

A G E N D A

800 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2738
TEL 503 797 1700 | FAX 503 797 1797



METRO

MEETING: METRO COUNCIL REGULAR MEETING
DATE: May 4, 1995
DAY: Thursday
TIME: 2:00 p.m.
PLACE: Council Chamber

<u>Approx. Time *</u>		<u>Presenter</u>	<u>Lead Councilor</u>
2:00 PM	CALL TO ORDER AND ROLL CALL		
(5 min.)	1. INTRODUCTIONS		
(5 min.)	2. CITIZEN COMMUNICATIONS		
(5 Min.)	3. EXECUTIVE OFFICER COMMUNICATIONS		
	4. CONSENT AGENDA		
2:15 PM (5 min.)	4.1 Consideration of Minutes for the April 25, 1995 Council Work Session and the April 27, 1995 Council Meeting.		
	5. ORDINANCES - SECOND READING		
2:20 PM (10 Min.)	5.1 Ordinance No. 95-601A , Amending Metro Code Chapter 2.08 Relating To The Office of General Counsel and Declaring an Emergency.		McFarland
	6. RESOLUTIONS		
2:30 PM (5 Min.)	6.1 Resolution No. 95-2081 , Approving the Fiscal Year 1995-96 Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission.		McCaig
2:35 PM (5 Min.)	6.2 Resolution No. 95-2135 , For the Purpose of Endorsing Continued Funding for Amtrak Services.	Cotugno	Monroe
2:40 PM (10 Min.)	6.3 Resolution No. 95-2137 , For the Purpose of Authorizing the Executive Officer to Execute Change Order No. 1 to Contract No. 903221 With City of Portland for Recreation Development at Smith and Bybee Lakes.	Morgan	Washington

For assistance/Services per the Americans with Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office)

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

Approx.
Time *

Presenter

- | | | | | |
|--|-----|---|---------|--------|
| 2:50 PM
(10 min.) | 9. | COUNCILOR COMMUNICATIONS | | |
| 3:00 PM
(10 min.) | 9. | LEGISLATIVE ITEMS | | |
| | 7. | PUBLIC HEARING to be held at time certain (5:30 PM) to allow more opportunity for public testimony. | | |
| 5:30 PM
(time certain)
(45 Min.) | 7.1 | Resolution No. 95-2138 , For the Purpose of Adopting the 1995 Interim Regional Transportation Plan (RTP) | Cotugno | Monroe |
| 6:15 PM
(15 Min) | 7.2 | Resolution No. 95-2139 , For the Purpose of Setting Priorities for the Region 2040 Reserve. | Cotugno | Monroe |
| 6:30 PM | | ADJOURN | | |

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

AGENDA ITEM NO. 5.1
Meeting Date: May 4, 1995

ORDINANCE NO. 95-601A
SECOND READING

**Amending Metro Code Chapter 2.08 Relating to the Office of General Counsel and Declaring an
Emergency.**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING METRO CODE)
CHAPTER 2.08 RELATING TO THE)
OFFICE OF GENERAL COUNSEL AND)
DECLARING AN EMERGENCY)
)
)
)
)

ORDINANCE NO. 95-601A

Introduced by Mike Burton,
Executive Officer, and
J. Ruth McFarland, Presiding
Officer

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 2.08 is amended to read as follows:

OFFICE OF GENERAL COUNSEL

SECTIONS:

2.08.010 Purpose
2.08.020 General Counsel Office Created
2.08.030 Powers
2.08.040 Duties
2.08.050 Records
2.08.060 Attorney-Client Relationship
2.08.070 Employment of Outside Counsel
2.08.080 Opinions ~~{Regarding Division of Powers}~~

2.08.010 Purpose: The purpose of this chapter is to establish an Office of General Counsel to provide legal services to Metro. ~~{the District and its Council, Executive Officer, and any commissions}~~.

2.08.020 General Counsel Office Created: There is hereby created an Office of General Counsel consisting of the General Counsel and such subordinate employees as the Council may provide. ~~{The General Counsel and any subordinate employees shall be employed by the District subject to Personnel Rules adopted by the Council.}~~ Subordinate attorneys shall serve at the pleasure of the General Counsel. The General Counsel shall be appointed by Executive Officer subject to the confirmation of a majority of the members of the Council. The General Counsel may be removed by the Executive Officer or by a vote of a majority of the members of the Council. ~~{The Office of General Counsel is not a department of the District.}~~ ~~In the event the Executive Officer removes the General Counsel, the Executive Officer shall report the occurrence to the Council at the next regularly scheduled Council~~

meeting. A decision to remove the General Counsel shall not be subject to review by any court or tribunal.

2.08.030 Powers: The General Counsel shall have:

(a) General control and supervision of all civil actions and legal proceedings in which the District may be a party or may be interested.

(b) Full charge and control of all the legal business of all departments and commissions of the District, or of any office thereof, which requires the services of an attorney or counsel in order to protect the interests of the District. No District officer, board, Council, commission, or department shall employ or be represented by any other counsel or attorney at law except as may be provided for in this chapter.

2.08.040 Duties: The General Counsel shall have the following duties:

(a) Give legal advice and opinions orally and in writing and prepare documents and ordinances concerning any matter in which the District is interested in when ~~required~~ requested by the Council, the Executive Officer, ~~the Auditor~~ or any Metro commission;

(b) Review and approve as to form all written contracts, ordinances, resolutions, executive orders, bonds, or other legally binding instruments of the District;

(c) Except as provided by any insurance policy obtained by the District appear for, represent, and defend the District, and its departments, officers, commissions and employees and other persons entitled to representation under the Oregon Tort Claims Act in all appropriate legal matters except legal matters involving persons who after investigation by the office of the General Counsel, are found by the General Counsel to have been acting outside the scope of their employment or duties or to have committed malfeasance in office or willful or wanton neglect of duty.

(d) Submit to the Council, ~~and~~ Executive Officer, ~~and Auditor~~ quarterly, a formal report of all suits or actions in which the District is a party. The report shall state the name of each pending suit or action and a brief description of the suit or action and the status of the suit or action at the date of the report. The report shall also state the name of each suit or action closed during the preceding calendar year and a brief description of the suit or action and the disposition of the suit or action including the amount of any money paid by the District. At any time the General Counsel shall at the request of the Council, ~~Auditor~~ or the Executive report on the status of any or all matters being handled by the General Counsel.

(e) Appear, commence, prosecute, defend or appeal any action, suit, matter, cause or proceeding in any court or tribunal when ~~mutually~~ requested by the Executive Officer.

~~{and} the Council or any Metro commission when, in the discretion of the General Counsel, the same may be necessary or advisable to protect the interests of the District. {The General Counsel shall not appear on behalf of the District, without the mutual consent of the Executive Officer and Council as appropriate in any action, suit, matter, cause or proceeding in any court or tribunal.}~~

~~{The Executive Officer may authorize Metro's General Counsel to commence litigation or settlement for the collection of a continuously delinquent credit account more than forty five (45) days past due when litigation or settlement is advisable to protect the interests of the District. General Counsel shall report all collection litigation or settlement activities to the Executive Officer and Council at the earliest opportunity.}~~

2.08.050 Records:

(a) The General Counsel shall have charge and custody of the Office of General Counsel and of all legal papers pertaining thereto, which shall be arranged and indexed in such convenient and orderly manner as to be at all times readily accessible;

(b) The General Counsel shall keep in the office a complete docket and set of pleadings of all suits, actions, or proceedings in which the District, the Executive Officer, the Auditor, Council, or any Metro commission or employee thereof is a party, pending in any court or tribunal, unless the suits, actions, or proceedings are conducted by private legal counsel retained by the District in which case the General Counsel shall keep those records as the General Counsel deems advisable;

(c) The General Counsel shall keep and record all significant written opinions furnished to ~~{the District or to any department, the Executive Officer, Council or any} Metro {commission}~~ and shall keep an index thereof; and shall keep a ~~{chronological}~~ file including all opinions and correspondence of the office.

2.08.060 Attorney - Client Relationship: The relationship between the Office of General Counsel and ~~{the District} Metro~~ shall be an attorney-client relationship, with ~~{the District} Metro~~ being entitled to all benefits thereof. ~~For the purpose of this chapter, Metro is recognized as a single entity whose elected officials and appointed commissioners collectively perform and exercise Metro's duties and authority.~~ The General Counsel shall maintain a proper attorney - client relationship with the elected officials of the District so long as such officials are acting within the scope of their official powers, duties and responsibilities.

2.08.070 Employment of Outside Legal Counsel:

~~{(a) Whenever the General Counsel concludes that it is inappropriate and contrary to the public interest for the Office of General Counsel to concurrently represent more than one Metro public officer in a particular matter or class of matters in circumstances which would create or tend to create a conflict of interest on the part of the General Counsel, the~~

~~General Counsel may authorize one or both of such officers to employ its own counsel in the particular matter or class of matters and in related matters. Such authorization may be terminated by the General Counsel whenever the General Counsel determines that separate representation is no longer appropriate;}~~

~~{(b)} When in the judgment of the General Counsel the General Counsel deems it necessary or appropriate to do so the General Counsel may {subject to budget and procedural requirements established by the Council} employ outside legal counsel on behalf of {any commission, the Council, the Executive Officer, or any} Metro {commission} to handle such matters as the General Counsel deems advisable. Employment of outside counsel is subject to the general requirements of this Code.~~

2.08.080 Opinions ~~{Regarding Division of Powers}~~:

(a) The General Counsel shall prepare written opinions regarding interpretations of federal and Oregon law, the Metro Charter and Metro ordinances ~~{including but not limited to ORS Chapter 268 as provided for herein}~~. These ~~{O}~~ opinions ~~{prepared in conformance with this section}~~ shall be official guidance to the District except as superseded by courts of law, legislative action administrative rules, or actions of other superior tribunals or bodies.

{(b) Neither the Executive Officer nor any member of the Council shall directly or indirectly by suggestion or otherwise, attempt to influence or coerce the General Counsel in the preparation of any requested opinion. The General Counsel shall not be removed because of the rendering of any opinion. Nothing in this section prohibits, however, the Executive Office or the Council from fully and freely discussing with the General Counsel the legal affairs of Metro.

~~{(b) Requests for opinions regarding interpretations of Oregon Law concerning the powers, duties, and authority of the Metro Council or the Metro Executive Officer as they relate to the division of powers, duties, and authorities, or jointly held powers, duties, and authorities, shall be made only by the Executive Officer, the Presiding Officer, chairs of standing Council Committees, Committees acting by resolution, or the Council acting by resolution.}~~

~~{(e) Prior to commencing to prepare any requested opinion subject to the provisions of paragraph (b) this section, the General Counsel shall refer the request to both the Executive Officer and the Council. The issuance of an opinion shall require the concurrence of both the Council and the Executive Officer in the question to be answered. Council concurrence shall be by resolution, except where an opinion request is originally approved by the Council and the Executive Officer concurs in the request. Executive Officer concurrence shall be in writing.}~~

~~{(d) In the event the Council and the Executive Officer fail to concur in a request for an opinion, either the Council or the Executive Officer may direct that the Office of~~

~~General Counsel refer the question to outside legal counsel approved by the General Counsel and the requestor of the opinion subject to the provisions of Metro Code Chapter 2.04 and available budget appropriations. In the event any requested opinion is rendered by outside counsel, it shall not be official guidance to the District but shall constitute legal advice to the requestor of the opinion only.]~~

~~[(c) Nothing contained herein shall restrict the Office of General Counsel from effectively advocating the legal interests of the District in appearing before courts or tribunals. Such advocacy shall be consistent with opinions rendered pursuant to this section but the advocacy efforts of attorneys for the District shall not constitute official guidance to the District.]~~

Section 2. This Ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that it is necessary to avoid additional expense and litigation, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council this ____ day of _____, 1995.

J. Ruth McFarland, Presiding Officer

ATTEST:

Recording Secretary

gl
1222A

AGENDA ITEM NO. 6.1
Meeting Date: May 4, 1995

Resolution No. 95-2081

**Approving the Fiscal Year 1995-96 Budget and Transmitting the Approved Budget to the Tax
Supervising and Conservation Commission.**

STAFF REPORT

CONSIDERATION OF RESOLUTION 95-2081 APPROVING THE FISCAL YEAR 1995-96 BUDGET AND TRANSMITTING THE APPROVED BUDGET TO THE TAX SUPERVISING AND CONSERVATION COMMISSION

Date: April 24, 1995

Presented by: Patricia McCaig
Councilor

FACTUAL BACKGROUND AND ANALYSIS

The Fiscal Year 1995-96 Proposed Budget has been forwarded to Council for consideration. Ordinance No. 95-587, presented to Council on February 16, 1995, is the formal instrument by which the budget will be adopted. Final action to adopt the budget is scheduled for the end of June 1995.

Prior to adoption, ORS 294.635, Oregon Budget Law, requires that Metro prepare and submit the District's approved budget to the Tax Supervising and Conservation Commission by May 15, 1995. The Commission will conduct a hearing during June 1995 for the purpose of receiving information from the public regarding the Council's approved budget.

The action will formally approve the Council's Fiscal Year 1995-96 budget, and direct the Executive Officer to submit the approved budget to the Tax Supervising and Conservation Commission for public hearing and review.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE)
FY 1995-96 BUDGET AND TRANSMITTING)
THE APPROVED BUDGET TO THE TAX)
SUPERVISING AND CONSERVATION)
COMMISSION)

RESOLUTION NO. 95-2081

Introduced by
Councilor Patricia McCaig

WHEREAS, The Metro Council, convened as the Budget Committee, has reviewed the FY 1995-96 Proposed Budget; and

WHEREAS, The Council, convened as the Budget Committee, has conducted a public hearing on the FY 1995-96 Proposed Budget; and

WHEREAS, Pursuant to Oregon Budget Law, the Council, convened as the Budget Committee, must approve the FY 1995-96 Budget, and said approved budget must be transmitted to the Tax Supervising and Conservation Commission for public hearing and review; now, therefore,

BE IT RESOLVED,

1. That the Proposed FY 1995-96 Budget as amended by the Metro Council, convened as the Budget Committee, which is on file at the Metro offices, is hereby approved.

2. That the Executive Officer is hereby directed to submit the Approved FY 1995-96 Budget and Appropriations Schedule to the Tax Supervising and Conservation Commission for public hearing and review.

ADOPTED by the Metro Council this ___ day of _____, 1995.

J. Ruth McFarland, Presiding Officer

AGENDA ITEM NO. 6.2
Meeting Date: May 4, 1995

Resolution No. 95-2135

For the Purpose of Endorsing Continued Funding for Amtrak Services.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING) RESOLUTION NO. 95-2135
CONTINUED FUNDING FOR AMTRAK)
SERVICES) Introduced by
Rod Monroe, Chair
JPACT

WHEREAS, Metro's goal is to promote regionwide livability and transportation mobility through partnerships with the public and private sectors; and

WHEREAS, Metro is the region's Metropolitan Planning Organization working cooperatively through JPACT (the Joint Policy Advisory Committee on Transportation) to decide on future transportation improvements; and

WHEREAS, Metro views transportation, distribution and related services as an engine for prosperity as well as citizen mobility; and

WHEREAS, Increased use of passenger trains will help to reduce America's reliance on imported oil, contribute to our region's economic vitality and enhance our global competitiveness; and

WHEREAS, Local Oregon communities are developing multi-modal facilities to link AMTRAK with regional and interstate transit services; and

WHEREAS, The states of Oregon and Washington have forged a federal/state partnership with AMTRAK and will soon have invested a combined total of \$83 million in state AMTRAK and Freight Mobility Enhancement projects for incremental development of high speed rail; and

WHEREAS, The above improvements will improve facilities and capacities for increased freight traffic providing added relief to highway congestion; and

WHEREAS, AMTRAK President Thomas Downs has instituted major reforms to make AMTRAK more productive and encourage public-private partnerships; and

WHEREAS, Enhancement of AMTRAK services and the development of high-speed rail in the Cascadia Corridor of the Pacific Northwest can promote international tourism (the Two Nation Vacation concept) and reduce the need for auto trips and short-haul flights, extending the useful lives of Interstate 5 and the Vancouver, B.C., Seattle-Tacoma and Portland international airports; and

WHEREAS, Federal investment in AMTRAK has fallen over the last decade while it has increased for highways and airports; and

WHEREAS, States may use federal Highway Trust Fund money as an 80 percent match for a variety of non-highway programs, but are prohibited from using such moneys for AMTRAK projects; now, therefore,

BE IT RESOLVED,

That we urge our state and federal representatives to:

- Maintain federal and state capital investments in the Northwest Rail Corridor;
- Continue AMTRAK services and projected expansions on the Eugene-Portland-Seattle-Vancouver, B.C. rail corridor;
- Encourage and support constructive AMTRAK/state partnerships like those developed by the states of Oregon and

Washington;

- Give states the flexibility to use federal Highway Trust Fund moneys on AMTRAK if they so choose; and
- Include a strong AMTRAK system in any plans for a National Transportation System.

ADOPTED by the Metro Council this ____ day of _____,
1995.

Ruth McFarland, Presiding Officer

GWB:lmk
95-2135.RES
4-13-95

AGENDA ITEM NO. 6.3
Meeting Date: May 4, 1995

Resolution No. 95-2137

For the Purpose of Authorizing the Executive Officer to Execute Change Order No. 1 to Contract No. 903221 With City of Portland for Recreation Development at Smith and Bybee Lakes.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-2137 FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE CHANGE ORDER NO. 1 TO CONTRACT NO. 903221 WITH CITY OF PORTLAND FOR RECREATION DEVELOPMENT AT SMITH AND BYBEE LAKES

Date: 4 May, 1995

Presented by: Jim Morgan

BACKGROUND AND ANALYSIS

The change order to Contract No. 903221 between Metro and City of Portland is requested to pay the City the cost for services in the amount of \$35,697.64. The original contract is in the form of an intergovernmental agreement (IGA) and compensates the City for assistance in implementing components of Phase I of the *Recreation Master Plan for Smith and Bybee Lakes*.

