Services Boundary (USB) bounded by Kruse Way to the north, I-5 to the west, and Boones Ferry Road to the east. The area contains both incorporated and unincorporated lands and is about 600 acres in size.

**Applicant:** Metro + Three Counties and City of Portland  
**File Code:** 1W  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** Regional Bicycle & Pedestrian Program  
**Description:** This program would create a bicycle system element of the Region Transportation Plan (RTP), as required by the State Transportation Planning Rule. The program would also provide guidance for local bike system planning in the Portland region and development of local ordinances.

**Applicant:** Metro + Three Counties and City of Portland  
**File Code:** 1X  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** Regional Pedestrian System Plan  
**Description:** A Regional Pedestrian System Plan for incorporation into the RTP that includes an inventory of pedestrian facilities of regional significance, prioritizing key pedestrian corridors and improvement needs and developing strategies for improving the pedestrian environment in priority areas.

**Applicant:** Metro  
**File Code:** 1AA  
**Amount:** 60,000  
**Grant Type:** LUA  
**Project Title:** TOD Implementation Program - Services  
**Description:** This grant will provide for specific support activities and services to establish a TOD Implementation Program. The work products will include: 1) Legal opinion for TOD Implementation Funding; 2) Report on specific development tool(s) to be utilized; 3) Site selection analysis; 4) Property appraisal report; 5) Environmental scoping; 6) Draft resolutions for enactment by Metro.

**Applicant:** Metro  
**File Code:** 1Y  
**Amount:** 80,000  
**Grant Type:** TPR  
**Project Title:** Parking Area Inventory  
**Description:** The project will estimate total parking area in the Portland Metropolitan Region by land use type for purposes of compliance with the Transportation Planning Rule (TPR) and the Parking Ratio Rule.

**Applicant:** Metro  
**File Code:** 1Z  
**Amount:** 75,000  
**Grant Type:** LUA  
**Project Title:** Regional Main Streets  
**Description:** The Regional Main Streets planning program is the regional planning process for the development of urban design standards and minimum housing densities for key locations in the region. Implementing strategies for pedestrian-oriented development will also be included. The primary products are land use policies to be considered for incorporation into the Transportation System Plan, density and design standards and implementation strategies for the Regional Framework Plan.

**Applicant:** City of Milwaukie  
**File Code:** 1BB  
**Amount:** 42,245  
**Grant Type:** TPR  
**Project Title:** Milwaukie TSP  
**Description:** An adopted Transportation System Plan (TSP) for the City of Milwaukie.

**Applicant:** Multnomah County  
**File Code:** 1CC  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** Pedestrian Plan for East Multnomah County  
**Description:** Develop a pedestrian plan for East Multnomah County. The plan will identify existing deficiencies, recommend designated pedestrian districts, and develop a pedestrian Capital Improvement Program.

**Applicant:** Multnomah County  
**File Code:** 1DD  
**Amount:** 22,500  
**Grant Type:** LUA  
**Project Title:** Suburban Street Design Charette  
**Description:** The project will analyze the multi-modal function and form of a typical suburban arterial street with a five-lane cross-section and low-density, strip-type development. Street and urban design elements will be analyzed to identify possible improvements for bicycles and pedestrians.

**Applicant:** City of North Plains  
**File Code:** 1EE  
**Amount:** 17,000  
**Grant Type:** TPR LUA UGM  
**Project Title:** Westside Urban Growth Boundary Plan  
**Description:** A mixed category 1, 2, and 3 grant application for implementation of the Transportation Planning Rule, consideration of land use alternatives to be incorporated into plan and ordinance amendments, and demonstration or Urban Planning Area Agreement revisions and new specific development plan, applied to the City's recent approval of a 306-acre UGB expansion, which has been appealed to LUBA by DLCDC, ODOT and 1,000 Friends.

**Applicant:** Oak Lodge Sanitary District  
**File Code:** 1FF  
**Amount:** 40,000  
**Grant Type:** UGM  
**Project Title:** Model Process for Urban Service Agreements  
**Description:** Development and implementation of a process resulting in urban service agreements/special district cooperative agreements, for a highly urbanized area consisting of both incorporated and unincorporated territory with a multiplicity of urban service providers.

**Applicant:** City of Oregon City  
**File Code:** 1GG  
**Amount:** 37,500  
**Grant Type:** TPR  
**Project Title:** Transportation Master Plan Update  
**Description:** Update existing Transportation Master Plan. Incorporate Transportation Planning Rule requirements. Establish a model ordinance incorporating the Transportation Rule Requirements. Enlarge public input opportunities.

**Applicant:** City of Oregon City  
**File Code:** 1HH  
**Amount:** 40,000  
**Grant Type:** UGM  
**Project Title:** Clackamette Cove Development Plan  
**Description:** Establish Transportation Element of Development Plan. Establish mixed use zoning ordinance. Establish effects of Regional Transportation Planning efforts on parcel. Establish a developmental guideline for site.

**Applicant:** City of Portland/Portland Development Commission  
**File Code:** 1II  
**Amount:** 39,500  
**Grant Type:** UGM  
**Project Title:** Knott St./MLK Blvd. Mixed Use Project  
**Description:** The Russell Street intersection on Martin Luther King Jr. Blvd. is located in the heart of the Eliot Neighborhood in inner Northeast Portland. The Albina Community Plan and Eliot Neighborhood Plan both recognize this intersection as a strategic "node" that offers the potential for transit-oriented, mixed-use projects that include housing and retail development. At least two sites are located at the Russell St. "node" that are of sufficient size and orientation for significant combination of housing and retail development. The proposed project supported by this grant would allow a full range of site analysis, programming, design and other pre-development activities to prepare one of these sites for construction as transit and pedestrian oriented mixed-use development.

**Applicant:** City of Portland  
**File Code:** 1JJ  
**Amount:** 50,000  
**Grant Type:** LUA  
**Project Title:** Eastbank Integrated Master Plan  
**Description:** This project will develop a land use and transportation strategy as the first phase of an Eastbank integrated master planning process. It will analyze the scope and objectives of the master planning process, identify an affected parties task force, explore funding options, select a consultant, refine the work program and vision statement, and integrate functional plan elements into a public strategy document.

**Applicant:** City of Portland, Bureau of Planning  
**File Code:** 1KK  
**Amount:** 40,000  
**Grant Type:** UGM  
**Project Title:** Hollywood Pilot Project  
**Description:** The Hollywood Pilot Project will help Hollywood Development Corporation (HDC) take the next steps to attract development projects that stimulate development and recreate a transit oriented community of housing, offices and stores. The HDC consultant team will assist HDC to define prototype projects that demonstrate marketable and attractive uses, identify potential sites, and negotiate with developers to build these projects. In addition, the process will provide a model developers to build these projects. In addition, the process will provide a model for other community based groups to create transit oriented development in their neighborhoods.

**Applicant:** City of Portland, Bureau of Planning  
**File Code:** 1LL  
**Amount:** 40,000  
**Grant Type:** UGM  
**Project Title:** Livable City Housing Initiative - Target Sites  
**Description:** This project will identify, analyze, and inventory potential housing sites of various sizes in the city, for their suitability for use for transit-supportive, neighborhood-compatible, residential and mixed-used development. The results of this project will be an inventory of housing sites, fully researched and available to inform developers of opportunities within Portland, which have been approved by property owners, neighborhood and business associations. The sites will also be approved by the Board of a non-profit corporation funded by a public and private partnership whose goal is to foster construction of significant amounts of new housing within Portland over the next 20 years.

**Applicant:** City of Portland, Bureau of Planning  
**File Code:** 1MM  
**Amount:** 40,000  
**Grant Type:** LUA  
**Project Title:** S.E. Main Streets Study  
**Description:** The S.E. Main Streets Study will study building and zoning code issues (fire and life safety, seismic, ADA, height, setbacks, etc.) from the perspective of market feasibility of adding residential units above existing buildings. Modifications to the zoning and buildings codes that pose unnecessary disincentives to mixed use development will be explored, and proposed if warranted. The study will use specific buildings within 2500 acre target area of close-in SE Portland as test cases for the study.

**Applicant:** City of Portland  
**File Code:** INN  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** Parking Management Plan  
**Description:** The purpose of this project will be to develop a parking management plan to meet the per capital parking space reduction requirement of the transportation Planning Rule. Efforts of the plan will be two part: 1) to coordinate regional efforts to plan for the TPR parking space reduction requirements and the DEQ parking ratio requirement with other jurisdictions using a consultant, preferably Metro; 2) apply the regional framework to the City of Portland and develop a parking management plan for areas outside of the Central City.

**Applicant:** City of Portland  
**File Code:** 100  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** TSP - Pedestrian Element  
**Description:** This project will develop the pedestrian element of the Portland Transportation System Plan. The project will establish policies and standards for the pedestrian network; define a network based on the policies and standards; assess network needs, and produce a final pedestrian network plan with implementation and funding strategy.

**Applicant:** City of Portland  
**File Code:** 1PP  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** Bicycle Master Plan  
**Description:** This project will develop a Bicycle Master Plan through an 18-month public process. The Bicycle Master Plan will update the current bicycle route network, establish a comprehensive network of bikeways (e.g. bicycle lanes, trails, and neighborhood through streets), develop an appropriate policy framework, identify bicycle performance measures or standards, and establish bicycle facilities design and maintenance standards. The Bicycle Master Plan will include a plan for implementing recommended changes, and serve as an element of the City of Portland Transportation System Plan and the Regional Bike Network.

**Applicant:** City of Portland/Portland Development Commission  
**File Code:** 1QQ  
**Amount:** 40,000  
**Grant Type:** UGM  
**Project Title:** Banfield Light Rail Development Opportunity Site - NE 60th & Glisan  
**Description:** One of the major opportunity sites for redevelopment along the Banfield Light Rail Line (LRT) is the 5+-acre site at NE 60th & Glisan. To be able to capture the type of redevelopment which meets public objectives regarding transit ridership and growth management, the City of Portland Development Commission (PDC) proposes to conduct a thorough redevelopment analysis with particular emphasis on: 1) transit-oriented and pedestrian-friendly design and development; 2) appropriate density of housing given adjacency to LRT; 3) a realistic redevelopment program for a mixed-use housing project. The project will also involve continued negotiations with ODOT for site control with the intention of soliciting redevelopment proposals in 1995.

**Applicant:** City of Sandy  
**File Code:** 1UU  
**Amount:** 174,897  
**Grant Type:** LUA  
**Project Title:** City of Sandy/METRO Satellite City Plan  
**Description:** To revise the Sandy Comprehensive Plan and its supportive documents as a model satellite city and accommodating growth as projected by the METRO 2040. The satellite city Comprehensive Plan will be a refinement of the Peter Calthorpe design created for Sandy in the 2040 project. The plan is to meet the Transportation Rule requirements.