This agreement evolved for two reasons:

- (1) Metro is required to offer the City of Portland first right of refusal for contract services that develop and manage recreation facilities in the Smith and Bybee Lakes Management Area, pursuant to the *Natural Resources Management Plan for Smith and Bybee Lakes* and the "St. Johns Landfill Agreement", both adopted by Metro and the City in November, 1990; and,
- (2) at the time of execution of the IGA (September 1993), Metro had no operational branch in its Greenspaces Program capable of implementing the *Recreation Master Plan*.

The scope of work calls for the City to design and manage construction of trails and wildlife observation structures and to develop a concept design for the interpretive center proposed for the lakes area. The original agreement called for Metro to compensate the City \$80,000. An administrative amendment increased this total to \$88,000 in June 1994. Change Order No. 1 would increase compensation to \$123,697.64.

Reasons for the increase in costs of implementing these components of Phase I of the Recreation Master Plan are: (1) changes in the design of the observation platforms, (2) management of the interpretive center concept design contract by Portland Parks, and (3) need for the emergency reconstruction of the interlakes trail due to failure of the original trail surface. An explanation for each is provided below.

Observation Platforms

The original cost estimate for the two observation platforms was \$20,000. This assumed open wooden platforms with limited access. Based on recommendations of the Smith and Bybee Lakes Management Committee and Metro Council the design was improved to provide barrier-free access, year-round protection from weather, and add additional

screening for wildlife viewing. The new design includes all-metal construction material, steel ramps to protect the wetlands, a roof and siding to protect users from the weather while masking their presence from wildlife. Construction is now complete and the platforms are meeting design objectives. Actual cost was \$42,000. The City managed design and construction of the platforms.

Interpretive Center Concept Design

Development of the concept design of the interpretive center for the lakes area was budgeted for joint administration by the City and Metro. To expedite the process, architectural procurement and contract management was fully administered by the City. The City also engaged a major effort to involve the community in the design of the interpretive center through public workshops and input through a citizens advisory committee. The City's assumption of full responsibility for this component added approximately \$15,000 to the IGA cost beyond the original estimate. The final concept design was approved by the Metro Council in November 1994.

Trail Failure and Reconstruction

The original pedestrian path included paving with crushed green glass cullet bonded with a stabilizer. Use of the crushed green glass in trail construction attempted to utilize an environmentally benign portion of the waste stream that currently has little market value. While acknowledged to be an experimental surface during Management Committee and Council deliberations on the Recreation Master Plan, the risk was considered reasonable in light of larger Metro waste reduction and reuse goals and policies and was judged plausible since it met aggregate specifications and early tests.

Upon completion of construction of the original trail, a project managed by the City, barrier-free use was provided. However, within one year, the trail had deteriorated and wheel-chair users were unable to use the trail. Options for modifying the existing trail to meet standards were sought that included lab and field testing of alternative surfaces and bonding agents. By the end of the 1994 construction season, it was determined that the only viable surface to meet accessibility standards in the lakes environment was asphalt paving. The trail was reconstructed in November 1994. Approximately \$7,000 in additional expenditures were incurred by the City in the research and testing of trail surfaces and construction site management for trail reconstruction.

FISCAL IMPACT

Payment in the amount of \$88,000 was remitted to the City in FY 1993-94 for work completed. The additional compensation in the amount of \$35,697.64 is well within unexpended miscellaneous professional services appropriations in the adopted FY 1994-95 budget for the Smith and Bybee Lakes Trust Fund. There is no fiscal impact. The Fund is also experiencing higher than anticipated interest earnings on unappropriated balance for the current fiscal year due to improved interest rates on investments.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 95-2137.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO.95-2137
THE EXECUTIVE OFFICER TO EXECUTE)
CHANGE ORDER NO.1 TO CONTRACT)
NO.903221 WITH CITY OF PORTLAND FOR) Introduced by Mike Burton
RECREATION DEVELOPMENT AT SMITH) Executive Officer
AND BYBEE LAKES)

WHEREAS, Contract No.903221 was executed in Fiscal Year 93-94 by and between Metro and City of Portland for the implementation of Phase I Recreation Master Plan for Smith and Bybee Lakes; and

WHEREAS, design changes different from the original contract scope of work were made to adapt to new changing policy and site conditions; and

WHEREAS, a failure in a newly-constructed trail to meet barrier-free requirements after one year of use required new surfacing material at additional costs; and

WHEREAS, additional work has now been performed as of December, 1994, and a final billing dated January 3, 1995 was received, and Change Order No. 1 is now tendered for unanticipated extra work; and

WHEREAS, funds are available within the Smith and Bybee Lakes Trust Fund to cover costs associated with the change order; now, therefore,

BE IT RESOLVED,

That the Metro Council authorizes the Executive Officer to execute Change Order No.1 to Contract No.903221 with City of Portland in a total amount not to exceed \$35,697.64 as provided in Exhibit A attached.

ADOPTED by the Metro Council this 4th day of May, 1995.

J. Ruth McFarland
Presiding Officer

EXHIBIT A

**AMENDMENT NO. 1
CONTRACT NO. 903221**

This Agreement hereby amends the above titled contract between Metro, a metropolitan service district, and City of Portland, hereinafter referred to as "Contractor".

This amendment is a change order to the original Scope of Work as follows:

- (1) Portland Bureau of Parks and Recreation staff will design observation platforms to conform to new specifications of Smith and Bybee Lakes Management Committee and Metro staff, obtain necessary permits, administer the construction contract to construct, and supervise construction.
- (2) Portland Parks will assume responsibility for contracting to a firm, selected by an acceptable public bidding process, for developing a conceptual design of an interpretive center for Smith and Bybee Lakes, including payment of services and administration of the contract..
- (3) Portland Parks staff will research and recommend options for correcting failing trail conditions on the Interlake Trail, aid in selecting the preferred option, develop specifications for a contract to implement the preferred option, and supervise the construction.

The total contract amount is hereby amended to not exceed \$123,697.64 and will expire May 30, 1995.

Except for the above, all other conditions and covenants remain in full force and effect.

In Witness to the above, the following duly authorized representatives of the parties referenced have executed this agreement:

CITY OF PORTLAND

METRO

SIGNATURE

DATE

SIGNATURE

DATE

NAME

NAME

TITLE

TITLE

50121

SEP 17 1993

INTERGOVERNMENTAL AGREEMENT

Implementation of Recreation Plan Phase I for
the Smith and Bybee Lakes Management Area

This Agreement dated this 17 day of September, 1993, is between Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter, whose address is 600 N.E. Grand Avenue, Portland, Oregon 97232-2736, and the City of Portland, Bureau of Parks and Recreation, hereinafter referred to as the "City," whose address is 1120 S.W. 5th Avenue, Portland, Oregon 97204, for the period of July 1, 1993, through twelve (12) months from the date this Agreement is signed.

WITNESSETH:

Whereas, This Agreement is exclusively for Personal Services;

NOW THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

THE CITY AGREES:

1. To provide services according to Attachment A – Scope of Work in implementation of Phase I of the Smith and Bybee Lakes Recreation Plan, including designing trails and observation structures and construction management; and
2. To develop a concept design for the interpretive center proposed for the Smith and Bybee Lakes Program as described in Attachment A – Scope of Work. The Concept Design will be completed and submitted to Metro no later than April 1, 1994.

METRO AGREES:

- To pay, in full to the City, the invoiced sum submitted by the City to Metro for the implementation of Phase I of the Master Recreation Plan for the Smith and Bybee Lakes Management Area as described in the Scope of Work – Attachment A. The total amount to be paid by Metro will not exceed EIGHTY THOUSAND AND NO 100THS DOLLARS (\$80,000.00). The City will submit quarterly bills to Metro containing expenditures by categories.

BOTH PARTIES AGREE:

1. That Metro's Project Manager shall be Jim Morgan, Planning Department, and he is specifically authorized to review, supervise and approve all tasks and work products as detailed in Attachment A – Scope of Work; and

2. That the City's Project Manager shall be John Sewell, Chief Planner of the City of Portland, Bureau of Parks and Recreation. Mr. Sewell is specifically authorized to execute all project tasks and render all project services; and

3. Metro's Project Manager is authorized to convey all notices including a notice to terminate this Agreement and carry out all actions as specifically referenced herein; and

4. That the City may subcontract to accomplish the project tasks only to the extent of and with the Metro Project Manager's prior, written approval; and

5. **INDEMNIFICATION:** Both Parties shall hold harmless, indemnify, protect and defend the other and its officers, employees and agents from any and all claims, suits or actions of any nature, including, but not limited to all costs and attorney fees arising out of or related to these project activities or those of its officers or employees.

If either fails to defend or indemnify the other, that party may, at its option, bring an action to compel same or undertake its own defense.

In either event, both parties shall be responsible for all costs, expenses and attorney fees including the reasonable market value of any services provided.

6. **TERMINATION FOR CAUSE:** Metro may withhold funding and terminate this Agreement in whole, or in part, at any time prior to project completion, if Metro, in its sole discretion, determines that the City has failed to comply with the terms and conditions of this Agreement.

In the event of such action, Metro shall promptly notify the City in writing as to the circumstances and the reasonable means, if any, for resolution.

7. **TERMINATION FOR CONVENIENCE:** This Agreement may be terminated in whole, or in part, whenever both parties agree that the continuation of the project will not produce the beneficial results anticipated or results commensurate with the proposed level of funding.

If termination is required, the parties shall agree upon the terms, conditions and effective date(s) for such action, or in the case of partial termination, the specific Project aspects or activities to be abandoned.

8. **ENTIRE AGREEMENT:** This is the entire Agreement between the parties. There are no understandings, agreements or representations, oral or written, not specified herein.

No waiver, consent, modification or change of terms shall bind either party unless committed to writing and signed by both parties, and if such action is taken, it shall be effective only in the specific instance and for the specific purpose given.

9. SEVERABILITY: If any portion of this Agreement is found to be illegal or unenforceable, this Agreement shall nevertheless remain in full force and effect and the offending provision shall be stricken.

10. ASSIGNMENT: This Agreement is binding on each party, its successors, assigns and legal representative and may not, under any circumstances or conditions, be assigned or transferred by either party.

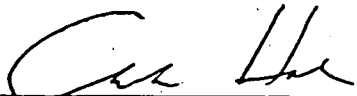
11. SITUS: The situs of this Agreement is Portland, Oregon. Any litigation over this Agreement shall be governed by the laws of the State of Oregon and shall be conducted in the Circuit Court of the State of Oregon, for Multnomah County, or, if jurisdiction is proper, in the U.S. District Court for the District of Oregon.

The City, by signature of its duly authorized representative, hereby acknowledges that it has read, understands and agrees to be bound by the terms and conditions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands on the day and year set forth below.

CITY OF PORTLAND
BUREAU OF PARKS AND RECREATION

METRO

By: 
Charlie Hales

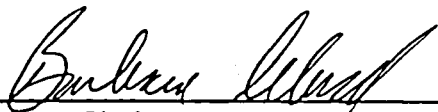
By: 

Title: Commissioner of Public Safety

Title: Director, PF

Date: 9/9/97


Date: 27 July 93

By: 
Barbara Clark

Title: Auditor

Date: 9/14/97

JM/erb
e:\pdf\cont\903221
07/20/93

APPROVED AS TO FORM

CITY ATTORNEY

ATTACHMENT A

SCOPE OF WORK

Implementation of Phase I Smith and Bybee Lakes Recreation Plan

Introduction

Metro is responsible for managing the Smith and Bybee Lakes Natural Area with the guidance of the Natural Resources Management Plan with funds available from the Lakes Trust Fund. Through an intergovernmental agreement, Metro contracted to the City of Portland Bureau of Parks and Recreation to develop a Master Recreation Plan for the Lakes Natural Area. Completed and adopted in 1992, the plan outlines recreation development in phases over several years, as funding allows, and as use of the area changes. Phase One is limited to the area from the parking lot off North Marine Drive to the north peninsula between the lakes. This phase will be implemented in 1993-94.

Implementation of Phase One will be through the concerted effort of Metro and Portland Parks. Portland Parks will assume primary responsibility for design of trails and observation structures. Metro will provide earth-moving equipment with operator and construction materials. Metro and Portland Parks will jointly assume responsibility for construction management. Much of the labor will be provided by a 10-member work crew with a crew supervisor. The crew will consist of at-risk youth managed by North Portland Youth Services Center and the Urban Streams Council.

Phase Three, building of an interpretive center and support structures is dependent on the availability of funds. To aid in financial planning for funding the interpretive center, a conceptual design is needed. This design will be general in its architectural renderings but sufficiently specific to the level that provides a reasonable construction cost estimate. The concept design must be based on information gathered from the potential public users while adhering to the intent of the Management Plan. The finished product should be in a form that is presentable to potential funding agencies and organizations. Portland Parks staff will assume lead responsibility in developing the concept design for the interpretive center.

Scope of Work and Schedule

Phase One - Trails and Observation Structures

Task 1 Working with Metro staff to assure compliance with intent of management objectives, Portland Parks staff will design the trails and observation decks and platform as outlined in the Recreation Plan. Plans and drawings will be made available as required for obtaining permits for construction work.

Product: Detailed schematic drawing of trails and observation structures
Completion: July, 1993

Task 2 Coordinate the logistical requirements for all phases of trail and observation structures construction. This includes obtaining cost estimates, ordering, and arranging deliver of materials. Procurements conducted by the City will follow standard contract and procurement procedures as established by City Code. Metro is responsible for capital outlay for materials and delivery costs.

Product: Delivery of appropriate construction materials at the work site.
Completion: August, 1993

Task 3 Provide guidance to the laborers in construction of trail and observation structures as needed to insure implementation is in accordance with plans. Occasional field oversight will be necessary. Hand tools for trail construction will be provided by the youth corps conducting the work.

Product: Completion of construction according to design.
Completion: September, 1993

Concept Design for Interpretive Center

Task 1 Collect and organize background information on developments to date, including review of plans, documents from committee and public meeting proceedings, and policy decisions.

Product: Background information file.
Completion: September, 1993

Task 2 Assess proposed site of interpretive center for current conditions, development opportunities and restrictions, including physical constraints, zoning and building restrictions, and required permits.

Product: Detailed site description with environmental overlays.
Completion: October, 1993

Task 3 Establish an Interpretive Center Concept Design Steering Committee that includes representatives of Friends of Smith and Bybee, Smith and Bybee Management Committee, and student representative from Roosevelt High School.

Product: Committee establishment.
Completion: September, 1993

Task 4 Survey key user groups who anticipate using the site, focusing on their needs and expectations.

Product: User group survey.
Completion: October, 1993

Task 5 Using information gathered in the tasks outlined above, a consensus on the interpretive center functions will be outlined.

Product: Consensus on interpretive center functions.
Completion: November, 1993

Task 6 Review the designs of other existing interpretive centers in the Pacific Northwest with similar functions, including available information on successes and failures in design.

Product: Review of analogous interpretive centers.
Completion: December, 1993.

Task 7 Recommend to the Steering and Management Committees the design attributes of the interpretive center that serve the desired functions and are appropriate to the site. Incorporate any suggested changes into the design concept.

Product: Recommendation of interpretive center functions.
Completion: January, 1994

Task 8 Develop site plan drawings of recommended concept design and present to the Steering and Management Committees. Incorporate suggested changes into the design.

Product: Draft site plans.
Completion: February, 1994

Task 9 Develop a final product of a narrative and drawings, including site plan and architectural drawings, and provide a display for fund-raising presentations.

Product: Site plan, architectural drawings, descriptive narrative, display.
Completion: March, 1994.

ORDINANCE 166910

*Execute intergovernmental agreement with Metro for implementation of recreation plan, phase I, for Smith and Bybee Lakes Management Plan Area.

The City of Portland ordains:

Section 1. The Council finds:

1. Metro is responsible for managing the Smith and Bybee Lakes Natural Area with guidance of the Natural Resources Management Plan and with funds available from the Lakes Trust Fund.
2. Metro contracted with the City of Portland, Parks and Recreation, to develop a Master Recreation Plan for the Lakes Natural Area.
3. The master plan was completed and adopted in 1992.
4. Metro wishes to proceed with phase I improvements for the area near North Marine Drive.
5. Metro wishes to enter into contract with Portland Parks and Recreation to design improvements and manage construction; Metro also wants Parks and Recreation to oversee the preparation of conceptual designs for an interpretive center.

NOW, THEREFORE, the Council directs:

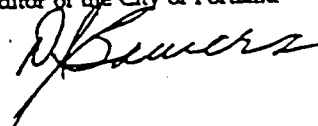
- a. The Commissioner of Public Safety and Auditor to execute the attached Agreement with Metro in a form substantially similar to that attached hereto.

Section 2. The Council declares an emergency exists because of the need to initiate and complete improvements at Smith and Bybee Lakes for the benefit and enjoyment of the public; therefore, this ordinance will become effective after its passage by Council.

Adopted by Council, SEP 1 1993

Commissioner Hales
John Sewell
August 11, 1993

Barbara Clark
Auditor of the City of Portland
By



Deputy

AGENDA ITEM NO. 7.1
Meeting Date: May 4, 1995

Resolution No. 95-2138

For the Purpose of Adopting the 1995 Interim Regional Transportation Plan (RTP).



METRO

Date: April 20, 1995
To: TPAC
From: Michael Hoglund, ^{MH}Transportation Planning Manager
Re: Interim Federal RTP

TPAC will be asked to recommend approval of the Interim Federal Regional Transportation Plan (RTP) at their April 28 meeting. Attached for your review prior to the meeting are the following items:

1. A staff report and proposed Metro Council/JPACT resolution recommending adoption of the federal RTP. Please note that the resolution contains a resolve that adopts the April 1995 draft Interim Federal RTP and an amendments report. We anticipate changes resulting from agency and public review. Agreed-upon changes will be included in the amendments report. A final federal RTP will be prepared following Metro Council adoption.
2. An April 19, 1995 memo from Larry Shaw, Metro Senior Assistant Legal Counsel, describing a strategy to temporarily proceed with "decoupling" state and federal RTPs. Traditionally, all state and federal requirements are met in a single RTP. The conflict between the need to keep the RTP current for federal purposes and the need to do more work for state purposes, does not allow that to happen at this time.

The proposed strategy will allow the region to proceed with adoption of an RTP to meet federal requirements and use federal transportation funds, while recognizing additional work is necessary to satisfy state land use and transportation planning requirements through the refined 2040 Growth Concept, RUGGOs, and RTP phase II.

3. General criteria for financially constraining the RTP. Chapter 7 of the draft federal RTP identifies 20-year system costs and revenues for both the state system and for the "regionally significant" non-state system. ODOT has developed a general approach for prioritizing projects within estimated revenues of an additional \$410 million over the

TPAC
April 20, 1995
Page 2

revised \$1.8 billion of need. Bruce Warner presented their approach to JPACT on April 13.

The attached general criteria are for prioritizing regionally significant non-state system needs of \$1.44 billion within estimated revenues of \$738 million. In general, the criteria reflect the ODOT approach. They recognize a significant shortfall and concentrate on high priority projects that focus on implementing the Region 2040 growth concept while maintaining the strength of the current system.

This item and the resulting constrained system will obviously be a major item of TPAC discussion. Metro staff, with some assistance from the RTP work teams, will apply the criteria and present a first draft of a constrained system at the meeting.

In order that we can quickly review and incorporate comments, as appropriate, into an amendment document, please bring written comments to the TPAC meeting which highlight any major issues, comments, or suggestions. Comments can also be sent prior to the meeting to Tom Kloster, RTP Project Manager (mail or FAX, 797-1794).

A copy of the draft federal RTP is not included in this mailing. The document was subject to extensive distribution upon its release. All TPAC members and most alternates, all local jurisdictions and transportation agencies, and a large number of interested citizens should have copies. However, if you do not have a copy, or would like another, please contact Jan Faraca at 797-1757.

MH:lmk

Attachments

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-2138 FOR THE PURPOSE OF ADOPTING THE 1995 INTERIM FEDERAL REGIONAL TRANSPORTATION PLAN (RTP)

Date: April 20, 1995

Presented by: Andrew C. Cotugno

PROPOSED ACTION

This resolution would: 1) bring the region into compliance with federal ISTEA transportation planning regulations set forth in 23 CFR Part 450 and 49 CFR Part 613; 2) leave the 1992 Regional Transportation Plan (RTP) in place for the purpose of satisfying State of Oregon planning requirements; and 3) establish a policy context for merging (recoupling) the state and federal versions of the RTP in Phase II of the RTP update.

FACTUAL BACKGROUND AND ANALYSIS

The interim federal Regional Transportation Plan (RTP) is the culmination of a four-month regional effort to bring the plan into compliance with federal ISTEA regulations and establish a policy context for Phase II of the RTP update. Key revisions included in the federal RTP are:

1. Updated regional transportation policy (Chapter 1 of the federal RTP) that reflects an increased emphasis on multi-modal transportation planning, the relationship between land use and transportation, demand management, new system management technology and consideration of regional transportation funding constraints.
2. Limited revisions to the planned regional system that reflect multi-modal transportation considerations (including new bicycle, transit and freight system maps in Chapter 4 of the federal RTP) and other regional system needs that have emerged or changed since adoption of the 1992 RTP.
3. An update of the 20-year list of needed transportation improvements and programs (Chapter 5 of the federal RTP) that reflects projects completed since the last major RTP update and the revised system needs identified in Chapter 4.
4. A framework for completing a comprehensive analysis of system performance, including the use of the intermodal and congestion management systems (Chapter 6).
5. A methodology for developing a "financially constrained" network that is limited to current and reasonably anticipated funding sources (Chapter 7).

6. A financially constrained transportation network and analysis of how financial constraints affect the 20-year project needs identified in the federal RTP (Chapter 7).
7. An expanded discussion of outstanding issues (Chapter 8) and ongoing RTP activities (Appendix) that will provide greater plan continuity in future updates.

This resolution is the first of three needed to adopted the interim federal RTP. This resolution adopts the required federal transportation elements. Two companion resolutions will follow, one addressing air quality conformity requirements (set forth in the federal Clean Air Act Amendments of 1990 (CAAA) and state DEQ new state conformity rule), and another adopting public involvement procedures for transportation planning.

In Phase II of the update, these new features of the federal RTP will be further refined and the plan substantially revised to address the state Transportation Planning Rule (TPR) and the Region 2040 growth concept. Until completion of the Phase II effort, however, the 1992 RTP will remain in effect for purposes of state planning requirements, and the federal RTP will serve concurrently to satisfy federal regulations. Adoption of the interim federal RTP will allow the region to continue to use federal funds during the Phase II process.

The public involvement program for the RTP update spans both phases. In Phase I, public involvement activities featured the "Choices We Make: A Regional Transportation Fair," and four "Priorities '95" town meetings held throughout the region. The RTP Citizen Advisory Committee (CAC) was also selected during Phase I, and will continue to serve throughout Phase II of the update.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 95-2138.

TK:lnk
95-2138.RES
4-20-95

**METRO**

Date: April 19, 1995
To: Mike Hoglund, Transportation Planning Manager
From: *LSH* Larry Shaw, Senior Assistant Counsel
Regarding: RTP ADOPTION STRATEGY DISCUSSION
Our file: 10.3.J

1992 RTP/Functional Plan - Ordinance No. 92-433 Coupled

ORS 268.390 requires that Metro adopt a state RTP, a transportation functional plan. It may contain "recommendations and requirements" for local comprehensive plans per ORS 268.390(4). Chapter 8 contains local plan consistency and dispute resolution processes. Functional plans must be consistent with RUGGO. So, the 1992 RTP is consistent with 1991 RUGGO, particularly Objective 13.

The federal "Regional Transportation Plan" (RTP) is now called "Metropolitan Transportation Plan" in post-ISTEA federal regulations. It is the mandatory transportation systems plan that (1) is the basis for the Transportation Improvement Program (TIP), and (2) now must be financially "constrained."

The 1989 and 1992 RTPs coupled the federal mandatory RTP and state RTP (mandatory functional plan) in the same document adopted by Ordinance No. 92-433.

TIP/RTP Resolutions - Decoupling

I understand that several projects brought into the TIP since 1992 by resolution have been brought into the RTP by the same resolution. This may comply with federal law which requires that a project must be in the RTP to qualify for the TIP. However, if this has occurred, these RTP amendments are not yet included in the coupled RTP/Functional Plan that was adopted by ordinance.

MTP Resolution - Decouple in 1995

The ISTEA based "metropolitan transportation plan (MTP)" will be a "constrained" federal systems plan update that uses an interim 2015 forecast derived from the 2040 Growth Concept proposal, not acknowledged comprehensive plans. So, it will contain post 1992 TIP-added projects and fewer long term unfunded projects. The bicycle/pedestrian mode share will be increased based on the 1994-95 study instead of the 1985 data. Fewer areas outside the UGB will need to be served than under comprehensive plan use policies.

Mike Hoglund, Transportation Planning Manager
February 8, 1995
Page 2

Narrower South/North choices can be shown than in 1992. Adopted Westside station area minimum densities can be used for those areas.

Assuming no federal law difficulty with adoption of the MTP by resolution, the initial adoption of a separate federal RTP for funding purposes in June-July 1995 would leave the 1992 RTP in place for state land use purposes until the TSP is done in mid 1996. Obviously this would require (1) review of differences between the federal RTP and 1992 RTP (state) for any 1995-96 comprehensive plan or project problems and (2) a short "decoupling" ordinance amendment to clearly take the federal RTP role out of Ordinance No. 92-433. Arguably, this would make the federal RTP resolution only a set of funding premises under state law, not a land use decision. Federal RTP projects would still have to be in local comprehensive plans and not inconsistent with the 1992 Functional Plan.

Federal RTP/TSP - Recoupled in 1996.

After 1995 RUGGO acknowledgment by LCDC, Urban Reserves designation, any interim Growth Concept planning, and at the time the regional Transportation Systems Plan (TSP) is ready in 1996, the amended federal RTP and transportation functional plan could be adopted together by ordinance, again. The recoupled RTP/TSP functional plan and framework plan component probably would not be appealed for its status as the federal MTP. It is likely to be appealed on some basis for its regulatory impact as the regional TSP.

RUGGO Amendment Impact - July 1995

Both the refined 2040 Growth Concept and updates of RUGGO Goal II objectives are scheduled to be adopted into RUGGO in July 1995. That amendment action is a land use decision and amended RUGGO will be submitted to LCDC for acknowledgment.

Since functional plans must be consistent with applicable RUGGOs, state RTP update adopted as a functional plan must comply with the RUGGOs in effect at the time it is adopted. Even if there is little change in the 1995 RUGGO Transportation Objective, there would be confusion if a state RTP/Functional Plan update were adopted under amended RUGGOs that will be undergoing LCDC and, probably, court review. Such confusion presents opportunities for successful appeals and LUBA remands.

Recommendation

"Decouple" the federal RTP from the 1992 Functional Plan in 1995 leaving it as the state RTP and consider "recoupling" them with the TSP in 1996.

rpj1959

cc: Tom Kloster

**Proposed Financial Constraint Selection Criteria
for the
Regionally Significant Non-State System
1995 Interim Federal RTP**

Objective:

Develop criteria to guide allocation of residual capital resources to the Regionally Significant Non-State System for the purpose of financially constraining 1995 Interim Federal RTP. The exercise is a first cut attempt at developing such a system. The purposes of the exercise are 1) to define a system for air quality conformity purposes, and 2) to identify the funding shortfall anticipated between forecast revenues and 20 year needs.

Assumptions:

- Maintenance, preservation, operating, and routine safety needs are met.
- Only projects of regional significance are eligible (as defined or mapped in Chapters 1 and 4 of the interim federal RTP).
- The ODOT methodology will be used to constrain the state system, subject to revision through the adoption process.

Criteria:

The first two criteria are borrowed from the ODOT methodology and may have implications for the non-state system.

1. TIP Committed. Include projects that were committed to during the ODOT STIP cut process (e.g., completion of Westside related Sunset Highway projects, I-5/Kruse interchange).
2. Phases. Include second or final phases of projects which have initial phases completed or funded (e.g., Wilsonville Interchange; 60th Avenue Connection).
3. ATMS Plan. Similar to maintenance and safety, management of the existing system should be a top priority. The ATMS capital program of \$50 million should be completed. The \$50 million includes both state and non-state facilities. The basis for the number is ODOT's ATMS study which identified an \$80 million, 18-year program. About \$30 million is for maintenance; \$50 million for capital.
4. Big Safety projects. Include major, justified safety projects as determined by ODOT and jurisdictions. Projects in this category cross

all modes and should identify major expenditures which are intended to address high accident locations with major property damage and/or loss of life.

5. Congestion > 1.0. Include projects (or phases) which address LOS areas which are greater than 1.0 now and in the future. Generally, these are areas with chronic congestion and minimal alternatives, either through land use or alternative modes, or routes or access links identified on the RTP freight system.
6. Congestion: LRT Corridors. Tolerate higher 2015 congestion (1.15 v/c) in LRT corridors. This criteria acknowledges that higher v/c can lead to peak hour spreading and recognizes that higher congestion can be tolerated where alternative modes have been provided.
7. 2040 Implementation (Roads). Fund roadways which serve major 2040 land use areas that do not conflict with above LRT objective (e.g., Columbia Corridor, 217, I-5 South climbing lane, Gresham N/S arterial, Beaverton E/W arterial, etc.).
8. Geographic Coverage. 20 to 30% for each area: E. County, Clackamas, City of Portland, Washington.
9. Bridges. Maintain existing bridge system. Replace Sellwood Bridge with constrained revenues and incorporate Multnomah County share of HBR "big bridge" funds to downtown bridges.
10. Transit. Assume some level of federal flexible funding to Tri-Met for capital to allow service expansion above 1.5 percent per year (based on payroll tax and farebox estimates).

Note: Staff is determining the amount flexible funds necessary to purchase Tri-Met capital that would translate into an additional .5 percent per year growth over 10 and 20 years. The information will be available at the April 28 meeting.

11. Access Oregon Highways. ODOT assumes that without significant new revenue, none of the three AOH projects (Sunrise, Mt. Hood, Western Bypass) will proceed.
12. Pedestrian. Pedestrian needs are still being identified. High potential pedestrian areas consistent with Region 2040 (Central City, Regional and Town Centers, and Main Streets) should be eligible for significant pedestrian funds. Staff will allocate funding to pedestrian deficient 2040 areas and provide a cost estimate at the meeting.

13. **Bike.** Define a critical bicycle network to serve Region 2040 concept and complete gaps in high potential bicycle areas.

Note: Staff is defining the system and developing cost estimates. Information will be available at the meeting.

14. **Freight.** Fund critical priorities which maintain freight system mobility needs to serve high growth commodity terminals.

MH
Metro
4/20/95

Date: April 20, 1995

To: Andy Cotugno
Metro

From: Dave Williams, Manager ^{dcw}
Transportation Analysis Unit

Subject: Financially Constrained RTP

INTEROFFICE
MEMO

The federally mandated financial constraint assumptions make the "Interim Federal Regional Transportation Plan" different from past RTPs. This RTP can include only a limited set of transportation improvements upon which air quality conformity and subsequent TIPs can be based.

In submitting the attached list of improvements for inclusion in the "federal" RTP, we have tried to acknowledge the full range of transportation issues facing the region while confronting less than optimal assumptions of available revenue.

Specifically, the attached list of improvements is based upon the following considerations:

- ◆ We acknowledge the priority JPACT gave to certain projects delayed in the last TIP.
- ◆ We gave priority to projects which were the second phase of previously programmed improvements.
- ◆ We propose to continue the regional ATMS plan, albeit at a somewhat slower pace.
- ◆ We have tried to address the need for efficient freight movement.
- ◆ We tried to reflect the access needs of regional centers inherent in 2040 plan.
- ◆ We need to address our worst freeway safety and operational problems.
- ◆ We want to implement low cost TSM improvements in several corridors needing attention.



- ◆ We want to address several particular bike/pedestrian improvements on the state system.
- ◆ We want to encourage the use of local matching funds for state-owned arterials and NHS routes not on the state system which could be a leveraging mechanism for a regional arterial program.
- ◆ We need to perform reconnaissance/EIS work in several places before specific solutions can be proposed for funding.
 - I-5 North
 - I-205 Corridor
 - I-405/US 26 Connection
 - AOH MIS reports
 - Special freight-only treatments

ODOT Constrained Project List

TIP Committed

- US-26 Camelot - Sylvan (Phase 3)* *29.6 million*
- Reconstruct Sunset mainline, replace Canyon Road overcrossing and add third lanes.
- US-26 Hwy 217 - Camelot* *8.747 million*
- Add 3rd lane EB, noise walls, remove Wilshire on-ramps and close local accesses.
- OR-217 Sunset Hwy - TV Hwy NB* *24.15 million*
Widen Highway and structure and complete ramp work.
- US-26 Murray Blvd. - Hwy. 217* *10.2 million*
- Improve freeway and ramp operations by providing 6 through lanes between Highway 217 and Murray Blvd. interchanges and providing westbound braided ramps between ORE 217 and Cedar Hills Blvd. interchanges.
- I-5 @ Hwy. 217 (Phase 2) *11.2 million*
- Improve ramp and freeway operations by constructing Phase 2 of the project.

* Westside Projects

Completion of Committed Projects

- I-5 Wilsonville Interchange (Phase 2) *6.479 million*
- Complete the interchange improvements by lengthening the ramps and extending the storage lanes on Wilsonville Road to allow for improved traffic operations on the freeway and on Wilsonville Road.

ATMS

- Advanced Traffic Monitoring System *26.3 million*
- The ATMS program will facilitate the transportation systems management element of the RTP by metering all freeway ramps, initiating an arterial street program, installing closed captioned television, and commencement of an operation center.

Freight

- US-30B NE 33rd or NE 60th *8 million*
- Provide a better connection between Columbia Blvd. and Lombard Street to facilitate east/west commercial (freight) traffic flow in the vicinity of NE 33rd or NE 60th.
- US-30B Killingsworth @ Columbia *9.82 million*
- Widen railroad overpass to improve clearances for freight movement and provide for additional lanes on the north leg of the Columbia Blvd. / Killingsworth Street intersection.
- I-84 Troutdale Interchange - Jordan Interchange (Phase 1) *7 million*
- Phase 1 will widen the Sandy River Bridge and provide auxiliary lanes between the Troutdale and Jordan Interchanges to improve freeway and ramp operations.
- I-205 E. Portland Freeway @ Highway 224 (Sunrise Unit 1)
(Listed under Safety and Congestion)
- 2040
- OR-217 TV Highway to 72nd *96 million*
- Widen to three lanes plus auxiliary lanes each direction.
- I-5 Greeley - N. Banfield (Phase 1)
(Listed under Safety and Congestion)

Safety and Congestion

- I-5 Greeley - N. Banfield (Phase 1) *36 million*
- Eliminate severe bottleneck conditions on I-5 southbound between Broadway and I-84 interchanges by constructing the first phase of a widening and ramp modification improvement to I-5 in the vicinity of the Memorial Coliseum / Oregon Convention Center. Phase 1 will consist of constructing frontage roads to facilitate traffic flow in the vicinity of the freeway. Phases 2 and 3 will braid the freeway ramps between Broadway and I-84 to improve freeway and ramp operations.
- I-205 E. Portland Freeway @ Highway 224 (Sunrise Unit 1) *114 million*

- Improve the congestion caused by weaving conflicts on I-205 between the Milwaukie Expressway and the Clackamas Boring Highway and improve the through-movement capacity and industrial access by rebuilding the I-205/ Highway 224 interchange and constructing a new limited access facility from I-205 to Highway 212 at approximately 135th.