**Applicant:** City of Sherwood  
**File Code:** 1VV  
**Amount:** 20,000  
**Grant Type:** TPR  
**Project Title:** Sherwood Transportation Rule Implementation  
**Description:** 1) Review City of Sherwood Comprehensive Plan and Zoning Community Development Code for compliance with Transportation Planning Rule (TPR) and TPR Implementation Guidelines. 2) Draft Plan and Code Amendments. Known areas for consideration include: Street and right-of-way width standards; bicycle parking standards; transit supportive design standards and incentives; streetscape standards, and pedestrian/bicycle pathway plan. 3) Conduct informational meetings with citizens and the development community. 4) Planning Commission and City Council hearings for adoption of amendments.

**Applicant:** City of Tigard  
**File Code:** 1XX  
**Amount:** 25,500  
**Grant Type:** TPR  
**Project Title:** Multi-Modal Connections and Pathways  
**Description:** A study to determine ways to improve transportation system connectivity through two discrete projects: 1) The development of a pedestrian/bike path system plan; 2) A feasibility study of a multimodal connection between Tigard and Tualatin along the Hall Blvd./Tualatin River corridor.

**Applicant:** Tri-County Metropolitan District of Oregon  
**File Code:** 1YY  
**Amount:** 50,000  
**Grant Type:** LUA  
**Project Title:** Primary Transit Network  
**Description:** This project develops the Primary Transit Network within a Metro process to define the Regional Framework Plan. The Primary Transit Network will build on land use decisions from the Region 2040 Process. Tri-Met and Metro will closely coordinate the Primary Transit Network with planning for other elements of the Regional Framework Plan. The overall planning process involves local jurisdictions and other major stakeholders.

**Applicant:** City of Troutdale  
**File Code:** 1ZZ  
**Amount:** 30,000  
**Grant Type:** TSP  
**Project Title:** Transportation System Plan  
**Description:** This project will update the City of Troutdale's Comprehensive Plan in order to comply with provisions of the Transportation Planning Rule as described in OAR 600-12.

**Applicant:** Washington County  
**File Code:** 1AAA  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** Bicycle Plan Update  
**Description:** This project would update and revise the bicycle element of the 1988 Washington County Transportation Plan, resulting in a planned comprehensive county-wide bikeway network. This plan, upon completion, would become an element of the County's Transportation Systems Plan. The purpose of this bikeway network is to provide a system of bikeways throughout the County providing safe, direct, and convenient bicycle access to major destinations to encourage bicycling.

**Applicant:** Washington County  
**File Code:** 1BBB  
**Amount:** 40,000  
**Grant Type:** UGM  
**Project Title:** Special District Cooperative & Urban Service Agreements  
**Description:** The purpose of this project is to develop special district coordination and urban service agreements for the portion of Washington County within the Regional Urban Growth Boundary. ORS 195.085 requires local governments and special districts to enter into urban service agreements no later than the first periodic review that begins after November 4, 1993. This project responds to that mandate and would bring all affected jurisdictions in Washington County into compliance at the same time in 1995.

**Applicant:** Washington County  
**File Code:** 1CCC  
**Amount:** 50,000  
**Grant Type:** LUA  
**Project Title:** Transit Supportive Corridor Project  
**Description:** The Transit Supportive Corridor Project is intended to be a critical step in fostering transit-supportive development along two or three corridors in Washington County. The focus of the project is to generate alternative development concepts along transit corridors in order to increase transit, walking and bicycle travel.

**Applicant:** Washington County  
**File Code:** 1DDD  
**Amount:** 42,500  
**Grant Type:** TPR  
**Project Title:** Revise Local Street Standards  
**Description:** This project is intended to provide a set of recommended local street design standards for eventual adoption into the County road standards. The project will result in a set of design standards which will bring the County road standards more in line with the Transportation Planning Rule and current practices. Standards to be reviewed will include, but not be limited to, street width, on-street parking, curve and corner radii, sidewalk location, and width of landscape strips.

**Applicant:** Washington County  
**File Code:** 1EEE  
**Amount:** 50,000  
**Grant Type:** LUA  
**Project Title:** Feasibility of Additional Neighborhood Commercial Sites  
**Description:** The purpose of this project is to explore the feasibility of increasing the number of sites in urban unincorporated Washington County designated for the development of neighborhood shopping centers, and to define strategies for appropriately designating sites deemed feasible for such uses.

**Applicant:** City of Wilsonville  
**File Code:** 1FFF  
**Amount:** 21,250  
**Grant Type:** TPR  
**Project Title:** Bicycle, Pedestrian and Transit Ordinance  
**Description:** Category 1 grant to revise chapter 4 of the Wilsonville code to include comprehensive development standards for bicycle, pedestrian and transit improvements. This project involves a new ordinance.



**TRANSPORTATION/GROWTH MANAGEMENT PROGRAM  
APPLICATION DESCRIPTION  
MARCH 1994**

**Outside Metro Boundaries**

**Applicant:** City of Canby  
**File Code:** 1D  
**Amount:** 49,000  
**Grant Type:** TPR  
**Project Title:** Highway 99E Access Management Plan for Canby  
**Description:** Develop an Access Management Plan for the entire Highway 99E through the City of Canby and its Urban Growth Boundary area. Will analyze existing and future access requirements, identify access management strategies, and focus on operation of the highway at full development of adjacent lands.

**Applicant:** City of Canby  
**File Code:** 1F  
**Amount:** 20,000  
**Grant Type:** TPR  
**Project Title:** Transportation System Plan Implementation  
**Description:** A Canby Transportation System Plan by Kittelson & Assoc. will be completed by July 1, 1994, and will recommend changes to Canby's policies. This project will translate the Transportation System Plan recommendations into amendments to Canby's current Planning and Development Ordinance and Comprehensive Plan and aid in implementing the Transportation System Plan consistent with the transportation planning rules.

**Applicant:** City of Canby  
**File Code:** 1G  
**Amount:** 30,000  
**Grant Type:** UGM  
**Project Title:** Application of Growth Management Tools  
**Description:** This project will formulate the application of various growth management tools such as Urban Reserves, Delayed Annexation, and County Cooperative Agreements. The actual products will be new and revised ordinances, policies and agreements.

**Applicant:** City of Clatskanie  
**File Code:** 1N  
**Amount:** 21,250  
**Grant Type:** TPR  
**Project Title:** Transportation Network Plan  
**Description:** To develop a plan that integrates pedestrians, cyclists, and motorists in and through the downtown and commercial areas of the city of Clatskanie. The plan should include dedicated routes for safety moving the three types of traffic and the costs and schedules to construct the required facilities.

**Applicant:** City of Hood River  
**File Code:** 1T  
**Amount:** 48,850  
**Grant Type:** TPR  
**Project Title:** Urban Area Transportation System Plan  
**Description:** 1. Urban Area Transportation System Plan including: a) street network, b) mass transit c) bicycle network, d) pedestrian network.  
2. Policy recommendations for "The Transportation Rule" and periodic review.  
3. Joint collaborative project between City and County resulting in an agreement for transportation development.

**Applicant:** Hood River County  
**File Code:** 1U  
**Amount:** 80,000  
**Grant Type:** UGM  
**Project Title:** Multimodal Transportation Services Facility  
**Description:** Construct a 3000-square-foot transportation facility to serve as a coordinating point for multimodal transportation services in Hood River. This facility will support the integration of existing bike, pedestrian, intercity bus, public transit, excursion rail, highway, helicopter air tour and cruise ship activity in Hood River. Further, this project will provide maximum efficiency of land use with minimum public costs.

**Applicant:** City of Rainier  
**File Code:** 1RR  
**Amount:** 20,000  
**Grant Type:** TPR  
**Project Title:** Transportation System Plan Elements  
**Description:** This project will help Rainier to implement the Transportation Planning Rule by 1) recommending physical improvements to US Hwy. 30, and to the local street system that will better separate through and local traffic and improve local circulation for all modes, and by 2) recommending amendments to the City's land use and land subdivision regulations that will help to enhance US 30 as an Access Oregon Highway.

**Applicant:** City of Sandy  
**File Code:** 1SS  
**Amount:** 25,063 41,230  
**Grant Type:** TPR + UGM  
**Project Title:** Sandy Urban Growth Strategy  
**Description:** The City of Sandy and Clackamas County will jointly prepare a comprehensive urban growth management strategy for the Sandy urban area. Work products will include a transportation network plan, urban service agreements, and annexation plan, and an urban growth management agreement.

**Applicant:** City of Sandy  
**File Code:** 1TT  
**Amount:** 19,956  
**Grant Type:** TPR  
**Project Title:** Sandy Downtown Transportation Design  
**Description:** To create a transportation plan for downtown Sandy which addresses requirements for the Transportation Rule and Hwy. 26 as an Access Oregon Highway. The task work program will include revising land uses to meet TSP projections and facilitate access for the community and visitors to the Mt. Hood Corridor.

**Applicant:** City of Scappoose  
**File Code:** 1GGG  
**Amount:** 50,000  
**Grant Type:** TPR  
**Project Title:** Comprehensive Transportation Plan  
**Description:** A Comprehensive Transportation Plan is proposed to assist the City in achieving an adequate road network that takes local trips off Highway 30, and provides an adequate bicycle and pedestrian circulation system, and alternatives to single-occupancy vehicle commuter trips to Portland along Hwy. 30. The existing transportation system for all modes will be evaluated and assessed in terms of existing deficiencies and future projected needs based on land use development over the next 20 years. A future transportation system plan will be developed for all modes, improvements prioritized, and alternative funding sources identified.

**Applicant:** City of St. Helens  
**File Code:** 1WW  
**Amount:** 17,000  
**Grant Type:** TPR  
**Project Title:** Access Management Hwy. 30/St. Helens UFB  
**Description:** Develop access management implementation measures for adoption by the City and County in conjunction with the widening of US Hwy. 30 through the St. Helens area.

Meeting Date: April 28, 1994  
Agenda Item No. 7.4

RESOLUTION NO. 94-1932

## GOVERNMENTAL AFFAIRS COMMITTEE REPORT

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### RESOLUTION NO. 94-1932, ESTABLISHING PERSONNEL POLICIES FOR COUNCIL DEPARTMENT EMPLOYEES

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Date: April 13, 1994

Presented by: Councilor Buchanan

**COMMITTEE RECOMMENDATION:** At its April 12, 1994 meeting the Governmental Affairs Committee voted 4-0 to file Resolution No. 94-1932 with the Clerk of the Council and recommend Council adoption. All committee members were present and voted in favor.

**COMMITTEE DISCUSSION/ISSUES:** Council Analyst Casey Short presented the staff report. He noted that this resolution was prepared at the committee's direction, and a draft was considered at the March 22 Governmental Affairs Committee meeting. At that meeting, he said a resolution establishing personnel policies for Council Department employees is necessary because those employees are specifically exempted from the provisions of the Personnel Code as contained in Ordinance No. 94-523B (adopted March 24, 1994).

Mr. Short explained that this resolution would establish that Council staff are subject to the provisions of the Personnel Code, consistent with the rest of Metro's employees. It establishes that the Council Administrator performs the duties outlined in the Code for a Department Director, and that the Presiding Officer performs the relevant duties assigned in the Code to the Executive Officer; those duties are listed in Exhibit A, and are separately stipulated to acknowledge that certain functions need not be duplicated by the Presiding Officer (such as establishment of the annual pay plan, classification plans, and similar agency-wide policies). The resolution calls for hiring of staff to permanent positions to be done through the normal recruitment and selection process, although the Council could waive that process by adoption of a resolution.

At the April 12 meeting, Mr. Short discussed two changes to the draft requested by the committee at the earlier meeting. Those were clarification of the reporting responsibilities, stating that the staff works for the Council, that the Council Administrator supervises the staff on a day-to-day basis, and that the Administrator reports to the Presiding Officer. The resolution establishes an effective date of June 22, 1994, to be coincident with the effective date of Ordinance No. 94-523B.

There was no further committee discussion.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING ) RESOLUTION NO. 94-1932  
PERSONNEL POLICIES FOR COUNCIL )  
DEPARTMENT EMPLOYEES ) Introduced by Governmental  
 ) Affairs Committee

WHEREAS, The 1992 Metro Charter provides that staff employed by the Council serve at the pleasure of the council; and

WHEREAS, Ordinance No. 94-523B establishes personnel rules for Metro, codified as Chapter 2.02 of the Metro Code; and

WHEREAS, Section 2.02.025(a) of the Code, as contained in Ordinance No. 94-523B, establishes that, "Notwithstanding any provision of this chapter, Council employees shall be exempt from and shall not be subject to this chapter except as expressly determined by a resolution adopted by the Council, limited however to budgeted funds allocated to the Council Department"; and

WHEREAS, It is beneficial to the Council and the employees of the Council Department to establish a system of personnel administration for those employees; and

WHEREAS, Council Department employees are employees of Metro and should be subject to the same policies as other Metro employees regarding classification, compensation, benefits, and similar agency-wide personnel policies; now, therefore,

BE IT RESOLVED,

By the Metro Council:

1. That Council Department employees are subject to the provisions of the Metro Personnel Code, contained in Chapter 2.02 of the Metro Code.

2. That in the administration of the Personnel Code for the Council Department, the responsibilities and duties assigned in Chapter 2.02 to the Executive Officer, as listed in Exhibit A to this resolution, shall be performed by the Presiding Officer. The responsibilities and duties assigned in Chapter 2.02 to a Department Director shall be performed by the Council Administrator.

3. That all appointments to permanent positions shall be the responsibility of the Presiding Officer following the normal

recruitment and selection process. The Council may waive that process, as authorized in Section 2.02.080(h) of the Metro Code, by adoption of a resolution.

4. That Council Department employees work for the Council; the Council Administrator shall be responsible for providing day-to-day supervision of the Council Department staff. The Council Administrator shall report to the Presiding Officer, and shall keep the Presiding Officer fully informed on the affairs of the Council Department.

5. That this resolution shall take effect on June 22, 1994, to coincide with the effective date of Ordinance No. 94-523B.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

Judy Wyers, Presiding Officer

Metro Code sections assigned to Executive Officer  
to be performed by the Council Presiding Officer  
in administering personnel policies  
for Council Department employees

<u>Code Section</u>	<u>Subject</u>
2.02.005(f) & .305(f)	No contract of employment can be created, nor can an employee's status be modified . . . except by a written agreement signed by the Presiding Officer and the employee, and subject to any approval requirements for contracts established by the Metro Code.
2.02.010(a)(1) & .310(a)	The Presiding Officer shall be responsible for administering or delegating the administration of all provisions of these policies. For non-represented employees, the interpretation given by the Presiding Officer or his/her designee, to a question of the meaning or interpretation of provisions of these policies, shall be final and binding.
2.02.050 & .345	Reclassification of an existing position from one existing classification to another existing classification may be approved by the Presiding Officer provided the reclassification can be accomplished within the limitations of the current budget.
2.02.060(b)(1) & .355(a)	Appointment at or 5% 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 Council Administrator with concurrent notification to the Presiding Officer.
2.02.060(b)(2)	When an employee is appointed over the 5% above the beginning salary rate he/she is not eligible for a salary increase for one year, unless the Presiding Officer approves an extra meritorious salary increase based on outstanding performance after successful completion of six consecutive months of probationary service.
2.02.060(c)	The Council Administrator may assign an employee, in writing, to work "out of class". . . If the Council Administrator needs to extend the work out of class period beyond six



months, extenuating circumstances must be given in writing to the Presiding Officer for approval and forwarded to the Personnel Director.

2.02.090(c)

The term of temporary employment may not exceed 1044 hours within a fiscal year without approval of the Presiding Officer who may grant up to a 1044 hour extension.

2.02.095  
& .385

Any full-time position may be designated as a job share position by the Presiding Officer at the Council Administrator's request.

2.02.135(b)

Council Administrator vacations shall be approved by the Presiding Officer.

2.02.145(f)  
& .405

Upon written request of a regular employee to the Presiding Officer, the voluntary transfer of sick leave hours may be authorized on a limited, carefully monitored basis as follows: Each request will be reviewed and approval granted or denied on a case by case basis by the Presiding Officer. . . .

2.02.165

All regular (non-represented) employees may be granted leave of absence without pay and without employee benefits for a period not to exceed six months provided such leave can be scheduled without adversely affecting the operations of Metro. Such leave may be extended in writing by the Presiding Officer once up to an additional six months. Requests for leave of absence without pay shall be in writing, shall be directed to the Council Administrator and shall contain reasonable justification for approval. Requests of ten days or more shall require the approval of the Presiding Officer. . . .

2.02.170(d)

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 Council Administrator and the Presiding Officer, shall be granted approved unpaid leave during the service period.

2.02.170(e)

The Council Administrator may be granted administrative leave in recognition of his/her overtime exempt status upon approval by the Presiding Officer.

2.02.185(a)

If there is a reorganization, changes in the organization, lack of work or lack of funds, or other reasons not reflecting discredit on employees, the Presiding Officer may lay off employees.

2.02.200(b)(3,4)

If a grievance remains unresolved after the five calendar day period [at the Council Administrator level], the employee may submit it within another five calendar days to the Presiding Officer.

The Presiding Officer will review and investigate the grievance as necessary. The Presiding Officer will respond to the grievant within fifteen calendar days from the date the grievance was submitted to the Presiding Officer. The decision of the Presiding Officer shall be final and binding.

2.02.225  
& .455

Attendance at conferences, conventions or other meetings at Metro's expense shall be authorized by the Presiding Officer. . . . Metro shall pay for professional or trade memberships for employees when deemed appropriate by the Presiding Officer or his/her designee limited, however, to the availability of budgeted funds.

Meeting Date: April 28, 1994  
Agenda Item No. 7.5

RESOLUTION NO. 94-1933

## FINANCE COMMITTEE REPORT

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RESOLUTION NO. 94-1933 CREATING THE DEPARTMENT OF GENERAL SERVICES AND CONFIRMING THE APPOINTMENT OF DOUGLAS E. BUTLER TO THE POSITION OF DIRECTOR OF GENERAL SERVICES

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Date: April 19, 1994

Presented By: Councilor Washington

**COMMITTEE RECOMMENDATION:** At its April 13, 1994 meeting the Committee voted unanimously to recommend Council adoption of Resolution No. 94-1933. Committee members present and voting were Councilors Buchanan, Gardner, Kvistad, Monroe, Van Bergen and Washington. Councilors Devlin and McLain were absent.

**COMMITTEE DISCUSSION/ISSUES:** Dick Engstrom, Deputy Executive Officer, presented the Staff Report. He stated the resolution does two things: 1) it creates the Department of General Services; and 2) it confirms the appointment of Doug Butler to the position of Director of General Services. Mr. Engstrom stated that the new Department of General Services will replace the existing Regional Facilities Department and will include several additional functions or programs to be transferred from other existing departments. These include Graphics Services from the Public Affairs Department, Office Services from the Finance and Management Information Department, and the Receptionist from the Personnel Office. In response to a question from Council Staff, Mr. Engstrom stated the above functions would be transferred immediately upon adoption of the resolution for administrative purposes; but for financial management purposes the functions will remain in the existing budgets and appropriation units for the remainder of the fiscal year. He pointed out the new Department of General Services is included in the FY 94-95 Proposed Budget which is under consideration by the Budget Committee at the present time.

In response to a question from Councilor Van Bergen about the Council's authority to abolish and create departments, Council Staff stated that the Council has such authority in its legislative powers. Mr. Carlson indicated, however, that the preferable way to deal with this matter is with an ordinance and make it part of the Metro Code as is the case with the Office of General Council, the Office of Government Relations and the Office of Citizen Involvement. Mr. Carlson noted that Council Staff is in the process of preparing a draft master ordinance creating an Administration Chapter of the Code and will bring it to the appropriate committee following completion of the FY 94-95 Budget process.