US-30B Killingsworth @ Columbia
(Listed under Freight)

Westside Projects
(Listed under TIP Committed)

Transportation System Management

ORE 99W I-5 - Durham Road *1 million*
- Interconnect traffic signals to improve traffic progression.

US-26 Cornell to Bethany *0.025 million*
- Provide interconnect between interchange traffic signals at Cornell and Bethany to improve traffic progression.

ORE-8 (TV) 209th Ave. - Brookwood *0.3 million*
- Interconnect traffic signals to improve traffic progression and reduce delay.

ORE-43 Cedar Oak - Hidden Spring *0.02 million*
- Interconnect traffic signals to improve traffic progression and reduce delay.

ORE-217 Hwy. 217 NB off-ramp @ Scholls *0.341 million*
- Reduce congestion and improve freeway and ramp operation by widening the off-ramp to provide dual left turn lanes, and by replacing the signal controller to improve progression.

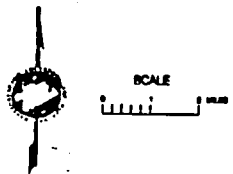
I-5 NB I-205 Exit *2 million*
- Provide a two-lane off-ramp from I-5 northbound onto I-205 to improve freeway and ramp operations.

Pedestrian / Bikeways

ORE-99E Harrison Street - Oregon City Shopping Center *2.5 million*
- Improve pedestrian safety by installing lighting and constructing and replacing sidewalks along McLoughlin Boulevard.

ORE-10 (SW Beaverton-Hillsdale Hwy.) <u>SW 65th to Hwy 217</u>	<i>6.075 million</i>
- Construct bicycle lanes and sidewalks	
OR-99W (Barbur Blvd.) <u>Terwilliger Blvd. to Multnomah Blvd.</u>	<i>3.3 million</i>
- Construct bicycle lanes and sidewalks	
OR-99W (SW Barbur Blvd.) <u>Hamilton St. to Front St.</u>	<i>1.9 million</i>
- Construct bicycle lanes and sidewalks	
Hall Blvd. <u>Oak St. to Pacific Hwy.</u>	<i>1 million</i>
- Construct bicycle lanes and sidewalks	
<u>I-205 Multi-use Trail Intersection Improvements</u>	<i>0.213 million</i>
- Improve several street crossings along the I-205 trail to improve bicycle access.	
OR-8 (Canyon Road) <u>SW 110th to SW Canyon Dr.</u>	<i>3.667 million</i>
- Construct sidewalks	
Overmatch	
US-26 <u>Palmquist/Orient Drive</u>	<i>1 million</i>
Improve intersection.	
US-26 <u>Birdsdale to Eastman</u>	<i>4 million</i>
Widen to five lanes.	
ORE-8 (TV Hwy) <u>209th/219th</u>	<i>2.5 million</i>
- Realign 209th on the south with 219th on the north to improve operations.	
ORE-10 (Farmington) <u>209th Ave. -172nd Ave.</u>	<i>10.8 million</i>
- Provide a three-lane section to improve traffic flow and safety.	
ORE-43 <u>Terwilliger Intersection</u>	<i>1.1 million</i>
- Construct northbound left turn lane on State Street to Terwilliger; reconfigure Terwilliger at its intersection with State Street; install traffic signal.	
ORE-43 <u>A Avenue Intersection</u>	<i>0.58 million</i>
- Improve turning radius from A Avenue for southbound turn onto Highway 43, restripe turning lanes, and upgrade signal.	

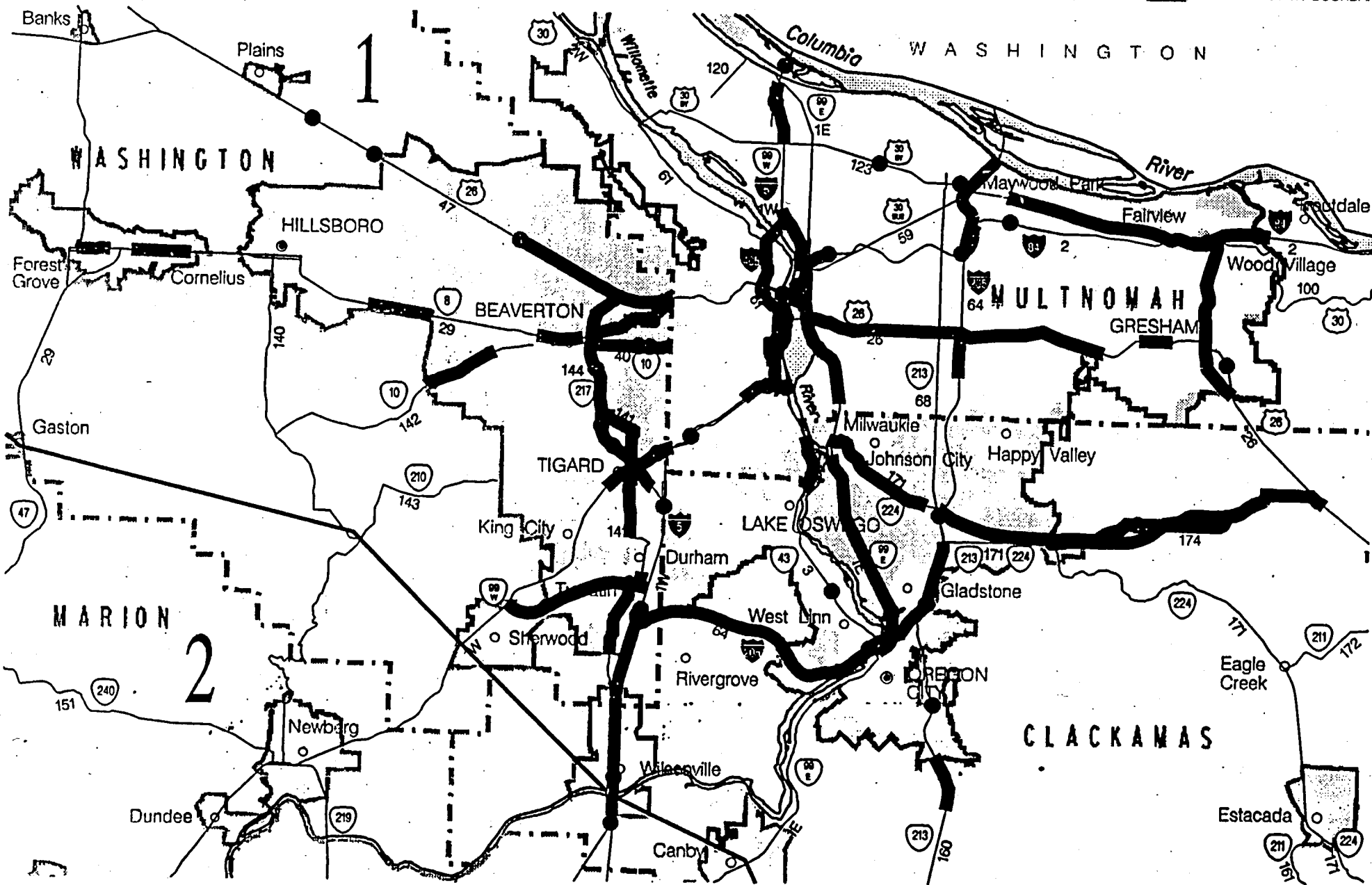
- ORE-43 McVey/Green Street Intersection 1.282 million
- Construct turn lanes for both northbound and southbound traffic on Highway 43.
- ORE-43 West A Street Realignment 1.22 million
- Realign West A Street with Failing Street and install traffic signal.
- ORE-43 Willamette Falls Drive 0.165 million
- Signalize and restripe approaches to the intersection.
- ORE-43 Failing Street 0.2 million
- Install traffic signal at Failing Street; close six streets on east side of Highway 43.
- ORE-43 Pimlico Street 0.15 million
- Install traffic signal.
- ORE-43 Jolie Point Road 0.12 million
- Install traffic signal at Jolie Point Road to complement ODOT Highway 43 improvements.
- ORE-210 (Scholls Ferry Road) Scholls/ B-H/ Oleson Road 12 million
- Improve the intersection of Beaverton Hillsdale Highway / Scholls Ferry Road / Oleson Road to reduce congestion and delay and improve safety.
- ORE-213 Beavercreek Road 10 million
- Improve regional access into developing areas in Clackamas County by constructing an interchange at Beavercreek Road and the Oregon City Bypass.
- ORE-213 (82nd Avenue) Schiller to Crystal Springs 5.5 million
- Implement transportation system management to improve traffic flow.



REGIONAL TRANSPORTATION PLAN





PREFERRED NETWORK IMPROVEMENTS

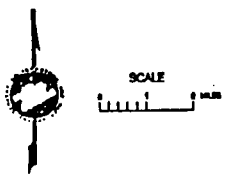
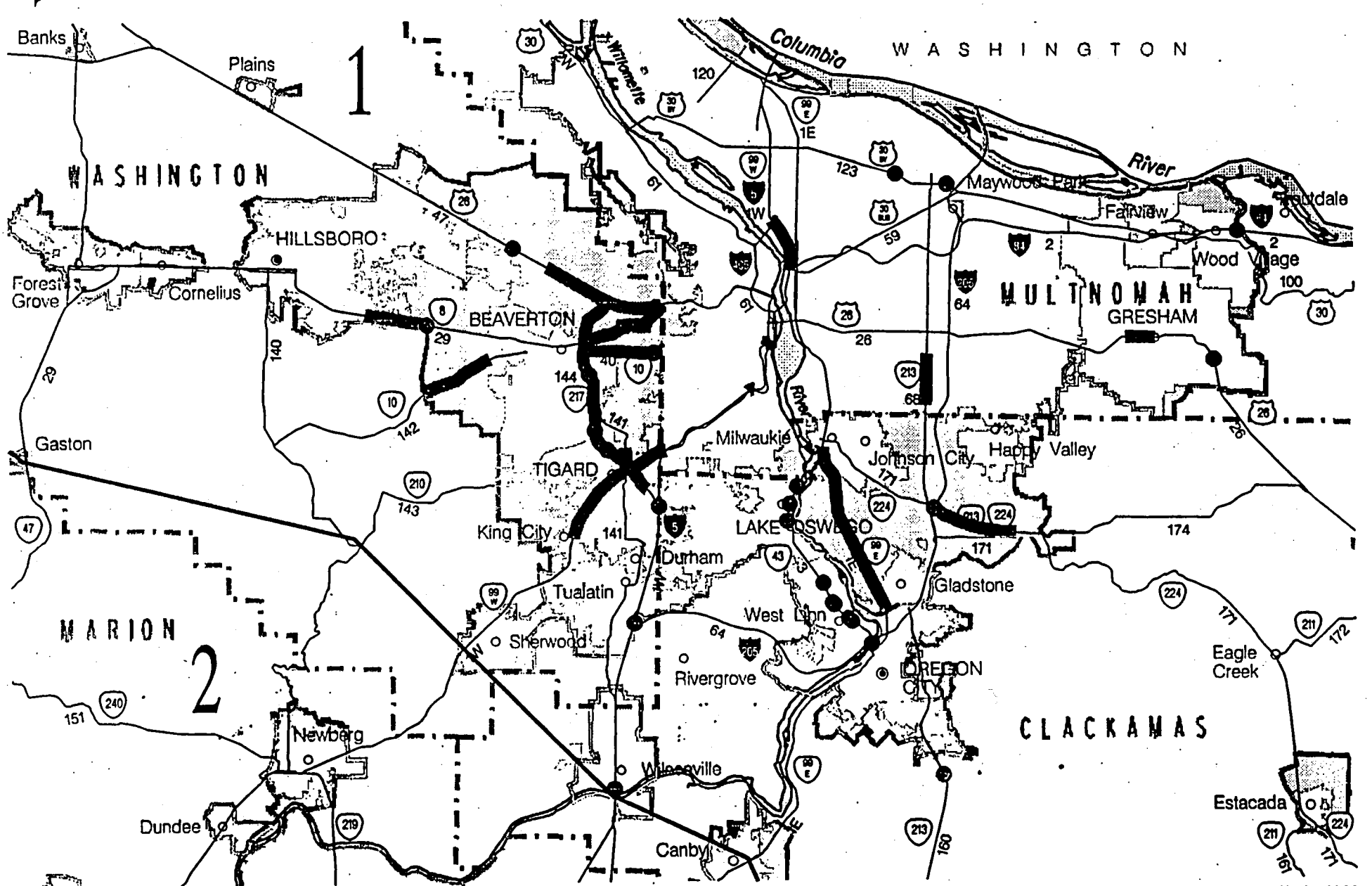
- REGION BOUNDARY
- EXISTING RTP NEEDS
- OTHER IDENTIFIED NEEDS
- CITY LIMIT
- URBAN GROWTH BOUNDARY



REGIONAL TRANSPORTATION PLAN

CONSTRAINED NETWORK IMPROVEMENTS

-  REGION BOUNDARY
-  CONSTRAINED PROJECTS
-  CITY LIMIT
-  URBAN GROWTH BOUNDARY



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE) RESOLUTION NO. 95-2138
1995 INTERIM FEDERAL REGIONAL)
TRANSPORTATION PLAN (RTP)) Introduced by

Rod Monroe, Chair
JPACT

WHEREAS, Pursuant to Title 23, Code of Federal Regulations (CFR) Part 450 and Title 49 CFR part 613, Metropolitan Planning Rules, the federal Intermodal Surface Transportation Efficiency Act (ISTEA) regulations require metropolitan planning organizations to update transportation plans every three years; and

WHEREAS, The federal ISTEA requires financially constrained plans; the Clean Air Act Amendments of 1990 (CAAA) requires that metropolitan transportation plans do not result in worsened air quality; and the American with Disabilities Act (ADA) requires that metropolitan transportation plans address the needs of the disabled; and

WHEREAS, The interim federal Regional Transportation Plan (RTP) establishes the policy framework for the region's transportation system and satisfies federal ISTEA regulations; and

WHEREAS, This interim federal RTP provides the scope for transportation improvements eligible for funding through the Metro Transportation Improvement Program (MTIP); and

WHEREAS, Approval by resolution of the federal RTP is required to receive federal transportation planning funds; now, therefore,

BE IT RESOLVED,

That the Metro Council hereby declares:

1. That the interim federal RTP, attached as Exhibit A, is approved.
2. That staff is instructed to incorporate revisions in Exhibit B for final submittal to the Federal Highway Administration (FHA) and Federal Transit Administration (FTA) for certification.
3. That approval is contingent upon demonstrating conformity of the federal RTP with CAAA.
4. That staff is instructed to proceed with Phase II RTP update activities to fully address both state and federal transportation planning requirements.

ADOPTED by the Metro Council this _____ day of _____,
1995.

J. Ruth McFarland, Presiding Officer

TK:mk
4-20-95
95-2138.RES

AGENDA ITEM NO. 7.2
Meeting Date: May 4, 1995

Resolution No. 95-2139

For the Purpose of Setting Priorities for the Region 2040 Reserve.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-2139 FOR THE PURPOSE OF AMENDING THE FY 1995 METRO TRANSPORTATION IMPROVEMENT PROGRAM TO ALLOCATE \$1.026 MILLION TO VARIOUS PLANNING ACTIVITIES AND TO SET PRIORITIES FOR THE REGION 2040 RESERVE

Date: April 21, 1995

Presented by: Andrew Cotugno

PROPOSED ACTION

Adoption of this resolution would approve allocation of \$1.029 million of the Region 2040 Reserve to carry out planning activity scheduled in the FY 96 Unified Work Program (see Exhibit A of the Resolution). It would also approve, for further deliberation, a list of projects totaling approximately \$50.3 million to which the residual Region 2040 Reserve (and miscellaneous other unallocated or unobligated funds) will be considered further.

FACTUAL BACKGROUND AND ANALYSIS

Source of Funds. In January of 1994, Metro and ODOT jointly approved reduction of the ODOT Six-Year Program in order to balance the program against available revenue. More was cut than was needed. After addressing priority transit needs, including Hillsboro LRT Extension related expenses, the excess -- \$16 million -- was stored in a Region 2040 and an Alternative Mode Reserve fund for allocation to projects supportive of the Region 2040 Land Use Concept under development at that time.

Additionally, Metro transferred the balance of anticipated FY 96 and FY 97 regional STP funds -- approximately \$11 million -- into a consolidated Region 2040 Reserve fund.

Solicitation and Public Participation. On January 18, 1995, Metro initiated allocation of the 2040 Reserve and Alternative Mode funds at the Metro Transportation Fair. The funds were described and a set of draft intermodal technical and administrative project selection criteria were circulated for comment. In February, Metro announced a six week solicitation period for project nominations from the region's jurisdictions and operating agencies. Projects totaling approximately \$150 million were nominated (roughly \$30 million for each county, the City of Portland and the Port of Portland). Staff applied the technical criteria to these projects and on April 14, 17 and 18, Metro, Council and JPACT hosted public meetings throughout the region to solicit public testimony on the resulting project rankings.

Technical and Administrative Criteria. The originally released technical criteria were revised based on comments received from the Transportation Fair and from TPAC during regular and special meetings throughout February and March. The final technical criteria evaluated eight transportation modes based on five

common factors including use potential, safety, support of 2040 land use concept, cost-effectiveness and support of multiple travel modes. The administrative criteria focused on implementation feasibility, public and jurisdiction support (including overmatch), phasing potential, regional equity and relationship to other scheduled projects. JPACT endorsed the criteria during its regular March meeting.

TIP Subcommittee Recommendation. Staff evaluated the testimony received at the April public meetings and then applied administrative considerations to develop a recommended list of \$27 million worth of projects. Additionally, some \$2.7 million of miscellaneous other regional funds that to date are either unobligated or unallocated to specific projects, including CMAQ, MACS implementation and "Old" FAU funds, were identified to support some projects.