Mr. Engstrom referred the Committee to the resume of Doug Butler and indicated the Executive Officer is very pleased to forward some one with his talents, knowledge and experience for confirmation for the Director's position. In response to a question from Councilor Washington about the timeliness of the appointment, Mr. Engstrom stated that historically Metro has not had an Interim Director serve for up to a year so the Executive felt it is appropriate to forward a candidate at this time. In response to another question regarding the salary for Mr. Butler, Mr. Engstrom stated he did not anticipate the appointment would cause an increase in Mr. Butler's salary, but no negotiations had occurred to date.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CREATING THE ) RESOLUTION NO. 94-1933  
DEPARTMENT OF GENERAL SERVICES AND )  
CONFIRMING THE APPOINTMENT OF ) INTRODUCED BY RENA CUSMA,  
DOUGLAS E. BUTLER TO THE POSITION OF ) EXECUTIVE OFFICER  
DIRECTOR OF GENERAL SERVICES )

WHEREAS, The Executive Officer has proposed a reorganization and consolidation of the support services in four different departments, combining Graphics, Office Services, Reception, and Regional Facilities personnel and programs, eliminating the Regional Facilities Department and establishing a General Services Department; and

WHEREAS, The Metro Code requires that the Metro Council confirm the appointment of a candidate to the position of Director of General Services; and

WHEREAS, Douglas E. Butler has been appointed Director of General Services; NOW THEREFORE,

BE IT RESOLVED,

1. That the Regional Facilities Department is abolished and the General Services Department is created.
2. That the appointment of Douglas E. Butler to the position of Director of General Services is confirmed by the Metro Council.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

\_\_\_\_\_  
Judy Wyers, Presiding Officer

**DOUGLAS E. BUTLER**  
**111 N.E. Graham Street**  
**Portland, Oregon 97212**  
**(503) 249-0906**

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## **ACCOMPLISHMENTS**

### **MANAGEMENT**

- Beginning in a non-supervisory project position, earned four promotions in less than five years to achieve the role of CEO for a \$50 million organization with 115 employees.
- Led the strategic reorganization, refinancing, and downsizing of a public agency in response to the immediate loss of 70% of agency's funding. This resulted in an initial 20% reduction in staff and a \$12 million reduction in budget.
- Significantly improved profitability and doubled construction/sales volume of a rowhouse/homebuilding business by reorganizing all aspects of administration and sales in both development/construction and realty companies.
- Re-engineered all City development agencies and programs to create: a new Permit Center; a clear vision, strategic plan, and unified budget; reduced processing time; and greater focus/effectiveness.

### **DEVELOPMENT**

- Wrote and promoted a development plan which was adopted by the City Council. The development plan was unanimously accepted and used by the property owners/developers in a 2,800-acre commercial/industrial area.
- Managed development of 275,000 sf. of flex-industrial and 100,000 sf. of Class A office space while developing plans for another 165,000 sf. of industrial space during a one year period. The space was built on-time and on-budget and leased ahead of schedule.
- Developed a wide range of large-scale projects including a 96-unit luxury condominium, a cruise ship terminal and a master-planned university-related science park.

### **COMMUNITY LEADERSHIP**

- Improved Board effectiveness for a program for emotionally disturbed youth which led to a 50% increase in revenue, national accreditation, expanded facilities and improved programs.
  - Directed strategic planning and construction of new facilities for a residential treatment center for severely disturbed children to achieve a 60% increase in the number of clients.
  - Expanded Special Olympics program from a one-day event to year-round training and competition in 8 sports for 250 retarded athletes supported by 300 volunteers.
-

**EMPLOYMENT HISTORY**

**METRO (REGIONAL GOVERNMENT)**

Director, Regional Facilities Department - 1993-Present

**PORTLAND DEVELOPMENT COMMISSION**

Acting Executive Director - 1993  
Deputy Director - 1992-1993  
Project Manager, Development Department - 1991-1992  
Project Coordinator, Development Department - 1988-1991

**OREGON GOVERNOR'S FILM & VIDEO TASK FORCE - Director - 1988**

**METROPOLITAN HOMES & METROPOLITAN REALTY**

Vice President - 1987-1988  
Development Manager - 1987

**SELF-EMPLOYED - Development Consultant - 1986**

**THE KOLL COMPANY - Development Manager - 1985-1986**

**PINNACLE DEVELOPMENT COMPANY - President - 1984-1985**

**REMBOLD CORPORATION**

Vice President/Development - 1981-1983  
Project Manager - 1980-1981

**PORTLAND OFFICE OF PLANNING AND DEVELOPMENT**

Deputy Administrator - 1976-1980  
Administrative Services Officer II - 1973-1976

**COMMUNITY LEADERSHIP**

**YOUTH ADVENTURES, INC.**

President & Member, Executive Committee - 1991-Present  
Chair, Buildings and Grounds Committee

**CHRISTIE SCHOOL**

Assistant Treasurer and Member, Executive and Finance Committees - 1984-Present  
Chair, Buildings, Program and Long Range Plan Committees

**COLUMBIA CORRIDOR ASSOCIATION BOARD OF DIRECTORS**

Vice President and Member, Executive Committee - 1990-1992  
Member, Marketing and Issues Committees

**MULTNOMAH COUNTY JUVENILE COURT ADVISORY COUNCIL**

Chairman - 1986-1987

**SUNSET CORRIDOR ASSOCIATION BOARD OF DIRECTORS**

Vice President and Member, Executive Committee - 1982-1983  
Chair, Marketing Committee

**PORTLAND SPECIAL OLYMPICS**

Chairman - 1979-1982

**EDUCATION**

**BS-Business Administration (with honors)** . . . . . Portland State University - 1969-1971  
Oregon State University - 1963-1966

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 94-1933 FOR THE PURPOSE OF CREATING THE DEPARTMENT OF GENERAL SERVICES AND CONFIRMING THE APPOINTMENT OF DOUGLAS E. BUTLER TO THE POSITION OF DIRECTOR OF GENERAL SERVICES

Date: March 17, 1994

Presented by: Dick Engstrom

#### Background

During the past two years' budget hearings, the Metro Council has suggested alternatives to the current Regional Facilities Department structure. In its hearing on the Regional Facilities Department on March 9, 1994, the Budget Committee considered the creation of a department of General Services and the abolishment of the Regional Facilities Department.

In addition, the Executive Officer has proposed, in the FY 1994-95 Budget, to combine Graphics, Office Services, Reception and Regional Facilities personnel and programs into a new General Services Department. This action places all day-to-day support services within one department. The current Regional Facilities Director feels it is difficult to organize and manage without a clear organizational structure, and that the benefits of such reorganization are worth considering immediately.

Therefore, the Metro Council should approve the abolishment of the Regional Facilities Department and the reorganization of said department into a new General Services Department. This creates the position of Director of General Services.

This position requires confirmation by the Metro Council pursuant to the Metro Code.

The position of Director of Regional Facilities is deleted as part of these actions.

#### Background and Qualifications

Douglas E. Butler has been employed by Metro for ninety days as Interim Director of Regional Facilities. In that time, Mr. Butler has prepared the 1994-95 Budget, and has suggested organizational changes to benefit the agency through downsizing, increased efficiency and detailed workplans.

Previously, Mr. Butler has held high-level management positions with the Portland Development Commission, Metropolitan Homes, The Koll Company, and the City of Portland Office of Planning and Development. See his attached resume.

The Executive Officer has determined that the Interim Director of Regional Facilities, having held this position for the past ninety days, is well qualified and has the background and experience necessary for this position.

The Executive Officer has appointed Douglas E. Butler as Director of General Services.



Meeting Date: April 28, 1994  
Agenda Item No. 7.6

RESOLUTION NO. 94-1951

FINANCE COMMITTEE REPORT

RESOLUTION NO. 94-1951 AUTHORIZING A MULTI-YEAR INTERGOVERNMENTAL AGREEMENT WITH TRI-MET FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE WESTSIDE LIGHT RAIL PROJECT

Date: April 19, 1994

Presented By: Councilor Buchanan

**COMMITTEE RECOMMENDATION:** At its April 13, 1994 meeting the Committee voted unanimously to recommend Council adoption of Resolution No. 94-1951. Committee members present and voting were Councilors Buchanan, Gardner, Kvistad, Monroe, Van Bergen and Washington. Councilors Devlin and McLain were absent.

**COMMITTEE DISCUSSION/ISSUES:** Doug Butler, Interim Regional Facilities Director, presented the Staff Report. He pointed out the purpose of the IGA is for Metro to provide construction management services to Tri-Met for the light rail station project at the Zoo. Under terms of the IGA Tri-Met will reimburse Metro for the costs of construction management services. This will enable Metro to assign Metro's Construction Manager, Glenn Taylor, to the project over the life of the multi-year agreement. The agreement also provides for Metro to use up to 20% of the Construction Managers time for other Metro work should such work become available. This agreement enables Metro to maintain a level of expertise which should be available for other projects as the need arises.

Council Staff pointed out that the FY 94-95 Proposed Budget for the Construction Support Program in the General Services Department has parts of four other positions in the Personal Services category (total of 1.40 FTE). He asked if the Tri-Met IGA provided funding for those additional positions. Mr. Butler stated that Tri-Met will be billed and pay for only the services it receives relating to the light rail station. If those persons do not work on the project they will not be paid for from Tri-Met funds. He also stated that the IGA did not anticipate many other charging to the light rail station project. Mr. Carlson pointed out that the Construction Services Proposed Budget needs to be changed because the Budget Committee has removed it as a cost to be allocated in the Cost Allocation Plan because of the lack of specific Metro construction projects.

In response to a question from Councilor Van Bergen regarding revenue, Mr. Carlson stated the Support Service Fund would include a revenue line item titled Intergovernmental Revenue to account for the funds to be received from Tri-Met.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING A )  
MULTI-YEAR INTERGOVERNMENTAL )  
AGREEMENT WITH TRI-MET FOR )  
CONSTRUCTION MANAGEMENT )  
SERVICES FOR THE WESTSIDE LIGHT )  
RAIL PROJECT )

RESOLUTION NO. 94-1951

Introduced by  
Rena Cusma  
Executive Officer

WHEREAS, Tri-Met is responsible for construction of the Westside Light Rail Project, including a train station located at the Metro Washington Park Zoo; and

WHEREAS, Metro has construction management expertise which is available to be assigned to Tri-Met to assist with the Westside Light Rail Project in general and the Zoo Light Rail Station specifically; and

WHEREAS, An Intergovernmental Agreement, included as Attachment A, has been prepared in which Metro provides such construction management services to Tri-Met; and

WHEREAS, Tri-Met has agreed to compensate Metro at a rate of \$56.04 per hour for the period from May 1, 1994 to June 30, 1997 for such services, such rate subject to annual review and adjustment; now, therefore;

BE IT RESOLVED, Pursuant to Metro Code Section 2.04.033 (a) (1), that the Metro Contract Council authorizes the Executive Officer to execute the attached Intergovernmental Agreement in which Metro provides construction management services to Tri-Met in their efforts to construct the Westside Light Rail Project.

ADOPTED by the Metro Council this \_\_\_\_\_ day of April, 1994.

\_\_\_\_\_  
Judy Wyers  
Presiding Officer

## EXHIBIT A

## FEDERAL REQUIREMENTS

1. Disadvantaged Business EnterprisesDisadvantaged Business Enterprise (DBE)

The DBE goal for this contract is zero percent (0%). Pursuant to 49 CFR 23.43(a), the following provisions are made a part of this Contract:

- A. Policy. It is the policy of the U.S. Department of Transportation (DOT) and Tri-Met that DBEs as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this contract. Consequently, the DBE requirements of 49 CFR Part 23 apply to this contract.
- B. DBE Obligation. Contractor agrees to ensure that DBEs as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this contract. In this regard, Contractor shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that DBEs have the maximum opportunity to compete for and perform contracts. Contractor shall not discriminate on the basis of physical disability, race, color, national origin or sex in the award and performance of DOT-assisted contracts.
- C. Contractor's failure to carry out the requirements set forth herein shall constitute a breach of contract, and may result in termination of the contract by Tri-Met or such other remedy as Tri-Met deems appropriate.