This list was then submitted to the TIP Subcommittee for discussion on April 26. The Subcommittee made two recommendations. First, they recommended allocation of funds to support Metro's FY 96 planning program. These projects require grant approvals by July 1 and account for \$1.026 million of the total of \$27 million of reserve funds.

Secondly, the Subcommittee recommended expanding the \$27 million list to retain a variety of projects of importance to individual jurisdictions. They recommended that this expanded project list be evaluated by TPAC and JPACT before arriving at a final recommendation for the remaining \$26 million. This will delay the recommendation by approximately one month, leading to a final allocation decision and adoption by Metro in late June rather than late May.

TPAC Action. TPAC considered the resolution at its April 28 meeting and took two actions. First, it approved allocation of Metro's planning funds in order to ensure that July 1, 1995 grants are released. Second, it concurred with the TIP Subcommittee recommendation to refine the original \$150 million of project nominations to a "short list" of approximately \$50 million (see Exhibit B of the resolution). TPAC noted that it would be particularly important for jurisdictions to assess the phasing potential of each project on the list to ensure that critical project objectives are met at the least cost to the total program. This might include reduction of a request for full construction to meeting PE and right-of-way needs, or reducing project requests to construct only critical links. Staff will work with the jurisdictions to obtain this information and to revise requested funds appropriately.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 95-2139.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)	RESOLUTION NO. 95-2139
THE FY 1995 METRO TRANSPORTATION)	
IMPROVEMENT PROGRAM TO ALLOCATE)	Introduced by
\$1.026 MILLION TO VARIOUS PLANNING))	Rod Monroe, Chair
ACTIVITIES AND TO SET PRIORITIES)	JPACT
FOR THE REGION 2040 RESERVE)	

WHEREAS, Metro and ODOT jointly agreed to creation of a \$27.19 million Region 2040 and Alternative Mode Reserve account during the last update of the Metro and ODOT Transportation Improvement Programs (MTIP and STIP) funded with both regional and state STP reserve funds; and

WHEREAS, Metro and ODOT have identified \$2.8 million of miscellaneous additional transportation funds, including some program funds never allocated to specific projects and some project funds never obligated; and

WHEREAS, Metro solicited its regional partners for bicycle, pedestrian, freight, transit, road expansion and preservation, transportation demand management, and transit-oriented development project nominations selected from previously approved local plans and programs that reflect support of the Region 2040 Land Use goals and objectives approved by Metro Council in December 1994; and

WHEREAS, Approximately \$150 million of such project nominations were received; and

WHEREAS, Metro staff applied technical and administrative multi-modal ranking criteria to prioritize these nominated projects; and

WHEREAS, Metro sponsored a widely advertised Transportation

Fair in January and four widely advertised public meetings held throughout the region in April and has held numerous advertised meetings of TPAC, JPACT and the Metro Council inbetween during which these funds, the project nominations and the ranking process have been discussed and been the subject of public testimony; now, therefore,

BE IT RESOLVED:

1. That the FY 1995 Metro TIP be amended to allocate \$1.026 million to the list of projects identified in Exhibit A.

2. That the list of projects totaling approximately \$48.4 million dollars identified in Exhibit B be further considered as the basis of a final recommendation for allocation of the remaining \$26.16 million of Region 2040 Implementation Program funds.

ADOPTED by the Metro Council this ____ day of _____,
1995.

J. Ruth McFarland, Presiding Officer

95-2139.RES
5-3-95
TW:lmk

EXHIBIT A

REGION 2040 RESERVE ALLOCATION
(Funds To Support Metro FY 96 Planning Program)

Planning

Metro ISTEА/Rule 12 Planning	\$525,000
Commodity Flow	\$170,000
Local Technical Assistance	\$75,000
Westside Station Area Planning	\$209,000
I-5/Hwy 217 Study	\$50,000
TOTAL 2040 RESERVE ALLOCATED	\$1,029,000
REGION 2040 RESERVE	\$27,190,000
BALANCE	\$26,161,000

EXHIBIT B

REGION 2040 RESERVE ALLOCATION - SHORT LIST

PROJECTS		SUMMARY OF ADMINISTRATIVE CONSIDERATIONS	
Rank Roadway Projects			
of 48			
1	Sunnyside Rd.	\$5,000,000	
2	Murray Signal Interconnect	\$31,000	
3	238th/Halsey	\$376,531	
4	99W/Tualatin Rd.	\$4,486,000	
6	Scholls Ferry Signal Interconnect	\$31,000	
7	I-5 SB/Front Ramp Metering	\$90,000	
8	Greenburg/Mapleleaf	\$358,900	
9	Murray N. Signal Interconnect	\$9,000	
10	Hwy. 43/Willamette Falls	\$115,500	ODOT-MACS SUPPLEMENT
11	Johnson Crk. Blvd Phase II	\$1,272,301	Add-back by request; transfer of FAU funds requested from McLoughlin Blvd. project
12	Sandy Blvd. Signal Interconnect	\$167,000	ATMS projects were ranked as package of 5 @ \$1 M.
12	Powell Signal Interconnect	\$50,000	ATMS projects were ranked as package of 5 @ \$1 M.
12	TV Highway Signal Interconnect	\$250,000	ATMS projects were ranked as package of 5 @ \$1 M.
12	Division Sig Interconnect (60th/SE 257th)	\$186,000	ATMS projects were ranked as package of 5 @ \$1 M.
13	I-5/I-84 Ramp Metering	\$449,000	ODOT ATMS Program priority; provides Infill of existing I-5/I-84 ramp metering
24	Hwy. 43 Signal Interconnect	\$1,122,000	ODOT-MACS SUPPLEMENT; Included for regional equity
30	Water Ave Extension	\$1,600,000	Technical rank needs re-evaluation
38	Hwy. 43/A Avenue	\$406,000	ODOT-MACS SUPPLEMENT
na	Lovejoy Ramp Removal - PE	\$1,054,000	Unranked "Planning" project
na	McLoughlin-Harrison thru Milw. CBD	\$833,000	FAU-STP SUPPLEMENT: Unobligated funds currently allocated to hi ranked, "no go" regional FAU project.
REGIONAL 2040 RESERVE TOTAL		\$15,410,732	
ODOT-MACS/FAU-STP		\$2,476,500	
Rank Reconstruction Projects			
of 6			
1	Hawthorne Brdg Deck Structure	\$5,159,200	HBR funds now committed to Hawthorne Brdg painting
2	I-5/Kruse Way Reconstruct	\$1,200,000	
4	SW Front Avenue	\$2,368,720	
REGIONAL 2040 RESERVE TOTAL		\$8,727,920	

Bold projects are add-backs to original \$27 million staff recommendation

Exhibit B (Page 2)

Rank | Freight Projects

of 6			
1	COP/Port Columbia/N. Lombard OXing (PE)	\$987,000	Port add-back due to logical relationship to Columbia/Burgard Intersection project planning
3	N. Columbia Blvd./N.Burgard Intersection	\$886,000	
4	NE Columbia Blvd. Improvements	\$250,000	
5	Lower Albina OXing (PE)	\$600,000	
	REGIONAL 2040 RESERVE TOTAL	\$2,723,000	

Rank | TDM Projects

of 6			
1	Regional TDM Program	\$718,000	
2&3	CentralCity/Regional TMA		CMAQ SUPPLEMENT: Reallocated from former Cedar Hills bicycle project CMAQ priority. Total of nominated Central City/Regional Center TMA projects competing for allocations.
	a. CMAQ Unallocated*	\$249,000	
	b. Candidate Project Total*	\$634,000	
5	Swan Island TMA	\$150,000	
	REGIONAL 2040 RESERVE TOTAL	\$1,502,000	
		CMAQ	\$249,000

Rank | Transit Projects

NA	Transit Finance Task Force	\$320,000	
5	Gresham LRT Station	\$1,500,000	Tech. score from TOD criteria; 10-year ridership projection higher than all current Gresham stations combined
	REGIONAL 2040 RESERVE TOTAL	\$1,820,000	

Rank | Bike Projects

of 19			
1	Hawthorne Bridge Bike Lanes	\$1,560,000	Cannot be added to super-structure until deck restoration is completed.
2	Barbur @ Front Bike Lanes	\$1,440,000	
3	Walker Rd Bikeway Improvement	\$296,000	
4	Gateway & Hollywood bike Access	\$400,000	
	REGIONAL 2040 RESERVE TOTAL	\$3,696,000	

* Programming of any new TMA funds should be coordinated with DEQ's TMA Program currently authorized at \$897,250 of CMAQ funding.

Exhibit B (Page 3)

Rank | Pedestrian Projects
 of 24

1	Pacific Ave. - Forest Grove	\$91,000	
2	Hillsdale - Phase I	\$520,000	Highest priority/cost of three phases; rank reflects all three phases as single project
3	<i>Woodstock Blvd</i>	\$200,000	
9	A Avenue - Lake Oswego	\$8,000	
11	<i>Cully Blvd Bike & Ped</i>	\$1,680,000	
16	<i>Broadway/Weidler</i>	\$2,500,000	
19	<i>Springwater Corridor (190th Phase)</i>	\$204,700	Highest priority of 3 phases; rank reflects 3 phases as single project
	REGIONAL 2040 RESERVE TOTAL	\$5,203,700	

Rank | TOD Projects
 of 7

1	Metro TOD Program	\$4,500,000	Funding for site acquisition/revolving fund and site improvements to encourage TODs
4	Gresham N/S Collector	\$1,844,000	Collector is essential element to leverage initial TOD-oriented site development.
7	Hillsboro Ground Floor Retail	\$1,000,000	Recommended to avoid lost opportunity in parking structure
	REGIONAL 2040 RESERVE TOTAL	\$7,344,000	

Rank | Planning
 NA

	Metro ISTE/Rule 12 Planning	\$525,000	FY 97 program funding only
	Commodity Flow	\$220,000	FY 97 program funding only
	Local Technical Assistance	\$75,000	FY 97 program funding only
	Westside Station Area Planning	\$209,000	Final 1/3rd of request
	I-5/Hwy 217 Study	\$60,000	Amount dependent upon cost-sharing between participating jurisdictions
	Clackamette Cove Master Plan	\$60,000	
	REGIONAL 2040 RESERVE TOTAL	\$1,149,000	

REGIONAL 2040 RESERVE GRAND TOTAL	\$47,576,352
ODOT-MACS/CMAQ/FAU	\$2,725,500
GRAND TOTAL	\$50,301,852

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-2139 FOR THE PURPOSE OF AMENDING THE FY 1995 METRO TRANSPORTATION IMPROVEMENT PROGRAM TO ALLOCATE \$1.026 MILLION TO VARIOUS PLANNING ACTIVITIES AND TO SET PRIORITIES FOR THE REGION 2040 RESERVE

Date: July 21, 1994

Presented by: Andrew Cotugno

PROPOSED ACTION

Adoption of this resolution would approve allocation of \$1.029 million of the Region 2040 Reserve to carry out planning activity scheduled in the FY 96 Unified Work Program (see Exhibit A of the Resolution). It would also approve, for further deliberation, a list of projects totaling approximately \$48.4 million to which the residual Region 2040 Reserve (and miscellaneous other unallocated or unobligated funds) will be considered further.

FACTUAL BACKGROUND AND ANALYSIS

Source of Funds. In January of 1994, Metro and ODOT jointly approved reduction of the ODOT Six-Year Program in order to balance the program against available revenue. More was cut than was needed. After addressing priority transit needs, including Hillsboro LRT Extension related expenses, the excess -- \$16 million -- was stored in a Region 2040 and an Alternative Mode Reserve fund for allocation to projects supportive of the Region 2040 Land Use Concept under development at that time.

Additionally, Metro transferred the balance of anticipated FY 96 and FY 97 regional STP funds -- approximately \$11 million -- into a consolidated Region 2040 Reserve fund.

Solicitation and Public Participation. On January 18, 1995, Metro initiated allocation of the 2040 Reserve and Alternative Mode funds at the Metro Transportation Fair. The funds were described and a set of draft intermodal technical and administrative project selection criteria were circulated for comment. In February, Metro announced a six week solicitation period for project nominations from the region's jurisdictions and operating agencies. Projects totaling approximately \$150 million were nominated (roughly \$30 million for each county, the City of Portland and the Port of Portland). Staff applied the technical criteria to these projects and on April 14, 17 and 18, Metro, Council and JPACT hosted public meetings throughout the region to solicit public testimony on the resulting project rankings.

Technical and Administrative Criteria. The originally released technical criteria were revised based on comments received from the Transportation Fair and from TPAC during regular and special meetings throughout February and March. The final technical criteria evaluated eight transportation modes based on five

common factors including use potential, safety, support of 2040 land use concept, cost-effectiveness and support of multiple travel modes. The administrative criteria focused on implementation feasibility, public and jurisdiction support (including overmatch), phasing potential, regional equity and relationship to other scheduled projects. JPACT endorsed the criteria during its regular March meeting.

Current Recommendation. Staff evaluated the testimony received at the April public meetings and then applied administrative considerations to develop a recommended list of \$27 million worth of projects. Additionally, some \$2.8 million of miscellaneous other regional funds that to date are either unobligated or unallocated to specific projects, including CMAQ, MACS implementation and "Old" FAU funds, were identified to support some projects.

This list was then submitted to the TIP Subcommittee for discussion on April 26. The Subcommittee made two recommendations. First, they recommended allocation of funds to support Metro's FY 96 planning program. These projects require grant approvals by July 1 and account for \$1.026 million of the total of \$27 million of reserve funds.

Secondly, the Subcommittee recommended expanding the \$27 million list to retain a variety of projects of importance to individual jurisdictions (see Exhibit B of the Resolution). They recommended that this expanded project list be evaluated by TPAC and JPACT before arriving at a final recommendation for the remaining \$26 million. This will delay the recommendation by approximately one month, leading to a final allocation decision and adoption by Metro in late June rather than late May.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 95-2139.

TW:lnk
95-2139.RES
4-27-95

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)	RESOLUTION NO. 95-2139
THE FY 1995 METRO TRANSPORTATION)	
IMPROVEMENT PROGRAM TO ALLOCATE)	Introduced by
\$1.026 MILLION TO VARIOUS PLANNING))	Rod Monroe, Chair
ACTIVITIES AND TO SET PRIORITIES)	JPACT
FOR THE REGION 2040 RESERVE)	

WHEREAS, Metro and ODOT jointly agreed to creation of a \$27.19 million Region 2040 and Alternative Mode Reserve account during the last update of the Metro and ODOT Transportation Improvement Programs (MTIP and STIP) funded with both regional and state STP reserve funds; and

WHEREAS, Metro and ODOT have identified \$2.8 million of miscellaneous additional transportation funds, including some program funds never allocated to specific projects and some project funds never obligated; and

WHEREAS, Metro solicited its regional partners for bicycle, pedestrian, freight, transit, road expansion and preservation, transportation demand management, and transit-oriented development project nominations selected from previously approved local plans and programs that reflect support of the Region 2040 Land Use goals and objectives approved by Metro Council in December 1994; and

WHEREAS, Approximately \$150 million of such project nominations were received; and

WHEREAS, Metro staff applied technical and administrative multi-modal ranking criteria to prioritize these nominated projects; and

WHEREAS, Metro sponsored a widely advertised Transportation Fair in January and four widely advertised public meetings held throughout the region in April and has held numerous advertised meetings of TPAC, JPACT and the Metro Council inbetween during which these funds, the project nominations and the ranking process have been discussed and been the subject of public testimony; now, therefore,

BE IT RESOLVED:

1. That the FY 1995 Metro TIP be amended to allocate \$1.026 million to the list of projects identified in Exhibit A.

2. That the list of projects totaling approximately \$48.4 million dollars identified in Exhibit B be further considered as the basis of a final recommendation for allocation of the remaining \$26.16 million of Region 2040 Implementation Program funds.

ADOPTED by the Metro Council this ____ day of _____,
1995.

J. Ruth McFarland, Presiding Officer

EXHIBIT A

REGION 2040 RESERVE ALLOCATION
(Funds To Support Metro FY 96 Planning Program)

Planning

Metro ISTE/Rule 12 Planning	\$525,000
Commodity Flow	\$170,000
Local Technical Assistance	\$75,000
Westside Station Area Planning	\$209,000
I-5/Hwy 217 Study	\$50,000
TOTAL 2040 RESERVE ALLOCATED	\$1,029,000
REGION 2040 RESERVE	\$27,190,000
BALANCE	\$26,161,000

EXHIBIT B

REGION 2040 RESERVE ALLOCATION - DRAFT PRIORITIES (Excluding funds allocated to Metro FY 96 Planning Program)

HIGH PRIORITY PROJECTS

Roadway Projects

Sunnyside Rd.		\$5,000,000
Murray Signal Interconnect		\$31,000
238th/Halsey		\$376,531
99W/Tualatin Rd.		\$4,486,000
Scholls Ferry Signal Interconnect		\$31,000
I-5 SB/Front Ramp Metering		\$90,000
Greenburg/Mapleleaf		\$358,900
Murray N. Signal Interconnect		\$9,000
Hwy. 43/Willamette Falls	ODOT-MACS	\$115,500
<i>Johnson Crk. Blvd Phase II</i>		\$1,272,301
Sandy Blvd. Signal Interconnect		\$167,000
Powell Signal Interconnect		\$50,000
TV Highway Signal Interconnect		\$250,000
<i>Division Sig Interconnect (60th/SE 257th)</i>		\$186,000
<i>I-5/I-84 Ramp Metering</i>		\$449,000
Hwy. 43 Signal Interconnect	ODOT-MACS	\$1,122,000
<i>Water Ave Extension</i>		\$1,600,000
Hwy. 43/A Avenue	ODOT-MACS	\$406,000
Lovejoy Ramp Removal - PE		\$1,054,000
<i>McLoughlin-Harrison thru Milw. CBD</i>	FAU/STP	\$833,000
REGIONAL 2040 RESERVE TOTAL		\$15,410,732
	ODOT-MACS	\$2,476,500

Reconstruction Projects

<i>Hawthorne Brdg Deck Structure</i>	\$5,159,200
<i>SW Front Avenue</i>	\$2,368,720
REGIONAL 2040 RESERVE TOTAL	\$7,527,920

Freight Projects

<i>COP/Port Columbia/N. Lombard OXing (PE)</i>	\$987,000
NE Columbia Blvd. Improvements	\$250,000
N. Columbia Blvd./N. Burgard Intersection	\$886,000
<i>Lower Albina OXing (PE)</i>	\$600,000
REGIONAL 2040 RESERVE TOTAL	\$2,723,000

TDM Projects

Regional TDM Program	\$718,000
Swan Island TMA	\$150,000
CentralCity/Regional TMA	
a. CMAQ Unallocated*	\$303,000
b. Candidate Project Total	\$580,000
REGIONAL 2040 RESERVE TOTAL	\$1,448,000
CMAQ	\$303,000

* Programming of TMA funds should be coordinated with DEQ's CMAQ Program currently authorized at \$897,250 of CMAQ funding.

Exhibit B (Continued)

<u>Transit Projects</u>	
Transit Finance Task Force	\$320,000
<u>Bike Projects</u>	
Hawthorne Bridge Bike Lanes	\$1,560,000
Barbur @ Front Bike Lanes	\$1,440,000
REGIONAL 2040 RESERVE TOTAL	\$3,000,000
<u>Pedestrian Projects</u>	
Pacific Ave. - Forest Grove	\$91,000
Hillsdale - Phase I	\$520,000
<i>Woodstock Blvd</i>	\$200,000
A Avenue - Lake Oswego	\$8,000
<i>Cully Blvd Bike & Ped</i>	\$1,680,000
<i>Broadway/Weldler</i>	\$2,500,000
<i>Springwater Corridor (190th Phase)</i>	\$204,700
REGIONAL 2040 RESERVE TOTAL	\$5,203,700
<u>TOD Projects</u>	
Metro TOD Program	\$4,500,000
Gresham N/S Collector	\$1,844,000
<i>Gresham LRT Station</i>	\$1,500,000
Hillsboro Ground Floor Retail	\$1,000,000
REGIONAL 2040 RESERVE TOTAL	\$8,844,000
<u>Planning</u>	
Metro ISTE/Rule 12 Planning	\$525,000
Commodity Flow	\$170,000
Local Technical Assistance	\$75,000
Westside Station Area Planning	\$209,000
I-5/Hwy 217 Study	\$60,000
Clackamette Cove Master Plan	\$60,000
REGIONAL 2040 RESERVE TOTAL	\$1,099,000
REGIONAL 2040 RESERVE GRAND TOTAL	\$45,576,352
ODOT-MACS/CMAQ/FAU	\$2,779,500
GRAND TOTAL	\$48,355,852

**METRO**

Date: May 4, 1995
To: Councilor Jon Kvistad
From: Mike Burton, Executive Officer
Re: Computer Downtime

A handwritten signature in black ink, appearing to read 'Mike Burton', written over the 'From:' line of the memo.

This information has been compiled by Ann Clem, Information Systems Manager.

At a recent Council meeting you inquired about increased network downtime. This memorandum is intended to address:

1. What has been down
2. Causes of downtime/Remedies
3. Steps being taken to reduce vulnerability to downtime
4. Changing expectations

1. What Has Been Down

We currently have two computers serving as network file servers each having multiple departments assigned them. The file server to which Council Staff is connected has been down for a total of 4 1/2 work hours during April. This is an excessive amount of time.

2. Causes of Downtime/Remedies

We had a combination of hardware and software problems. The hardware difficulty was solved by replacing an Uninterrupted Power Supply. We worked with our network consultant and resolved the software problem; and we continue to trouble-shoot a glitch at this time which appears to be power-related. Interim to finding a solution to the latter problem, we are putting a work-around in place.

3. Steps Being Taken To Reduce Vulnerability to Downtime

Currently, the file server in question performs many functions:

- Accommodates file sharing for over 200 computer workstations
- Performs the translation for Macintosh, Unix and Windows-Based computers
- Tape backup system for the entire Novell network resides on it
- Provides an electronic mail box for all computer workstations
- Provides printing services for approximately 15 printers.

To perform the above functions requires a mix of hardware, many software systems, and proper communications. The more functionality a system is required to perform, the more complex the environment and the more dynamic that environment becomes. Our plans are to reduce the complexity to assist in stabilizing the environment.

Projects Currently Underway

- Place Planning Department on their own fileserver.
- Place the Tape Backup Software System on its own computer. (This software system has caused several downtimes since last fall.)

Both of these steps will eliminate some of the environmental complexity. A more simplistic environment will reduce the amount of downtime. However, as you are aware, downtime will occur, but our intent is to minimize it. To minimize disruption caused when a fileserver is not available, the network has been set up so that whether the fileserver is up or down, our customers can continue using their word processing and spreadsheet systems. File sharing and printing can also be done in the absence of a fileserver. This method is inefficient but workable in the event of a fileserver failure.

Regrettably, when a department's fileserver is down for any period of time, our customers will lose the capability of sending/receiving/reading electronic mail and will be unable to view or affect the calendar system

4. Changing Expectations

The original objective of the Metro network was to create an efficient method to share electronic files as well as departmental laser printers. Additionally, customers felt downtime up to two consecutive days was tolerable.

In the last three years, dependency on the network has intensified to where zero downtime is now the goal. With the introduction of the electronic mail/calendar system our network has become far more than an efficient method to share files and printers. Network expectations and needs will be reviewed by our Information Systems Advisory Group in the next few months. When we understand current user expectations, ISD will develop a plan to ensure our resources are in alignment. Recommendations will be made in accordance with the plan.

If any of the above information requires clarification or you have any questions, please contact me on extension 1605.

MB:AC:nbjd
downtime.doc

cc: Jennifer Sims, Director of Finance



METRO

DATE: May 4, 1995
TO: Metro Councilors
FROM: Councilor Jon Kvistad
RE: Ordinance 95-601

I have an amendment to propose to Ordinance No. 95-601. On page 4 of the ordinance, in Section 2.08.080(b), I would like to delete the second sentence. The subsection would then read:

(b) Neither the Executive Officer nor any member of the Council shall directly or indirectly by suggestion or otherwise, attempt to influence or coerce the General Counsel in the preparation of any requested opinion. ~~The General Counsel shall not be removed because of the rendering of any opinion.~~ Nothing in this section prohibits, however, the Executive Officer or the Council from fully and freely discussing with the General Counsel the legal affairs of Metro.

PROPOSED AMENDMENT TO ORDINANCE NO. 95-601A

Councilor Susan McLain

May 3, 1995

Amend Metro Code Section 2.08.080(a) to read:

2.08.080 Opinions ~~[Regarding Division of Powers]~~:

(a) The General Counsel shall prepare formal written opinions regarding interpretations of federal and Oregon law, the Metro Charter and Metro ordinances ~~[including but not limited to ORS Chapter 268 as provided for herein]~~. ~~These [O]pinions [prepared in conformance with this section]~~ shall be official guidance to the District except as superseded by courts of law, legislative action administrative rules, or actions of other superior tribunals or bodies. Formal opinion requests may be made by any Metro elected official. All requests for opinions shall be in writing. Upon receipt of a written request for a formal opinion the General Counsel shall furnish a copy of the request to the Executive Officer, Auditor, and all members of the Council. Upon completion, copies of all formal opinions shall be furnished to the Executive Officer, Auditor, and all members of the Council.

**METRO**

May 2, 1995

Mr. Courtney Wilton
Tax Supervising and Conservation Commission
724 Mead Building
421 SW Fifth Avenue
Portland, Oregon 97204

Dear Courtney:

This letter transmits Metro's FY 1994-95 Supplemental Budget to the TSCC. Enclosed are several copies of the supplemental budget packet, Resolution No. 95-2124 evidencing the Metro Council's review and approval of the action for transmittal to the TSCC, and a copy of the public notice to be published for the scheduled June 8, 1995, TSCC hearing.

Also enclosed are two copies of Metro's FY 1995-96 Proposed Budget. In conversations with Kathy Rutkowski, Tim Reddington expressed interest in receiving copies of the Proposed Budget for next year. The Council has been holding hearings on next year's budget since mid-February and has completed its recommendations. The Council recommendations are scheduled for approval on May 4, 1995. I have also enclosed a copy of the Council Budget Committee Recommendations report along with several memos which should explain many of the revisions made to the Proposed Budget. The FY 1995-96 Approved Budget will be transmitted to you by May 15, 1995.

If you need further information or have questions on the Supplemental Budget for FY 1994-95 or the FY 1995-96 annual budget, please feel free to contact either Craig Prosser, Kathy Rutkowski, or me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Sims". The signature is fluid and cursive, with a large loop at the end.

Jennifer Sims
Director of Finance

Enclosures

JS:KTR
i:\budget\fy94-95\budord\supp\TSCCTRAN.DOC
5/2/95 1:18 PM

bcc: Mike Burton, Executive Officer
J. Ruth McFarland, Presiding Officer
Patricia McCaig, Budget Committee Chair

Comparison of Interfund Transfers
Proposed Budget to Budget Committee Recommendations to Auditor's Office Remodel
 Revised 4/28/95

	FY 1995-96 Proposed Budget Transfers	FY 1995-96 Committee Recommend. Transfers	\$ CHANGE	FY 1995-96 Committee Rec. with Auditor Remodel	\$ CHANGE	\$ CHANGE
			From Proposed to Committee Recommend.		From Comm. Recommend. to Auditor Remodel	From Proposed Budget to Auditor Remodel
SUPPORT SERVICES FUND TRANSFER - Direct & Indirect						
Planning	1,439,571	1,434,037	(5,534)	1,435,684	1,647	(3,887)
Solid Waste	2,297,817	2,239,303	(58,514)	2,241,875	2,572	(55,942)
Zoo	1,296,831	1,284,369	(12,462)	1,285,845	1,476	(10,986)
General Fund	441,771	427,197	(14,574)	427,687	490	(14,084)
MERC (including Expo)	1,165,079	1,147,866	(17,213)	1,148,989	1,123	(16,090)
Regional Parks & Greenspaces	333,119	338,094	4,975	338,482	388	5,363
Convention Center Capital Project	14,459	14,397	(62)	14,414	17	(45)
TOTAL TRANSFER	\$6,988,647	\$6,885,263	(\$103,384)	\$6,892,976	\$7,713	(\$95,671)
RISK MANAGEMENT TRANSFER - Workers Compensation						
Planning	14,197	14,197	0	14,197	0	0
Solid Waste	28,751	28,751	0	28,751	0	0
Zoo	52,158	52,158	0	52,158	0	0
General Fund	3,325	3,325	0	3,325	0	0
MERC (including Expo)	63,741	63,741	0	63,741	0	0
Regional Parks & Greenspaces	5,065	5,065	0	5,065	0	0
Support Services Fund	15,425	15,425	0	15,425	0	0
TOTAL TRANSFER	\$182,662	\$182,662	\$0	\$182,662	\$0	\$0
RISK MANAGEMENT TRANSFER - Liability/Property						
Planning	11,255	11,255	0	11,255	0	0
Solid Waste	45,703	45,703	0	45,703	0	0
Zoo	62,265	62,265	0	62,265	0	0
General Fund	2,576	2,576	0	2,576	0	0
MERC (including Expo)	140,150	140,150	0	140,150	0	0
Regional Parks & Greenspaces	26,107	26,107	0	26,107	0	0
Support Services Fund	28,624	28,624	0	28,624	0	0
TOTAL TRANSFER	\$316,680	\$316,680	\$0	\$316,680	\$0	\$0
BUILDING MANAGEMENT TRANSFER - Metro Regional Center						
Planning	432,128	417,718	(14,410)	422,452	4,734	(9,676)
Solid Waste	318,242	307,629	(10,613)	311,115	3,486	(7,127)
General Fund	283,294	273,847	(9,447)	276,950	3,103	(6,344)
Regional Parks & Greenspaces	88,043	85,107	(2,936)	86,071	964	(1,972)
Support Services Fund	704,193	680,710	(23,483)	688,423	7,713	(15,770)
TOTAL TRANSFER	\$1,825,900	\$1,765,011	(\$60,889)	\$1,785,011	\$20,000	(\$40,889)
TOTAL TRANSFERS ALL FUNDS						
Planning	1,897,151	1,877,207	(19,944)	1,883,588	6,381	(13,563)
Solid Waste	2,690,513	2,621,386	(69,127)	2,627,444	6,058	(63,069)
Zoo	1,411,254	1,398,792	(12,462)	1,400,268	1,476	(10,986)
General Fund	730,966	706,945	(24,021)	710,538	3,593	(20,428)
MERC (including Expo)	1,368,970	1,351,757	(17,213)	1,352,880	1,123	(16,090)
Regional Parks & Greenspaces	452,334	454,373	2,039	455,725	1,352	3,391
Convention Center Capital Project	14,459	14,397	(62)	14,414	17	(45)
Support Services Fund	748,242	724,759	(23,483)	732,472	7,713	(15,770)
TOTAL TRANSFER	\$9,313,889	\$9,149,616	(\$164,273)	\$9,177,329	\$27,713	(\$136,560)
NET CHANGE IN TRANSFERS WITHOUT SUPPORT SERVICES FUND			(\$140,790)		\$20,000	(\$120,790)

The Oregonian

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ROBERT M. LANDAUER, Editorial Page Editor

MONDAY, APRIL 24, 1995

Developing the right way

Go for projects that will show private investors that mixed use and higher densities will pay off

Metro councilors should keep one thought paramount as they weigh Portland-area requests for federal transportation funds:

This region and the nation, too, need success stories about new development densities that will encourage transit ridership and discourage urban sprawl.

Metro could scatter the money — \$27 million in federal Intermodal Surface Transportation Efficiency Act funds — throughout the metropolitan region, where governments have generated \$150 million in requests. A bit here on traffic improvements, a bit there on bike and pedestrian projects would have only modest impact on transportation and do nothing to change marketplace thinking.

Instead, Metro should invest in projects that will show builders and bankers that high-density, transit-oriented development is a money-making alternative to more sprawl.

Gresham Civic Neighborhood is an example of such a project. A few Metro dollars would help that community attract the private investment it needs to build out a 130-acre site plan negotiated among property owners, neighbors, the city and Tri-Met over the past eight months. The proposed high-density development next to Gresham City Hall would reduce residential, retail and work trips by 10 to 30 percent, compared to the numbers for historical land uses.

Metro also should create a fund to spur private-sector transit-oriented development on properties adjacent to key transit stations. The agency could pay for street and other public improvements to encourage the kind of private building the region needs.

It also could put some of the federal money into a revolving fund to acquire land for private transit-oriented development. Congress endorsed that concept in 1978, but little has been done around the country.

Developers and bankers willing to help the region meet its land-use goals might not be able to pencil out higher densities and mixed uses initially. One more lot from a willing seller might allow half again the number of housing, retail or office units on a site, for example. Earnings from the enlarged project would be tapped to replenish the revolving fund.

Public investment that encourages private development isn't new to this region. Freeway interchanges and road improvements do that.

Just a few government-assisted projects ought to show the private sector that investment in higher than traditional densities and appropriate mixes of transit, housing, retail and work sites will meet both private and public goals.

Metro should grab the opportunity to spotlight in the kind of development that this region needs to build transit ridership and avoid sprawling outward onto farm and forest lands.

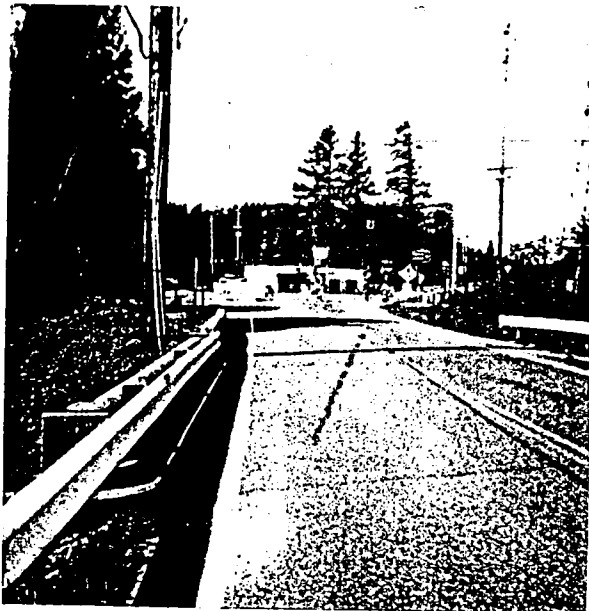
**SPRINGWATER BIKE/PEDESTRIAN ACCESS PROJECT
SW 190TH (POWELL TO BINFORD PKWY/HIGHLAND DR)
COST: \$352,900**



SW 190TH (SPRINGWATER TRAIL
TO W. POWELL/BUS ROUTE #9) 4-23-95



SW 190TH (SPRINGWATER CROSSING
TO SW 14TH) 4-23-95



SW 190TH (BRIDGE
TO SPRINGWATER CROSSING) 4-23-95



SW 190TH (HIGHLAND DR.
TO SW 14TH) 4-23-95

SPRINGWATER TRAIL TRAIL BIKE PED ACCESS PROJECT

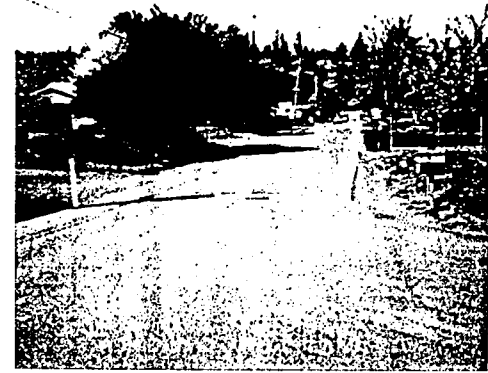
SW WALTERS (POWELL TO SW 6TH) COST: \$287,350



SW WALTERS (W. GRESHAM GRADE SCHOOL TO SPRINGWATER TRAIL)
4-23-95



SW WALTERS (SPRINGWATER TRAIL TO SW 4TH) 4-23-95



SW WALTERS (SW 6TH TO SW 4TH) 4-23-95

GRESHAM REGIONAL CENTER TRAIL ACCESS

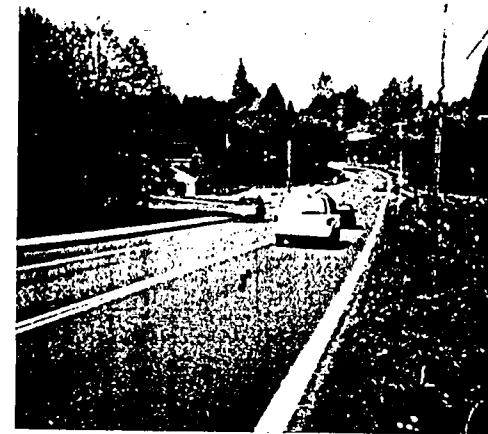


SPRINGWATER TRAIL (MAIN ST./ GRESHAM REGIONAL CENTER) 4-23-95

SE REGNER (ROBERTS TO SE CLEVELAND) COST: \$215,350



SE REGNER (SE CLEVELAND TO SE 19TH) 4-23-95



SE REGNER (SE ELLIOTT TO SPRINGWATER TRAIL) 4-23-95

Architectural Foundation of Oregon

950 Lloyd Center, Box 44
Portland, Oregon 97232
Phone/Fax: (503) 287-8296

May 4, 1995

Metro Council
600 NE Grand Avenue
Portland, OR 97232-2736

Subject: Metro TOD Implementation Program

Dear Metro Council Members:

I am here today to talk about a program which the Architectural Foundation of Oregon (AFO) believes is central in Metro's ability to implement the Region 2040 Vision. That program is Metro's TOD implementation program; the Regional Revolving Fund.