2. Equal Employment Opportunity

In connection with the execution of this contract, Contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, or national origin. Contractor shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to physical disability, race, color, religion, sex, age, or national origin. Such action shall include, but not be limited to, the following: employment, advertising, layoff or termination,

rates of pay or other forms of compensation, and selection for training, including apprenticeship. Contractor further agrees to insert a similar provision in all subcontracts, except subcontracts for standard commercial supplies or raw materials.

3. Title VI Compliance

During the performance of this contract, Contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as "Contractor"), agrees as follows:

- A. **Compliance with Regulations:** Contractor shall comply with the Regulations relative to nondiscrimination in federally- assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- B. **Nondiscrimination:** Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, religion, color, sex, age, physical disability, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- C. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by Contractor of Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of physical disability, race, religion, color, sex, age, or national origin.
- D. **Information and Reports:** Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by Tri-Met or the Federal Transportation Administration (FTA) to be pertinent to ascertain compliance with such

Regulations, orders, and instructions. Where any information required of Contractor is in the exclusive possession of another who fails or refuses to furnish this information, Contractor shall so certify to Tri-Met, or the Federal Transportation Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

E. Sanctions for Noncompliance: In the event of Contractor's noncompliance with the nondiscrimination provisions of this contract, Tri-Met shall impose such contract sanctions as it or the Federal Transportation Administration may determine to be appropriate, including, but not limited to:

- (1) Withholding of payments to Contractor under the contract until Contractor complies, and/or,
- (2) Cancellation, termination or suspension of the contract, in whole or in part.

F. Incorporation of Provisions: Contractor shall include the provisions of subparagraphs A through E of this Paragraph in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. Contractor shall take such action with respect to any subcontract or procurement as Tri-Met or the Federal Transportation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, Contractor may request Tri-Met to enter into such litigation to protect the interests of Tri-Met, and, in addition, Contractor may request the United States to enter into such litigation to protect the interests of the United States.

#### 4. Labor Provisions

A. Overtime Requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any work week in which he or she is employed on such work to work in excess of eight hours in any calendar day or in excess of forty hours in such work week unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in

excess of eight hours in any calendar day or in excess of forty hours in such work week, whichever is greater.

- B. Violation; Liability for Unpaid Wages; Liquidated Damages. In the event of any violation of the clause set forth in subparagraph (b)(1) of 29 CFR Section 5.5, Contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, Contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such district or territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (b)(1) of 29 CFR Section 5.5 in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of eight hours or in excess of the standard work week of forty hours without payment of the overtime wages required by the clause set forth in subparagraph (b)(1) of 29 CFR Section 5.5.
- C. Withholding for Unpaid Wages and Liquidated Damages. DOT or Tri-Met shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any monies payable on account of work performed by Contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (b)(2) of 29 CFR Section 5.5.
- D. Nonconstruction Grants. Contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. Further, Tri-Met shall require the contracting officer to insert in any such contract a clause providing that the records to be maintained under this Paragraph shall be made

available by Contractor or subcontractor for inspection, copying, or transcription by authorized representatives of DOT and the Department of Labor, and Contractor or subcontractor will permit such representatives to interview employees during working hours on the job.

- E. Subcontracts. Contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraphs A through E of this Paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. Contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs A through E of this Paragraph.

5. Cargo Preference

Contractor agrees:

- A. To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, materials, or commodities pursuant to this section, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels.
- B. To furnish within 30 days following the date of loading for shipments originating within the United States, or within 30 working days following the date of loading for shipment originating outside the United States, a legible copy of a rated, "on-board" commercial ocean bill-of-lading in English for each shipment of cargo described in subparagraph A of this Paragraph to Tri-Met (through Contractor in the case of sub-contractor bills-of-lading) and to the Division of National Cargo, Office of Market Development, Maritime Administration, 400 Seventh St. S.W., Washington, D.C. 20550, marked with appropriate identification of the Project.
- C. To insert the substance of the provisions of this clause in all subcontracts issued pursuant to this contract.

6. Conservation

Contractor shall recognize mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 USC Section 6321, et seq.).



7. Buy America

This procurement is subject to the Federal Transportation Buy America Requirements in 49 CFR Part 661.

Section 165a of the Surface Transportation Assistance Act of 1982, as amended, permits FTA participation in this contract only if steel and manufactured products used in the contract are produced in the United States. By signing this contract, Contractor certifies that it will comply with the requirements of section 165a of the Surface Transportation Assistance Act of 1982, as amended, and the regulations in 49 CFR Part 661.

8. Interest of Members of, or Delegates to, Congress

No member of, or delegate to, the Congress of the United States shall be admitted to a share or part of this contract or to any benefit arising therefrom.

9. Prohibited Interest

Tri-Met's officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements.

10. Debarred Bidders

Neither Contractor, nor any officer or controlling interest holders of Contractor, is currently, or has been previously, on any debarred bidders list maintained by the United States Government or by the State of Oregon.

11. Air Pollution

Contractor and suppliers must submit evidence to Tri-Met that the governing air pollution criteria will be met. This evidence and related documents will be retained by Tri-Met for on-site examination by FTA. This Paragraph applies only to procurements for which governing air pollution criteria exist.

12. Maintenance and Inspection of Records

A. Contractor shall maintain comprehensive records and documentation relating to this contract, and shall permit the authorized representatives of Tri-Met, the U.S. Comptroller General, or the U.S. Department of Transportation to inspect and audit all records and documentation for a period of three (3) years after Tri-Met has made final payment to Contractor.

- B. Contractor shall include in all of its subcontracts hereunder a provision to the effect that the subcontractor agrees that Tri-Met, the U.S. Comptroller General, or the U.S. Department of Transportation shall, until the expiration of three (3) years after final payment under the subcontract, have access to and the right to examine any directly pertinent books, documents, papers, and records of such subcontractor involving transactions related to the subcontract. The term "subcontract" as used in this clause excludes (1) purchase orders not exceeding \$10,000.00 and (2) subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public.
- C. The period of access and examination for records that relate to (1) litigation of the settlement of claims arising out of the performance of this Contract, or (2) costs and expenses of this contract as to which exception has been taken by the Comptroller General or any of his or her duly authorized representatives, shall continue until such litigation, claims, or exceptions have been disposed of.

13. Lobbying Prohibitions/Certifications/Disclosures

A. Definitions. As used in this clause,

"Agency", as defined in 5 U.S.C. 552(f), includes Federal executive departments and agencies as well as independent regulatory commissions and Government corporations, as defined in 31 U.S.C. 9101(1).

"Covered Federal action" means any of the following Federal actions:

- (1) The awarding of any Federal contract;
- (2) The making of any Federal grant;
- (3) The making of any Federal loan;
- (4) The entering into of any cooperative agreement; and,
- (5) The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

Covered Federal action does not include receiving from an agency a commitment providing for the United States to insure or guarantee a loan. "Indian tribe" and "tribal organization" have the meaning provided in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450B). Alaskan Natives are included under the definitions of Indian tribes in that Act.

"Influencing or attempting to influence" means making, with the intent to influence, any communication to or appearance before an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any covered Federal action.

"Local government" means a unit of government in a State and, if chartered, established, or otherwise recognized by a State for the performance of a governmental duty, including a local public authority, a special district, an intrastate district, a council of governments, a sponsor group representative organization, and any other instrumentality of a local government.

"Officer or employee of an agency" includes the following individuals who are employed by an agency:

- (1) An individual who is appointed to a position in the Government under title 5, U.S. Code, including a position under a temporary appointment;
- (2) A member of the uniformed services as defined in section 101(3), title 37, U.S. Code;
- (3) A special Government employee as defined in section 202, title 18, U.S. Code; and,
- (4) An individual who is a member of a Federal advisory committee, as defined by the Federal Advisory Committee Act, title 5, U.S. Code appendix 2.

"Person" means an individual, corporation, company association, authority, firm, partnership, society, State, and local government, regardless of whether such entity is operated for profit or not for profit. This term excludes an Indian tribe, tribal organization, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.

"Reasonable compensation" means, with respect to a regularly employed officer or employee of any person, compensation that is consistent with the normal compensation for such officer or employee for work that is not furnished to, not funded by, or not furnished in cooperation with the Federal Government. "Reasonable payment" means, with respect to professional and other technical services, a payment in an amount that is consistent with the amount normally paid for such services in the private sector. "Recipient" includes all contractors and subcontractors at any tier in connection with a Federal contract. The term excludes an Indian tribe, tribal organization, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.

"Regularly employed" means, with respect to an officer or employee of a person requesting or receiving a Federal contract, an officer or employee who is employed by such person for at least 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person for receipt of such contract. An officer or employee who is employed by such person for less than 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person shall be considered to be regularly employed as soon as he or she is employed by such person for 130 working days.

"State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a territory or possession of the United States, an agency or instrumentality of a State, and a multi-State, regional, or interstate entity having governmental duties and powers.

**B. Prohibition**

- (1) Section 1352 of title 31, U.S. Code provides in part that no appropriated funds may be expended by the recipient of a Federal contract, grant, loan, or cooperative agreement to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) The prohibition does not apply as follows:
  - (i) Agency and legislative liaison by Own Employees.
    - (a) The prohibition on the use of appropriated funds, in paragraph B (1) of this section, does not apply in the case of a payment of reasonable compensation made to an officer or employee of a person requesting or receiving a Federal contract if the payment is for agency and legislative liaison activities not directly related to a covered Federal action.
    - (b) For purposes of paragraph B (2) (i) (A) of this section, providing any information specifically requested by an agency or Congress is allowable at any time.

- (c) For purposes of paragraph B (2) (i) (A) of this section the following agency and legislative liaison activities are allowable at any time only where they are not related to a specific solicitation for any covered Federal action:
- (1) Discussing with an agency (including individual demonstrations) the qualities and characteristics of the person's products or services, conditions or terms of sale, and service capabilities; and,
  - (2) Technical discussions and other activities regarding the application or adaptation of the person's products or services for an agency's use.
- (d) For purposes of paragraph B (2) (i) (A) of this section, the following agency and legislative liaison activities are allowable only where they are prior to formal solicitation of any covered Federal action:
- (1) Providing any information not specifically requested but necessary for an agency to make an informed decision about initiation of a covered Federal action;
  - (2) Technical discussions regarding the preparation of an unsolicited proposal prior to its official submission; and,
  - (3) Capability presentations by persons seeking awards from an agency pursuant to the provisions of the Small Business Act, as amended by Public Law 95-507 and other subsequent amendments.
- (e) Only those activities expressly authorized by paragraph B (2) (i) of this section are allowable under paragraph B (2) (i).
- (ii) Professional and technical services by Own Employees.
- (a) The prohibition on the use of appropriated funds, in paragraph B (1) of this section, does not apply in the case of a payment of reasonable compensation made to an officer or

employee of a person requesting or receiving a Federal contract or an extension, continuation, renewal, amendment, or modification of a Federal contract if payment is for professional or technical services rendered directly in the preparation, submission, or negotiation of any bid, proposal, or application for that Federal contract or for meeting requirements imposed by or pursuant to law as a condition for receiving that Federal contract.