The AFO enthusiastically supports this program because it will be an effective tool in supporting Metro's 2040 Vision to:

- Increase development densities at transit stations
- Grow up, not out throughout the region
- Increase regional transit use and reduce vehicle miles travelled.

Over the last 18 months I have been involved in developing TOD plans for some of Tri-Met's westside stations. This experience has convinced me that the Regional Revolving Fund is an essential and central building block in the region's ability to promote and stimulate the right kind of development adjacent to transit stations. For example, a successful TOD requires that development and pedestrian circulation systems adjacent to transit stations be built out according to some very specific design principles. We have found that in many cases it is all but impossible to apply TOD design principles to station areas because of:

- Fragmented land ownerships
- Reluctance by many developers to build the needed TOD products and densities.
- Local building codes and ordinances which allow development inconsistent with each station's individual requirements for specific design solutions to promote transit use.

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Lorraine Baxter

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Past President

Wayne Drinkward

Executive Director

Jo Ann (Jody) Proppe, Hon. AIA

Metro Council
May 4, 1995
Page 2

The Regional Revolving Fund responds to these issues by:

- Creating the mechanism to assemble land adjacent to transit stations so that TOD design principles can be applied in a comprehensive and effective way.
- Providing a vehicle for critical TOD sites to be acquired by developers willing and able to build the needed TOD products and densities.
- Supplementing local ordinances with TOD design concepts specific to individual station sites.

We are aware that the proposed allocation of \$7,000,000 for this program has been cut to \$4,500,000. We also understand that you have difficult decisions to make concerning the allocation of limited funds to a large number of important projects. There are no bad projects on your list, but there are projects which do far more to promote your 2040 Vision than others. The AFO asks you to strictly evaluate these projects and programs in terms of how they promote your 2040 Vision. We consider the Regional Revolving Fund key in Metro's ability to implement 2040 because:

- It provides a positive, proactive implementation tool which can be used early in the region's efforts to lay the groundwork for implementing 2040. (The ability to influence development patterns around transit stations is seriously diminished over time as stations are built and fragmented development occurs.)
- Effective TOD implementation tools do not exist. The Regional Revolving Fund provides the missing piece--an effective implementation program.

The AFO urges you to support the original \$7,000,000 package. We believe it will be Metro's best investment in promoting the 2040 Vision.

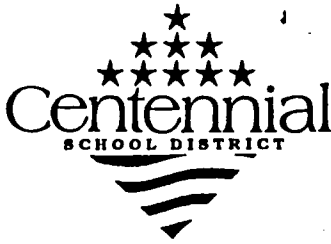
Sincerely,



George M. Crandall, FAIA
President, Architectural Foundation of Oregon

Copy: Jody Proppe

C:\AFO\GMC02



18135 SE Brooklyn Street
Portland, OR 97236-1099
Telephone (503) 760-7990
FAX (503) 762-3689

May 1, 1995

METRO Planning Department

Centennial School District has expressed concerns about the traffic hazard at the corner of SE Jenne and Foster Roads for some time. In 1988, the district school board asked that I request a traffic signal at that location as well as an engineering study to determine what is needed to provide a safer access and flow-through of traffic for the future. To date, I am not aware of any action being taken and the hazardous area has become a greater concern with increased traffic.

I understand that METRO may be receiving dollars to do "needy projects" throughout the metropolitan area. Please consider the area of SE Jenne and Foster Roads as one of your high priorities.

Thank you for any consideration you can give to this request.

Sincerely,

G. L. Benson
Superintendent

April 25,1995

To: Metro Council &

To: JPACT

From: The Pleasant Valley Neighborhood Ass.

Dear Councilors and Committee Members:

We are writing to ask that you re-evaluate the # 25 project, Foster Road realignment (162nd to Jenne Road) on the Roadway expansion projects list. In the project scoring, accident history was not available. We would like to give you those figures now.

January 1990 through March 1994 shows 43 total accidents at Jenne and Foster. Of the 26 injury accidents that were reported, 39 people were injured and 17 non-injury accidents were Reported.

Since the first of this year, there have been 3 accidents at this intersection: 1/17/95 , 1/26/95, and 4/8/95.

Two engine companies responded to the accident on 4/8/95.

On the High Accident Rating List for Portland in 1993. This intersection, alone, was rated # 80 out of the 240 worst

intersections listed.

As Commissioner Blumenauer can attest , the City of Portland, the Neighborhood Ass. and the Centennial School District have been working on getting improvements for this part of Foster Road for at least 15 years.

This is the only project that is proposed for this area and with the proposed improvements it would finally be safe for bicycles, vehicles, school buses and pedestrians.

If you have any questions, Please feel free to give us a call at 761-2941.

Thank you,

Anita Finn Pres.

Anita Finn, President

Pleasant Valley Neighborhood Association



WASHINGTON
COUNTY,
OREGON

May 4, 1995

TO: Metro Council

RE: PRIORITIES 1995

I am submitting testimony today in support of two of the projects submitted by Washington County in conjunction with Tri-Met and the City of Hillsboro for transit-oriented development projects. These two projects are the ground floor retail at the Justice Center in Hillsboro and the Tektronix Millikan Station application.

What is unique about these two applications is that they both represent significant redevelopment of areas along the light rail line at station locations that present special opportunities not generally associated with bare land development. Both of these stations, because of the current public and private commitments to the area, have existing ridership today and have the opportunity of providing significant increases in ridership in the future if a small amount of public funds can be invested at this time.

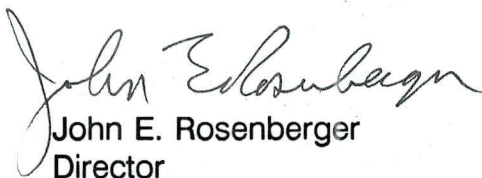
In addition, if the public investment cannot be made at this time to enhance these two stations, the opportunity will be lost for a significant period of time.

Both Washington County and Tektronix have been involved in significant redevelopment of the area surrounding the transit centers for a period of time and are committed to continuing those efforts into the future.

I would ask that Metro take into consideration the unique difficulties associated with redevelopment, the substantial amount of public and private investment that a small amount of federal money would match, and the lost opportunity to the region for increased ridership in the future if a public investment cannot be made at this time.

Thank you for considering my request. If you have any questions, I can be reached at 648-8740.

Sincerely,


John E. Rosenberger
Director

Post-It® Fax Note	7671	Date	# of pages ▶
To	Metro Council	From	LINDA BAUER
Co./Dept.		Co.	
Phone #		Phone #	761-2941
Fax #	797-1793	Fax #	

Please Copy & Distribute.

April 25, 1995

To: Metro Council &
To: JPACT

From: The Pleasant Valley Neighborhood Ass.

Dear Councilors and Committee Members:

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This is the only project that is proposed for this area and with the proposed improvements it would finally be safe for bicycles, vehicles school buses and pedestrians.

If you have any questions, Please feel free to give us a call at 761-2941.

Thank you,



Anita Finn, President
Pleasant Valley Neighborhood Association

Meredith Wood Smith
Silversmith Professional Offices
2161 Northeast Broadway
Portland, Oregon 97232-1512
Phone: (503) 287-6577
FAX: (503) 287-9002

May 4, 1995

TESTIMONY FOR METRO COUNCIL HEARING MAY 4, 1995

BROADWAY WEIDLER CORRIDOR STUDY

My name is Meredith Wood Smith. I am a property and business owner on 22nd and N.E. Broadway. I am vice president of the North East Broadway Business Association and a founding member of the Broadway Weidler Corridor Coalition. I also live in the Irvington Neighborhood.

During the past year I have been actively involved with the City of Portland Office of Transportation in refining the Central City Transportation Management Plan to address the needs of the Broadway Weidler Corridor which includes the surrounding neighborhoods and the Lloyd District.

Due to the multi-modal complexity and the diversity of interests in the "Corridor", we have entered into a "Visioning" process. Multiple plans overlay the area such as the Albina Plan, the Convention Center Plan including the ring road, the Blazer Arena Project and now the CCTMP and it has come painfully clear that a comprehensive study of the area needs to be conducted. We must respond the regional nature of the Broadway-Weidler-Lloyd area with the draw to the Lloyd Center, Blazer Arena, Convention Center, restaurants, motels, and retail outlets.

We are looking at five lanes of traffic, frequently going over 40 miles/hour with pedestrians and bicyclist viaing for access to the the same roadway. Frankly, to open a car door is an act of faith and to cross the street a miracle. The lack of planning for pedestrians results in limited access to the businesses and public transportation from the abutting neighborhoods and hinders the continued establishment of a viable business community.

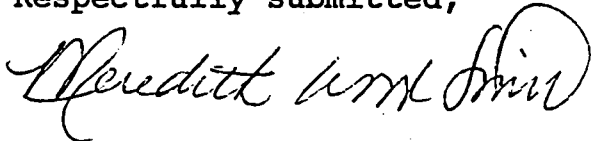
I invite you to take a walk along Broadway, walk along 15th and 16th streets and experience the difficulty in access. The decoupling was a result of the Convention Center Plan and the establishment of the Ring Road to move traffic quickly with little regard to pedestrian access. Or try to walk across Broadway to visit a small shop or have a cup of coffee. We are striving to establish an active business community while preserving the liviability of our neighborhoods and run again and again into difficulties due to lack of comprehensive planning. Piecemeal planning results in lack of continuity and diminishing the creation of a "Mainstreet" environment.

I also ride my bike. As a matter of fact, as the weather improves, I will use my bike as my major form of transportation. However, I must admit traveling along Broadway and Weidler is an experience one soon would not forget. The current bicycle study would be incorporated into the proposed Broadway Weidler Study to give us a plan for bicycle transportation and the encouragement of alternative modes of transportation in the N.E. Area.

Revitalizing and maintaining an active and productive business community along with highly livable neighborhoods can only happen with thorough and thoughtful planning. We are ready to go and any further transit oriented development and implementation will be hindered without a comprehensive study of the multiple uses of the Broadway Weidler Corridor.

I have attached copies of enclosed testimony before the Planning Commission and a preliminary working draft by members of the North East Broadway Business Association which indicates pedestrian access as our number one priority. I urge you to support the City of Portland's request for funds for the Broadway Weidler Corridor Study.

Respectfully submitted,

A handwritten signature in cursive script that reads "Meredith Wood Smith". The signature is written in dark ink and is positioned above the printed name.

Meredith Wood Smith

DRAFT

Notes From the North East Broadway Business Association meeting
11/2/94. Attendees:

Cathy Pitkin - Yardbirds - 288-9985
Tamara Patrick - Trade Roots - 281-5335
Dave Hancock - Pip Printing - 281-8666
Richard Seward - Byrkit/Apollo - 282-9011
Kay Peffer - The Lion & the Rose - 287-9245
Mary Copenhaver - Portland Sports Card - 284-7126
Meredith Wood Smith - Silversmith Professional Offices -
287-6577

PRIORITIES

1. Pedestrian access

crosswalks

slow traffic (possibly de-couple Broadway and Weidler)
Pedestrian flow encouraged through amenities on sidewalk (i.e.
benches, lighting landscaping, etc.)

increased public transportation to move people up and down the
street

2. Parking

consistent zoning (different rules apply to different
businesses resulting in inconsistent requirements for
buildings)

time limited signage all along Broadway and Weidler and
possibly on side streets (Complete installation and
implementation of signage before more restrictive
measures such as parking meters are considered)

further development in and around the Broadway-Weidler
Corridor including parking requirements for new and
renovated development - parking caps ?

3. Public safety

increased lighting along street

increased stop lights and crosswalks

increased security patrol (private and public)

bike lanes

slower traffic

4. Landscaping

wider sidewalks

trees, planters

bike racks, parks

Historic street lights

Other issues:

neighborhood parking permits (available for employees ?)
employee commuter options and incentives
increased public transportation in and out of the Broadway-Weidler area including the Lloyd District (includes direct routes from N/NE Portland, Tigard, SE Portland, Vancouver and downtown
follow up on the Broadway Study conducted by OSU a couple of years ago
follow up on any studies on business or transportation issues conducted by PSU
land use issues regarding development, high density housing, height of building along the Broadway-Weidler Corridor
decoupling Broadway-Weidler - more congestion so what?
Ring Road - why restructure streets (i.e. decoupling of 15th and 16th Streets) to accommodate event traffic from the Convention Center and especially the Blazer Arena
establish a Good Neighbor Program to respond to business development which potentially could have an adverse affect on the area (i.e. Taverns, office buildings)
Albina Plan implications for the Broadway-Weidler

BROADWAY-WEIDLER-LLOYD COALITION

We support the efforts of the City of Portland in developing and implementing a comprehensive transportation management plan which complies with the Clean Air Act and creates a managed transportation system for the City. We also acknowledge the necessity of maintaining a viable inner city-downtown business district.

We advocate a comprehensive coordinated effort in all planning and implementation with phased in strategies of all traffic and parking needs. We request the right to review, assess and re-evaluate any implementation strategies along the way with the ability to stop implementation if necessary. We are aware that the most effective process is the full participation of all parties involved and the utilization of the least intrusive and least restrictive measures with a minimum negative impact on our community.

Therefore; in regards to the Central City Transportation Management Plan (CCTMP), we make the following recommendations:

1. A comprehensive Broadway-Weidler study be conducted addressing all land use and transportation needs before the implementation of any parking and traffic changes.
2. The issues of parking (permits, meters, etc.) need to be addressed to meet the individual needs of the neighborhoods and businesses of the blocks affected.
3. Parking limitation signage be implemented throughout the district in a phased in process.
4. Improve the transit system by:
 - A. More frequent transit within the Broadway-Weidler-Lloyd area and between the Broadway-Weidler-Lloyd area and downtown which may include express bus and trains directly to and from downtown.
 - B. More frequent and direct transit routes from Southeast and Northeast Portland, the Tigard area and connection with the West Light Rail.
 - C. Enhanced security on all transit coming in and out

and within the district.

5. No implementation of Fareless Square until:

A. Other transit strategies have been implemented. (see improved transit system).

B. Evaluating other fare options such as:

clearly established goals
studies on rider preference and use
morning commute only fares
cheaper fares between 10am-3pm
one week passes for convention goers

October 5, 1994

Contact Members of the Broadway-Weidler-Lloyd Coalition

North East Broadway Business Association-Meredith Wood Smith
287-6577

Irvington Community Association - Barbara Scott Brier -288-4163
Sullivan's Gulch Neighborhood Association -Steve Larson - 287-3257
Eliot Neighborhood Association - Steve Rogers - 281-1799
Lloyd District Community Association - Virgil Ovall - 797-7292

DECEMBER 13, 1994

TESTIMONY CITY OF PORTLAND PLANNING COMMISSION

I AM HERE TODAY IN SUPPORT OF THE CENTRAL CITY TRANSPORTATION MANAGEMENT PLAN. I AM THE PRESIDENT OF THE NORTH EAST BROADWAY BUSINESS ASSOCIATION AND I AM REPRESENTING THE BROADWAY-WEIDLER-LLOYD COALITION. OUR COALITION INCLUDES ELOIT, IRVINGTON, LLOYD AND SULLIVAN'S GULCH COMMUNITY ASSOCIATIONS AND THE NORTH EAST BROADWAY BUSINESS ASSOCIATION. WE HAVE BEEN MEETING WITH THE CITY OF PORTLAND OFFICE OF TRANSPORTATION SINCE OCTOBER TO ADDRESS THE IMPLEMENTATION ISSUES OF THE PLAN AS IT AFFECTS THE LLOYD DISTRICT AND THE SURROUNDING NEIGHBORHOODS AND BUSINESS DISTRICTS. WE COMMEND THE OFFICE OF TRANSPORTATION IN ITS WILLINGNESS TO LISTEN TO OUR ISSUES AND RESPOND IN A CONSTRUCTIVE AND POSITIVE MANNER.