- (b) For purposes of paragraph B (2) (ii) (A) of this section, "professional and technical services" shall be limited advice and analysis directly applying any professional or technical discipline. For example, drafting of a legal document accompanying a bid or proposal by a lawyer is allowable. Similarly, technical advice provided by an engineer on the performance or operational capability of a piece of equipment rendered directly in the negotiation of a contract is allowable. However, communications with the intent to influence made by a professional (such as a licensed lawyer) or a technical person (such as a licensed accountant) are not allowable under this section unless they provide advice and analysis directly applying their professional or technical expertise and unless the advice or analysis is rendered directly and solely in the preparation, submission or negotiation of a covered Federal action. Thus, for example, communications with the intent to influence made by a lawyer that do not provide legal advice or analysis directly and solely related to the legal aspects of his or her client's proposal, but generally advocate one proposal over another are not allowable under this section because the lawyer is not providing professional legal services. Similarly, communications with the intent to influence made by an engineer providing an engineering analysis prior to the preparation or submission of a bid or proposal are not allowable under this section since the engineer is providing technical services but not directly in the preparation, submission or negotiation of a covered Federal action.

- (c) Requirements imposed by or pursuant to law as

a condition for receiving a covered Federal award include those required by law or regulation, or reasonably expected to be required by law or regulation, and any other requirements in the actual award documents.

- (d) Only those services expressly authorized by paragraph B (2) (ii) of this section are allowable under paragraph B (2) (ii).

(iii) Reporting for Own Employees.

No reporting is required with respect to payments of reasonable compensation made to regularly employed officers or employees of a person.

(iv) Professional and technical services by Other than Own Employees.

- (a) The prohibition on the use of appropriated funds, in paragraph B (1) of this section, does not apply in the case of any reasonable payment to a person, other than an officer or employee of a person requesting or receiving a covered Federal action, if the payment is for professional or technical services rendered directly in the preparation, submission, or negotiation of any bid, proposal, or application for that Federal contract or for meeting requirements imposed by or pursuant to law as a condition for receiving that Federal contract.

- (b) For purposes of paragraph B (2) (iv) (A) of this section, "professional and technical services" shall be limited to advice and analysis directly applying any professional or technical discipline. For example, drafting of a legal document accompanying a bid or proposal by a lawyer is allowable. Similarly, technical advice provided by an engineer on the performance or operational capability of a piece of

equipment rendered directly in the negotiation of a contract is allowable. However, communications with the intent to influence made by a professional (such as a licensed lawyer) or a technical person (such as a licensed accountant) are not allowable under this section unless they provide advice and analysis directly applying their professional or technical expertise and unless the advice or analysis is rendered directly and solely in the preparation, submission or negotiation of a covered Federal action. Thus, for example, communications with the intent to influence made by a lawyer that do not provide legal advice or analysis directly and solely related to the legal aspects of his or her client's proposal, but generally advocate one proposal over another are not allowable under this section because the lawyer is not providing professional legal services. Similarly, communications with the intent to influence made by an engineer providing an engineering analysis prior to the preparation or submission of a bid or proposal are not allowable under this section since the engineer is providing technical services but not directly in the preparation, submission or negotiation of a covered Federal action.

- (c) Requirements imposed by or pursuant to law as a condition for receiving a covered Federal award include those required by law or regulation, or reasonably expected to be required by law or regulation, and any other requirements in the actual award documents.
- (d) Persons other than officers or employees of a person requesting or receiving a covered Federal action include consultants and trade



associations.

- (e) Only those services expressly authorized by paragraph B (2) (iv) of this section are allowable under paragraph B (2) (iv).

C. Disclosure

- (1) Each person who requests or receives from an agency a Federal contract shall file with that agency a certification, set forth in this document, that the person has not made, and will not make, any payment prohibited by paragraph (b) of this clause.
- (2) Each person who requests or receives from an agency a Federal contract shall file with that agency a disclosure form, Standard Form-LLL, "Disclosure of Lobbying Activities," if such person has made or has agreed to make any payment using nonappropriated funds (to include profits from any covered Federal action), which would be prohibited under paragraph (b) of this clause if paid for with appropriated funds.
- (3) Each person shall file a disclosure form at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed by such person under paragraph C (2) of this section. An event that materially affects the accuracy of the information reported includes:
  - (a) A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; or
  - (b) A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or,
  - (c) A change in the officer(s), employee(s), or member(s) contacted to influence or attempt to influence a covered Federal action.
- (4) Any person who requests or receives from a person referred to in paragraph (C) (1) of this section a subcontract exceeding \$100,000 at any tier under a Federal contract shall file a certification, and a disclosure form, if required, to the next tier above.

- (5) All disclosure forms, but not certifications, shall be forwarded from tier to tier until received by the person referred to in paragraph C (1) of this section. That person shall forward all disclosure forms to the agency.

D. Agreement

In accepting any contract resulting from this solicitation, the person submitting the offer agrees not to make any payment prohibited by this clause.

E. Penalties

- (1) Any person who makes an expenditure prohibited under paragraph B of this clause shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.
- (2) Any person who fails to file or amend the disclosure form to be filed or amended if required by this clause, shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- (3) Contractors may rely without liability on the representations made by their subcontractors in the certification and disclosure form.

F. Cost Allowability

Nothing in this clause is to be interpreted to make allowable or reasonable any costs which would be unallowable or unreasonable in accordance with Part 31 of the Federal Acquisition Regulation. Conversely, costs made specifically unallowable by the requirements in this clause will not be made allowable under any of the provisions of Part 31 of the Federal Acquisition Regulation.

END OF EXHIBIT A - FEDERAL REQUIREMENTS

(CERTIFICATES FOLLOW)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of ANY Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with THIS Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

(print)

Title: \_\_\_\_\_

**NOTE: CONTRACTORS ARE REQUIRED, PURSUANT TO FEDERAL LAW, TO INCLUDE THE ABOVE LANGUAGE IN SUBCONTRACTS OVER \$100,000 AND TO OBTAIN THIS LOBBYING CERTIFICATE FROM EACH SUBCONTRACTOR BEING PAID \$100,000 OR MORE UNDER THIS CONTRACT.**

## SCOPE OF WORK/PERSONAL SERVICES

Metro shall provide the services of Glen Taylor to Tri-Met's Westside light rail construction management team.

Metro shall provide a minimum of .50 FTE starting May 1, 1994, and a minimum of .80 FTE starting July 1, 1994 and continuing through June 30, 1997.

Services shall be focused on final design, bidding, and construction of Westside Light Rail facilities, which may include the Washington Park light rail station and adjacent facilities included in Tri-Met contracts, the Elmonica Maintenance Facility, and the Sunset Transit Center.

Metro shall not replace Mr. Taylor in this assignment without prior approval of Tri-Met.

Tri-Met and Metro shall review this contract on an annual basis at the beginning of each Fiscal year. Either party may terminate this agreement at the end of the Fiscal year by giving the other party thirty days notice of such intent.

## COMPENSATION

1. Metro compensation for services to be provided under this Agreement shall not exceed the amount listed below, without prior written approval by Tri-Met.
2. Method of Payment.
  - A. Tri-Met shall pay Metro a maximum of \$249,000 for Metro's actual costs of performance of the construction management services as described in Attachment A. Actual costs consist of direct costs to be determined as follows:

Direct Salary	\$30.00 per hour
Fringe @ 40%	12.00
Leave @ 16%	4.80
Subtotal	\$46.80
Overhead @ 19.75%	\$ 9.24
Total hourly rate	\$56.04

Direct salary shown is as of May, 1994. Direct salary rate may change as allowed in Metro's salary plan, and hence calculated fringe, leave and overhead values may similarly be adjusted. Overhead rate is based on proposed FY 94-95 Budget, and may be adjusted based on adopted budgets.

- B. Metro shall submit monthly invoices for its actual costs directly to Anna Marie Lucas, Westside Project Control. All invoices shall document the services for which the invoices are submitted and shall be in conformance with this paragraph. Tri-Met shall make payment to Metro for the invoiced amount within 30 days of Tri-Met's receipt of Tri-Met approved invoices.
- C. Metro shall notify Tri-Met in writing when approximately \$225,000 of actual costs will be accrued. Tri-Met may initiate an amendment to this agreement if the project will require continued Metro services exceeding the \$249,000 for Metro's actual costs. Such Metro notice shall be sufficient notice that Metro will not provide additional services after \$249,000 of actual costs have accrued if Tri-Met has not initiated an amendment to this agreement.

## STAFF REPORT

### IN CONSIDERATION OF RESOLUTION NUMBER 94-1951 WHICH AUTHORIZES AN INTERGOVERNMENTAL AGREEMENT BETWEEN METRO AND TRI-MET WHEREBY METRO PROVIDES CONSTRUCTION MANAGEMENT SERVICES FOR THE WESTSIDE LIGHT RAIL FACILITIES

Date: April 1, 1994

Presented by: Doug Butler

#### FACTUAL BACKGROUND AND ANALYSIS

Recently, discussions have taken place between Metro Regional Facilities staff and Tri-Met Westside Light Rail Project staff concerning the "loan" of some of Metro's construction management expertise to assist with the Westside Light Rail Project. Specifically, the proposal has been to assign Glenn Taylor, Metro's Construction Manager, to Tri-Met to manage the final design and construction of the Westside Light Rail station which will be located at the Metro Washington Park Zoo.

An Intergovernmental Agreement has been prepared and is attached as Attachment A. The Agreement provides that beginning May 1, 1994, Metro will provide .50 FTE of construction management services. Beginning July 1, 1994, the level of services steps up to not less than .80 FTE through June 30, 1997. The FTE to be assigned this work is identified as Glenn Taylor; Metro cannot replace Mr. Taylor without Tri-Met's prior approval. Metro will be compensated for actual costs of services provided at a rate of \$56.04 per hour with a contract maximum of \$249,000. The \$56.04 figure includes amounts to cover direct salary, fringe and overhead. All office space and office support will be provided by Tri-Met.

Metro benefits by retaining construction management expertise during periods when Metro has no large construction projects ongoing. In addition, all expenses to Metro are reimbursed by Tri-met. In the event Metro does require the services of Mr. Taylor during the three year term of the agreement, Metro can re-assign up to 20% of Mr. Taylor's time to Metro activities. This level should cover smaller construction projects or supervisory requirements of larger construction projects.

#### BUDGET IMPACT

The hourly rate which is included in the Intergovernmental Agreement covers all expenses associated with the continued employment by Metro of Mr. Taylor, including direct salary and fringe costs. In addition, the Agreement provides for adjustment of these expenses if they increase in the future.

#### RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 94-1951.

TRI-COUNTY METROPOLITAN TRANSPORTATION  
DISTRICT OF OREGON

INTERGOVERNMENTAL AGREEMENT

FOR

CONSTRUCTION MANAGEMENT PERSONNEL

This contract is by and between Tri-County Metropolitan Transportation District of Oregon ("Tri-Met") and Metro, a metropolitan service district organized under the laws of the state of Oregon and the 1992 Metro Charter ("Metro").

1. Term

The term of this contract shall be from May 1, 1994, through June 30, 1997, unless terminated sooner under the provisions of this contract.

2. Scope of Services

Metro shall perform the tasks specified in Exhibit B, which is attached to, and made a part of, this contract.

3. Compensation

Tri-Met agrees to pay Metro a maximum of \$249,000.00 for performance of those services provided pursuant to this contract. Payment shall be in accordance with Exhibit B, which is attached to, and made a part of, this contract. All of Metro's invoices shall be sent directly to Tri-Met's Finance Department care of the Westside Project Control, and shall contain a reference to the Contract Number. Metro shall receive payment within thirty (30) days after Tri-Met's receipt of an approved invoice.

4. Metro is an Independent Contractor

Metro shall be an independent contractor for all purposes, and shall be entitled to no compensation other than the compensation provided for under this contract.

5. Project Managers

Tri-Met's Project Manager is Al Harwood. Metro's Project Manager is Douglas E. Butler. All routine correspondence and communication regarding this contract shall be between the project managers.

6. Liability

Tri-Met shall hold harmless and indemnify Metro and its officers, agents and employees against any and all liability, settlements, loss, costs and expenses in connection with any action, suit or claim arising out of the performance of this agreement, within the maximum liability limits of the Oregon Tort Claims Act.

7. Public Contract Provisions

All provisions required in public contracts under ORS Chapter 279 are incorporated by reference and shall be deemed a part of this contract as if fully set forth.

8. Federal Requirements

This contract is funded in part under a financial assistance agreement between Tri-Met and the U. S. Department of Transportation, Urban Mass Transportation Administration ("UMTA"). This contract is subject to all provisions prescribed for third party contracts by that financial assistance agreement, including, but not necessarily limited to, the provisions in Exhibit A, which is attached to, and made a part of, this contract.

9. Assignment

Metro may not assign, delegate, or subcontract for performance of any of its responsibilities under this contract without Tri-Met's prior written consent.

10. Termination for Convenience

Tri-Met may terminate all or part of this contract upon determining that termination is in the public interest. Termination under this paragraph shall be effective upon delivery of written notice of termination to Metro. Upon termination under this paragraph, Metro shall be entitled to payment in accordance with the terms of the contract for contract work completed before termination, and to payment for all reasonable contract close-out costs actually incurred by Metro. Tri-Met shall not be liable for any costs invoiced later than thirty (30) days after termination unless Metro can show good cause beyond its control for the delay.

11. Termination for Default

If Metro fails to perform in the manner called for in this contract, or if Metro fails to comply with any other provisions of the contract, Tri-Met may terminate this

contract for default. Termination shall be effected by serving a notice of termination on Metro setting forth the manner in which Metro is in default. Metro shall be paid the contract price only for services performed in accordance with the manner of performance set forth in this contract. If it is later determined by Tri-Met that Metro had an excusable reason for not performing, such as a strike, fire, flood, or other event that is not the fault of, or is beyond the control of Metro, Tri-Met may allow Metro to continue work, or may treat the termination as a termination for convenience.

12. Nondiscrimination

During the term of this contract, Metro shall not discriminate against any employee or applicant for employment because of physical disability, race, religion, color, sex, age, or national origin.

13. Jurisdiction

This contract shall be governed by the laws of the State of Oregon, and the parties agree to submit to the jurisdiction of the courts of the State of Oregon.

14. Compliance with Laws and Regulations

Metro shall adhere to all applicable Federal, state, and local laws, regulations, and policies, including, but not limited to, those related to workers' compensation, those of the Contract Work Hours and Safety Standards Act, and those relating to equal employment opportunity, nondiscrimination, and affirmative action, including, but not limited to, those regulations implementing Executive Order No. 11246 of the President of the United States and Section 402 of the Vietnam Readjustment Act of 1973. Metro shall adhere to all safety standards and regulations established by Tri-Met for work performed on its premises or under its auspices.

15. Integration and Modification

This contract includes the entire agreement of the parties and supersedes any prior discussions or agreements regarding the same subject. This contract may be modified only by a written agreement signed by authorized representatives of the parties.



16. Authority

The representatives signing on behalf of the parties certify that they are duly authorized by the party for which they sign to make this contract.

METROPOLITAN SERVICE  
DISTRICT

TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT  
OF OREGON

By: \_\_\_\_\_  
(Signature)

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Approved as to Form:

Approved as to Form

By: \_\_\_\_\_

By: \_\_\_\_\_  
Dana Anderson  
Legal Services

A REQUEST TO ACT

Council  
4/28/94  
#12

From: William F. White  
205 Berwick Road  
Lake Oswego, Oregon

To: METRO Council at its  
April 28, 1994 Meeting

Date: April 25, 1994

Subject: Resolution to sell half and use half of the Willamette  
Shore Railroad to implement METRO's five step plan  
for getting Federal funding

I respectfully ask you to enact a Resolution requesting or ordering the City of Portland and the Willamette Shore Line Consortium to offer to sell the four miles of the 6½ mile railroad south of Sellwood Bridge for the fixed price of \$1.2 million on or before a fixed date this summer; the amount being that which the Willamette Shore Consortium paid for the whole railroad in 1988. Further, that METRO be assured in writing that it may use free of charge the 3½ miles of the railroad north of Sellwood Bridge for Light Rail or any other purpose it chooses.

REASONS:

The South/North Steering Group of METRO has recommended dropping from further consideration, (1) River Transit and (2) Commuter Rail (p. 49, Tier One Description of Alternatives Report). Further, the Steering Group has recommended extending Light Rail on the west bank of the river south to Sellwood Bridge before crossing the east side, but with further consideration being given for crossing further north from downtown Portland (South/North News, January, 1994).

Common sense and prudence tells us that with commuter rail no longer being considered the south 4 miles of the railroad should now be offered for sale to adjoining landowners, or any consortium they might form, before the crossing at Sellwood Bridge becomes a certainty and no one will want to buy at any price.

Also, METRO should be assured in writing that in the future it can freely use the 3½ miles of track north of Sellwood Bridge for the reason that, according to my understanding, the six members of the Willamette Shore Line Consortium are bound by an inter-governmental agreement requiring a unanimous vote before doing anything with the 6½ mile railroad. This requirement can well prevent future action by METRO as it might now in respect to my present request for action.

REQUEST FOR METRO TO MAKE IN WRITING A REASONED DISPOSITION OF MY REQUEST:

You guessed it. If the METRO Council can be blocked from doing what it thinks best in selling or using these railroad tracks it and the public should find out now and try to do something about it.

It was perfectly normal and proper for the six member consortium, which raised the \$1.2 million ~~to~~<sup>to</sup> buy the railroad, to agree that Portland, which holds title, do nothing ~~the~~<sup>WITH THE</sup> railroad without the unanimous consent of all. Now, six years later it appears in the public interest that METRO and not the well-meaning Willamette Shore Line Consortium decide what to do with the railroad. The answer may be in modifying the inter-governmental agreement so as to require only a majority vote of the group of six.

Because my request for action is so important for both the effective operation of METRO and we, the taxpayers, <sup>I</sup> ask that you vote up or down my proposal with each of you giving a brief written reason as to how and why you so voted. Only that <sup>WAY</sup> can the taxpayer-residents of metropolitan Portland know "who is in charge of the grocery store," so to speak.

William F. Heister

**PLANNING COMMITTEE REPORT**

Council  
4/28/94  
7.1

**CONSIDERATION OF RESOLUTION NO. 94-1937 FOR THE PURPOSE OF AMENDING THE FY 1994 METRO TRANSPORTATION IMPROVEMENT PROGRAM TO ALLOCATE FUNDS TO SUPPORT THE EXTENSION OF WESTSIDE LIGHT RAIL TO THE CITY OF HILLSBORO**

Date: April 26, 1994

Presented By: Councilor Devlin

**Committee Recommendation:** At the April 21 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 94-1937. Voting in favor: Councilors Kvistad, Gardner, Devlin McLain, Monroe, and Moore. Absent: Councilors Gates and Washington.

**Committee Issues/Discussion:** Andy Cotugno, Planning Director, presented the staff report. This action, amending the Transportation Improvement Program (TIP), increases the funding authority for the Hillsboro Extension of the Westside Light Rail System by an additional \$8 million of Section 9 revenue for FY 1995 obligation. Approval of the resolution effectively delays until 1997 expenditure of \$8 million of the \$13.5 million now allocated for bus purchase.

Mr. Cotugno explained that there is great uncertainty on the final amount of the contracts included in the \$687 million, to bring the project to 185th. He explained the reasoning for the "hold-backs". Since October there have been downtown line costs, Beaverton line costs, and track procurement. Currently they are solvent by \$10 million but there is concern about federal cash flow and increased costs. The good news from Mr. Pena is that there may be an additional \$10 million available from the federal government.

Council  
4/28/94  
7.2

**PLANNING COMMITTEE REPORT**

**CONSIDERATION OF RESOLUTION NO. 94-1930A DESCRIBING  
INTENDED METRO ACTION ON FINAL REGION 2040 REPORTS AND  
COMMENTS**

Date: April 26, 1994

Presented By: Councilor Moore

**Committee Recommendation:** At the April 21 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 94-1930A. Voting in favor: Councilors Kvistad, Gardner, Devlin, McLain, Monroe, Moore, and Washington. Absent: Councilor Gates.

**Committee Issues/Discussion:** Larry Shaw, Senior Assistant Counsel, presented the staff report with the assistance of John Fregonese, Manager of Growth Management Division. Mr. Shaw summarized the various changes that were suggested by the Metro Policy Advisory Committee (MPAC). The changes relate to implementation of the 2040 decision, specifically in relationship to local plans. Further changes clarify the role of each level of government.

Councilor McLain voiced concern over the use of "shall attempt" in Resolve #3. She asked for a legal interpretation of the words. Further, she asked what would happen if parties disagreed. Mr. Shaw explained that the purpose of this resolution is to show the Council's intent of what the final Region 2040 decision resolution will contain. It in no way binds the Council regarding content.

Councilor Moore reiterated Bonnie Hays concern that local governments clearly understand the amount and nature of responsibility expected of them. She also referenced an error in Resolve "2 d" where "allocations" should read "forecasts". She suggested that Resolve #3 be amended as follows:

3. That implementation of the Region 2040 preferred alternative [~~shall~~] **should** attempt to integrate local plans [~~while still achieving~~] **where those plans achieve** regional goals.

Councilor Gardner questioned Resolve "2 e", regarding whether it is a complete list of Charter requirements. Staff clarified that the list of Charter requirements is complete in the first part of the sentence (up to "and elements") except for "water quality", which should read "water supply". "Water quality" should be part of the "elements" at the end of the sentence. The committee amended the resolution by clarifying "water supply" in the list of Charter requirements and adding "water quality" to the list of "elements". They

also approved amending the resolution in "2 d" to change "allocations" to "forecasts", as was the intent of MPAC.

There was some discussion about whether the committee was bound to return the resolution to MPAC if the committee amended the resolution. Councilor Gardner clarified that this item was sent to MPAC for information purposes as a courtesy. There is no need to return the item if changes are made.

The motion to approve Councilor Moore's wording for Resolve 3 (above) failed 4-3 (voting no: Councilors Kvistad, Devlin, Monroe and Washington).

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESCRIBING	)	RESOLUTION NO. 94-1930A
INTENDED METRO ACTION ON	)	
FINAL REGION 2040 REPORTS	)	Introduced by Rena Cusma,
AND COMMENTS	)	Executive Officer
	)	

WHEREAS, Metro adopted land use regional goals and objectives called Regional Urban Growth Goals and Objectives (RUGGO) in September 1991 which are required by state law; and

WHEREAS, During the development of RUGGO, there was widespread interest in a long-range, 50-year view of regional growth which leads to Metro's Region 2040 planning program; and

WHEREAS, State law requires several significant 20-year regional land use decisions in 1995 that will be affected by identifying the region's long-term planning direction; and

WHEREAS, The Metro Council intends to identify the region's long-term planning direction in 1994 to enable Metro to complete specific complex planning tasks in 1995 after extensive public involvement and full participation of its local government partners; and

WHEREAS, Final 2040 reports and problem-solving responses to the research are anticipated in August 1994 when the Metro Council anticipates beginning its deliberations; now, therefore,

BE IT RESOLVED,

1. That the Metro Council shall review 2040 reports and shall receive comments and recommendations from the public, local governments and MPAC about the preferred conceptual approach to the form of the Metro region in 2040 including, but not limited to, growth trends (up or out, less or more), Urban Growth Boundary (UGB) and land supply, travel congestion, urban centers, urban design, intensity of development, satellite cities, neighborhoods and greenbelts.

2. That the Metro Council intends to act on final 2040 reports and public and MPAC comments by adopting a resolution identifying the region's long-term planning direction containing the following:

a. A description of the preferred configuration of Metro's urban form to the year 2040 including a map of approximate locations of the

conceptual UGB and urban reserves and phasing strategies to the extent possible.

- b. A work plan to achieve a site-specific UGB and urban reserves and the regional Transportation Systems Plan (TSP) required by LCDC's Transportation Planning Rule.
- c. Preliminary 2015 population and employment growth forecast derived from 2040 reports as the basis for discussion of the 1995 UGB and TSP.
- d. A range of preliminary 50-year population and employment growth ~~[allocations]~~ forecasts for refinement in the regional framework plan.
- e. A regional framework plan implementation strategy based on the urban form concept describing an approach to preparation and adoption of framework plan components required in the 1992 Metro Charter including the UGB, urban reserves, TSP, housing density, urban design, Greenspaces, water ~~[quality]~~ supply, coordination with Clark County, and elements such as transit corridor and urban centers and water quality.
- f. Referral to MPAC of any draft functional plan provisions and referral to JPACT of any draft transportation functional plan provisions needed to preserve opportunities to implement the preferred urban form for review and recommendation per RUGGO Objective 5.

3. That implementation of the Region 2040 preferred alternative shall attempt to integrate local plans while still achieving regional goals.

4. That the Metro Council intends to adopt an ordinance containing a set of amendments to RUGGO based on the preferred urban form which have been reviewed by MPAC per RUGGO Objective 6.

5. That the Metro Council intends to describe applicable state, regional and local government implementation responsibilities for the adopted urban form configuration, regional framework plan strategy, and any proposed functional plan provisions.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

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Judy Wyers, Presiding Officer

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Council  
4/28/94  
7.3

## PLANNING COMMITTEE REPORT

### **CONSIDERATION OF RESOLUTION NO. 94-1949 ENDORSING THE ODOT/DLCD FUNDING RECOMMENDATIONS FOR THE TRANSPORTATION AND GROWTH MANAGEMENT PROGRAM**

Date: April 26, 1994

Presented By: Councilor Gardner

**Committee Recommendation:** At the April 21 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 94-1949. Voting in favor: Councilors Kvistad, Gardner, Devlin, McLain, Monroe, Moore, and Washington. Absent: Councilor Gates.

**Committee Issues/Discussion:** Mike Hoglund, Transportation Planning Manager, presented the staff report. He reviewed the list of projects that were not approved and those approved for reduced amounts of money.

Councilor Moore explained the conversations she has had with the City of Beaverton and Washington County regarding re-looking at all classification of streets for engineering and road standards. She asked the city and county to collectively use their individual funds and the funds from the TGM grants to expand their studies to arterial collector streets and not just local streets. Both Beaverton and Washington County responded positively to the idea. Washington County responded by submitting written testimony.

Lidwien Rahman, Transportation Growth Management Planner from ODOT, explained that there may be additional funds available under the grant program upon completion of the grant awards. Those funds, by staff decision, could be made available for this purpose.

Councilor Kvistad asked whether the funds would be available for other projects not recommended for grant award. The answer was no, the funds were at the discretion of staff and the process would not be completely opened again.

Councilor Moore asked the committee to encourage ODOT to work with Washington County and Beaverton staff to prepare a proposal to use residual monies for a study of arterial collector streets.

In response to a question about appropriate process, Andy Cotugno suggested the committee proceed with approval of this resolution and then make a separate motion to support the action suggested by Councilor Moore. The resolution was approved.

Councilor Moore moved the committee "encourage the Transportation Growth Management staff to work with Washington County and Beaverton to prepare a proposal to use any residual grant money to address the existing county arterial and collector engineering road standards with a case study approach to specific corridors. To do this, they might consider expanding the scope of one or two applications submitted by Washington (e.g. for local street standards or transit supportive corridor project) or open negotiations with Beaverton on the rejected application from Beaverton." The motion was approved unanimously.

Councilor Gardner asked that the above action be communicated by transmittal letter accompanying the resolution.



METRO

Council  
4/28/94  
#8

Date: April 28, 1994

To: Metro Councilors  
Executive Officer

From: *Jd* Judy Wyers, Presiding Officer

Re: Procedure to Propose Changes to the FY 1994-95 Budget  
Committee Recommendations

As you know the Council will consider the Budget Committee Recommendations on the FY 1994-95 Budget at the May 5, 1994 Special Council meeting. The purpose of this memo is to outline a process for councilors and the Executive Officer to follow if they wish to propose changes to the Budget Committee's Recommended FY 1994-95 Budget.

Any Councilor or the Executive Officer may propose changes to the Budget Committee's Recommended Budget at the May 5, 1994 meeting. **To do so, please have your proposed changes prepared in writing and filed with the Council Administrator by 5:00 p.m. on Wednesday May 4, 1994.** The proposed change should be specific as to the Fund to be changed; the major category of expenditure; and the expenditure line items to be changed. Please remember to indicate how the change will impact proposed revenue for the Fund and/or what other items of expenditure must be increased or decreased to make it possible to accomplish the desired change.

Councilors, please contact the appropriate Council Analyst for assistance in making your proposals. Following this process will enable Council Staff and Executive Budget staff to prepare a fiscal analysis on each proposal prior to the May 5, 1994 Council meeting. This will provide the Council up to date information on the necessary revenue impacts of any proposal. If you have any questions, please do not hesitate to contact me.

cc: Dick Engstrom  
Jennifer Sims  
Kathy Rutkowski  
Council Analysts  
Department Heads

94-95 BudCom Change.memo



METRO

Council  
4/28/94  
#8

To: All Councilors

From: Councilor Susan McLain S. M.

Date: April 28, 1994

Re: Disposition of Waste From the Forest Grove Transfer Station

Potential changes in the disposition of the waste from the Forest Grove Transfer Station may occur within the next two months. The recently renewed Forest Grove franchise agreement and the OWS amendment recently signed by the Executive Officer provide conditions under which the station operator or Metro may direct the waste to be disposed of at a particular site. Under the OWS amendment Metro will receive a monetary benefit if this waste is sent to Columbia Ridge prior to July 1.

Solid Waste Department staff is currently discussing issues related to the disposition of the Forest Grove waste with a variety of affected parties including Riverbend Landfill, A.C. Trucking, Jack Gray Trucking, Trans Industries, and Waste Management. I believe that it is critical that the Council be kept informed concerning the status of these discussions, the pending development of any proposed agreements related to this wastestream, and the issues and policy options that are being addressed during these negotiations. It will be equally important for the Council to provide input, raise questions and provide policy direction prior to any final resolution of this issue.

I have requested, and the Chair of the Solid Waste Committee has agreed to schedule a discussion of issues related to the Forest Grove Station on the May 3 committee agenda. It is my intent that staff will provide an update on the status of existing negotiations and a written outline of issues and policy options related to disposition of the Forest Grove waste. I also will request that the Office of General Counsel review its memo written in response to a series of questions related to the relative authority of the Council and the Executive Officer concerning the disposition of the Forest Grove waste.

Several issues will be addressed at this meeting including: 1) transportation issues, 2) cost issues, 3) potential improvements at the Forest Grove Station, 4) the advisability of using a bidding process for the transportation and/or disposal of the waste (RFP vs. RFB), 5) the potential for using Metro Central as a temporary or permanent element of the transportation of the waste to Columbia Ridge, and 6) the role of the Council in setting policies to guide staff in addressing these issues.

I would actively encourage all of you to attend this meeting.