WE HAVE SPECIFICALLY BEEN ADDRESSING THE ISSUES OF PEDESTRIAN ACCESS, NEGOTIABILITY AND NETWORK; ON-STREET PARKING; TRANSIT STRATEGIES INCLUDING FARELESS SQUARE AND INCREASED TRANSIT SERVICE; PROTECTING THE LIVABILITY OF THE NEIGHBORHOODS AND AN ACTIVE AND VIABLE BUSINESS ENVIRONMENT.

WE ARE AWARE TO IMPLEMENT THE CCTMP IN THE BROADWAY-WEIDLER CORRIDOR WITHOUT A COMPREHENSIVE BROADWAY-WEIDLER STUDY WOULD BE A MISTAKE. THE MULTIPLE USE DESIGNATIONS OF THE CORRIDOR WITH THE ADDED CHANGE IN THE BUSINESS ENVIRONMENT DEMAND A COMPREHENSIVE EXAMINATION OF THE AREA. PLEASE NOTE REFERENCE TO THIS STUDY IS IDENTIFIED IN POLICY 2.14 AND IN THE APPENDIX.

FINALLY, AND PERHAPS MOST IMPORTANTLY, AN IMPLEMENTATION AGREEMENT WILL BE DEVELOPED WITH THE OFFICE OF TRANSPORTATION, TRI-MET, DEQ, THE BUREAU OF PLANNING, THE BROADWAY-WEIDLER-LLOYD COALITION MEMBERS AND OTHER APPROPRIATE AGENCIES. THIS AGREEMENT WILL DEFINE THE RESPONSIBILITIES OF ALL THE PARTIES INVOLVED AND CLEARLY ESTABLISH THE PHASED IN IMPLEMENTATION STRATEGIES WITH A REVIEW PROCESS. THE DRAFT OF THIS AGREEMENT WILL ACCOMPANY THE CCTMP BEFORE CITY COUNCIL. WE ARE AWARE, THE SUCCESS OF THE IMPLEMENTATION OF THE CCTMP RESTS WITH ALL OF US.

RESPECTIVELY SUBMITTED ON BEHALF OF THE BROADWAY-WEIDLER-LLOYD COALITION DECEMBER 13, 1994.

MEREDITH WOOD SMITH
SILVERSMITH PROFESSIONAL OFFICES
2161 N.E. BROADWAY
PORTLAND, OR 97232
503-287-6577

BROADWAY WEIDLER CORRIDOR COALITION

POB 12735

Portland, OR 97212

Representatives from: Eliot Neighborhood Association
Irvington Community Association
Lloyd District Community Association
NE Broadway Business Association
Sullivan's Gulch Neighborhood Association

May 4, 1995

Metro Council
600 NE Grand Ave.
Portland, OR 97232

Dear Councilors:

We very strongly support funding for the Broadway/Weidler Bicycle/Pedestrian Improvements project proposal (PP5) by the City of Portland.

This project will be implemented under the guidance of the Broadway/Weidler Corridor Study which while primarily a transportation study will integrate transportation, land use, urban form, and business development issues into an overall Corridor Concept that will guide project implementations and development in the corridor.

The corridor is strongly multimodal in designation and use. Autos, trucks, bicycles, transit, and pedestrians are significant transportation modes in the corridor.

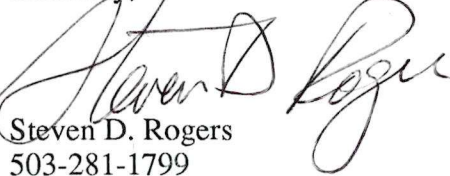
The corridor is an interface between existing and planned commercial and residential development of the density of a central city core, and the Irvington and Eliot residential neighborhoods. Irvington is already one of most dense neighborhoods in the city and Eliot accepted R2 residential zoning in its residential core, as well as R1, RH and RX zoning on the edges of its residential core as part of the Albina Community Plan.

As you may know the corridor has been experiencing a revitalization as a main street design type as described in Region 2040. It is also experiencing many of the typical problems of the interaction of different transportation modes and types of land uses.

As far back as the Special Design Guidelines for the Lloyd District which emphasized the pedestrian/retail orientation of the corridor and throughout the Central City Transportation Management Plan process many of us have been working to guide the development of this corridor.

Your decision to fund the improvements will help us and the region to stay ahead of the curve and will also provide Metro with a successful model project that demonstrates how to manage higher density and complexity, yet provide a safer, more convenient and pleasant experience for all.

Sincerely,



Steven D. Rogers
503-281-1799

COPY

May 3, 1995

Mike Burton, Executive Director

METRO Regional Center

600 N.E. Grand Avenue

Portland, OR 97232-2736

Fiscal Year 1996 MTIP Project Funding

Ruth McFarland, Presiding Officer

My name is Robert Coleman and I am here in a dual capacity. As President of TLR - Total Logistics Resource, Inc., a Portland based International Trade Service Provider, and also as President of the Columbia River Custom Broker's & Freight Forwarder's Association.

In an area such as ours, and I of course speak of the greater Portland metropolitan area, so much of our day to day activity in the realm of international trade creates such a dominant piece of the state's revenue. I am here to urge you to put the vast international trade community at or near the top of the list of those to be granted monies from the \$27 million regional fund.

It should come as no surprise then to learn that I do indeed vehemently support several of the freight mobility and intermodal enhancement projects being considered for funding. Aside from general economic principles which tell us that it takes money to make money, common sense dictates that you reinvest in those parts of the infrastructure that are stolid and profitable. The proposed freight access projects on the table are not only sound but also have statewide implications for the movement of goods and the generation of significant economic benefits.

Perhaps the single largest reason we should invest heavily and quickly into the proposed projects is that this area has developed a competitive advantage over rival spots via our transportation system. Many of the businesses (Shipping Lines, Trucking Lines, Railroads, etc..) have remained loyal to our locale because this region offered some special benefits for doing business here. And just as our transportation system has helped make this vicinity strong, without additional and constant funding to offset the growing activity and population it could feasibly become our biggest detriment. As is the case with all growing things, our trade and business

facilities need to be nurtured. If we do not address them now, we face the risk of a fateful slide into oblivion.

Another reason to address these issues promptly is the inescapable fact that access both in and out of intermodal facilities needs to be improved. Truck companies do not wish to use residential streets and residents of the city do not wish for trucks to be on their private roadways. However, alternative routes are generally underdeveloped and/or congested causing both schedule and convenience problems. In addition, as businesses, most trucking companies have small profit margins and efficient access from pick-up to customer is critical in order to remain competitive.

Here, then, is a list of the specific projects I am in favor of. These projects will focus limited funds on the bottlenecks and congestions that most affect efficient freight movement for our region:

- N.E. Columbia/Lombard overcrossing
- N.E. Columbia/Burgard intersection improvements funded
- Marine Drive modernization to Terminal 6 entrance

Timely movement of freight has sparked Portland's economic growth for many years. For lack of a better phrase, in essence, the trade community in and around this area has "put Portland on the map". Our geographic proximity to the Pacific Rim coupled with an abundance of transportation modes and excellent intermodal connections give Portland a unique advantage over other U.S. cities. So it is no accident that transportation, distribution of cargo and other related international trade activities in Portland employs thousands of people (appx. 20% of the state's work force) and creates billions of dollars in revenues each year. In echoing my earlier sentiments, to continue enjoying the advantages of being a transportation hub this region needs to invest quickly, efficiently and wisely in these freight infrastructure improvements.

I close on an important note, intermodal enhancements allow trucks and trains to transport cargo both efficiently and cost effectively. It is imperative that these projects be given equal consideration along side the same notions for the movement of people. Just as expansion of port marine terminal and air terminal facilities is planned to meet growing demands, so too must we plan for road and rail connection enrichments in order for Portland to maintain its key competitive advantage. Portland has made some great strides in the past. The support needs to continue. On behalf of the Columbia River Customs Broker's and Freight Forwarder's Association I encourage the Metro Council to give due consideration to these freight mobility projects when allocating MTIP resources.

Sincerely,



Robert E. Coleman

Testimony of
Mayor Jill Thorn
City of West Linn
Metro Hearing - May 4, 1995

Good evening. My name is Jill Thorn and I am Mayor of West Linn. I am here to speak to the five projects West Linn has submitted for consideration by Metro. I would like to thank you for planning this series of public meetings to take input from the citizens of the region.

We are very pleased to see on the Region 2040 Reserve Allocation Draft Priorities released on April 27th that one of our requests, the realignment of Highway 43 Willamette Falls Drive intersection, is listed as project number 10 on the High Priority Projects. This intersection consistently operates at a level F. The completion of this project will help when I-205 has a problem and traffic backs up into West Linn and Willamette Falls Drive becomes a parking lot due to lack of a signal.

I am very grateful to the people of West Linn who testified at all four of the previous hearings on our concerns about Highway 43. This was a very broad based group of people from our neighborhood associations, Chamber of Commerce and local business people. However, we did such a great job of raising the awareness of Highway 43 that another project was given a High Priority Projects status--the Highway 43 signal interconnect project--and I feel there has been a possible misconception that this project will help us at the south end of the highway.

In fact, this three-signal project lies entirely within Multnomah County north of Lake Oswego. Without prejudicing the merits of that project, it will do nothing to improve safety or traffic flow between West Linn and Lake Oswego, the most congested section of Highway 43. Neither was there any public testimony requesting this \$1.1 million dollars for the Highway 43 Signal Interconnect.

The other four projects are of vital interest to us in West Linn. The Failing Street intersection is getting worse every day. Only in the last week have I received information from our fire department that this intersection is becoming more and more of a hazard for our emergency vehicles that are housed at the fire station on the corner of Highway 43 and Failing Street.

At various meetings on the allocation of the funds from this \$27 million it has been mentioned many times that state roads should not be funded. I would disagree with this strongly.

The citizens of West Linn are not interested in where the funds come from; the only thing they tell us in public meetings and surveys is they need and demand that Highway 43 be dealt with immediately. I am here tonight to plead that this funding be spread as broad based as possible.

Page 2 - Testimony of Mayor Jill Thom

The people that I represent in West Linn feel they are being short-changed.

We have been told over and over by "officials" that Highway 43 is not important, it is an orphan highway, does not contribute to the economic growth of Oregon, and the list goes on and on as to why funds are never quit there to fix our city's major arterial street. It connects two town centers--Lake Oswego and West Linn, and the Portland City Center with the Oregon City Regional Center.

We need your help. And we are willing to do our part. We have committed to match all funding for Highway 43 projects we have requested at 30%. As you know only 10% local match is required. We have technical approval from the state for the five projects we have proposed. I urge the Council, in reviewing these projects, to consider our case, our need and our commitment at the local level to do something about the most serious traffic bottleneck in our community.



TO: JPACT and Metro Council

FROM: AIA Urban Design Committee

SUBJECT: TOD Implementation Program

- Regional Revolving Fund
- Site Improvement/Site Preparation Fund

DATE: March 14, 1995

Dear Members of JPACT and Metro Council:

The Portland American Institute of Architects (AIA) Urban Design Committee has reviewed both the Regional Revolving Fund Proposal and the Site Improvement Fund Proposal. The AIA Urban Design Committee supports both concepts.

REGIONAL REVOLVING FUND

Our experience indicates that if the region is to experience transit supportive development, the public sector must take the initiative in the assembly of land parcels around transit stations. The revolving fund would provide the financial mechanisms needed to ensure that development patterns and densities support the substantial public investment in transit. The lack of site assembly capabilities around stations results in low densities, piecemeal development and reduced potential for improving transit ridership.

SITE IMPROVEMENT FUNDS

Many of the region's most successful developments have been stimulated by highly visible public expenditures (roads, parks, public amenities, infrastructure). These expenditures indicate a public commitment which increases investor confidence and interest in an area's potential. Site improvement funds can be the catalyst to make something happen.

In summary, the proposed funding concepts will be valuable tools in the region's efforts to stimulate transit supportive development around transit stations.

JPACT and Metro Council
March 14, 1995
Page 2

The AIA Urban Design Committee believes that both funding concepts should be approved. We strongly urge your support.

Sincerely,



Garry Papers, AIA
Chair, AIA Urban Design Committee



Marcy McInelly, AIA
Chair, Planning Subcommittee

GP/MI/jh

C:\AIA\GMC03

Bishop Creek Development

434 N. Evans St. • P.O. Box 17

McMinnville, Oregon 97128

(503) 472-7268

FAX (503) 472-0756

May 4, 1995

METRO Council
600 NE Grand Avenue
Portland OR 97232

RE: \$2.5 million Broadway-Weidler Bike and Pedestrian Improvements

Dear Council Members:

This letter is written in support of a funding request for improvements along Northeast Broadway in the Lloyd District in Portland. I have been involved in the District as a developer and property owner, as a participant on the task force that developed design review guidelines for the District, as a member of the task force that provided input from the District on the Central City Transportation Management Plan, and most recently as co-chair of the Lloyd District Transportation Management Association, or "TMA." I have watched what very positive effects have been spawned by the public investment in the Convention Center and the infrastructure surrounding the Rose Garden arena and the Coliseum. The leverage created by the public in stimulating private development has been significant. A \$95 million investment in the Convention Center by the public has given private investors and institutions the confidence to invest additional amounts which are estimated to be approaching \$1 billion.

Smaller examples of this same dynamic have occurred at the east end of the District. Public monies spent on improvements to 15th-16th have already helped lead to two new retail projects and a 200+ unit residential project. During this development in the District, however, Broadway-Weidler has been left out of any public funding. While this has not been critical in the past, it will be in the future so the corridor does not act as a drag on the good things happening in the rest of the District. This is because the Broadway-Weidler corridor, particularly between 16th and 9th Avenues, serves as an important transportation, transit, bicycle and pedestrian link to get people into and out of the District, while at the same time providing a transition from the commercial core of the District to the residential neighborhoods to the north.

Letter - METRO Council

RE: \$2.5 million Broadway-Weidler Bike and Pedestrian Improvements


May 4, 1995

Page 2

The funding will ensure that pedestrians and bicycles can co-exist with transit and traffic in a way that complements rather than conflicts. It will support and lead to the kind of private investment that raises the quality of life rather than works against it. I, my partners, and the retail tenants in our buildings would like to join the other businesses along Broadway, the other property owners and the neighborhoods and residents surrounding and in the District in strongly urging you to approve this specific funding request.

Thank you,

For Bishop Creek Development,
The Ron Paul Building Partnership, and
The 1411 Building Partnership

A handwritten signature in black ink, appearing to read 'Reuel K. Fish', with a stylized flourish at the end.

Reuel K. Fish

RKF:cel



May 4, 1995

METRO Council
600 NE Grand Avenue
Portland, OR 97232

Dear Members:

This is to urge your support of the \$2.5 million request for funding the first phase of the Broadway/Weidler Pedestrian and Bicycle Improvements Project. This work goes far beyond the inclusion of pedestrian and bicycle improvements; it begins the completion of the linkages and connections from the Willamette River to 16th Avenue along the northern edge of the Lloyd District itself.

The Rose Quarter, including the new Rose Garden arena, is being developed with the Lloyd District edges and connections in mind. The public/private partnership that was created has brought the \$262 million Oregon Arena Project successfully to the finishing stages. This is an enormous commitment by all parties to the viability and economic health of the Lloyd District. The public investment in Broadway/Weidler construction provides the impetus for further private investment along that corridor along with the opportunity to complete tying together the existing and future retail and commercial uses to the south of Broadway with the residential areas to the north. Broadway/Weidler also serves the main east/west route and connector between other elements of the Lloyd District including new residential, offices and of course the entertainment and cultural events housed in the Convention Center and the Rose Quarter.

Thank you for the opportunity to convey to you the importance of the Broadway/Weidler Pedestrian and Bicycle Improvements Project not only to us, but especially to the entire regional quality of the Lloyd District. I urge your support for this funding request.

Sincerely,

A handwritten signature in red ink that reads "Paul C. Zumwalt". The signature is stylized and cursive.

Paul C. Zumwalt
Project Manager, Planning

c: Marshall Glickman

Peter Finley Fry, AICP

Willamette Block, 722 SW 2nd Avenue, #330, Portland, Oregon 97204, (503) 274-2744, Fax (503) 274-1415

May 4, 1995

The Honorable Ruth McFarland
Presiding Officer
METRO
600 NE Grand Avenue
Portland, Oregon 97232-1866

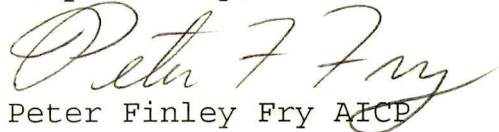
RE: FY 96 MTIP/\$27 Million Regional Reserve

Dear Officer McFarland:

Please accept these corrected letters to
replace the letter of May 4, 1995 presented
to you at the public hearing.

I am sorry for my error.

Respectively,


Peter Finley Fry AICP

Enclosure



CENTRAL EASTSIDE INDUSTRIAL COUNCIL

P.O. Box 14251, Portland, Oregon 97214

(503) 232-1012

May 4, 1995

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Pacific Coast Fruit Co.

Jim Stark (1995)
Starks Vacuum Cleaners
Sales & Service

The Honorable Ruth McFarland, Presiding Officer
METRO
600 NE Grand Avenue
Portland, Oregon 97232-1866

RE: FY 96 MTIP/\$27 Million Regional Reserve

Dear Officer McFarland:

Academic literature documents that the leading cause of urban sprawl is the provision of infrastructure at the urban edge and the lack of investment within the urban area.

We support the goals and policies of the Region 2040 plan. We do not understand how the region's high priority projects are almost exclusively projects at the urban edge when the entire purpose of the Region 2040 plan is to support infill and growth within the region; **not** expansion of the region horizontally.

Your staff has not responded to our concerns regarding the ranking of the Water Avenue Extension Project (please see attached letter and map). We have received no rational explanation as to how this project list actually furthers the Region 2040 goals.

We respectfully ask that you send a clear signal to the Joint Policy Advisory Committee that the Region 2040 plan is important and that you expect a balance of projects - both urban and suburban.

The Water Avenue Extension deserves regional support. We also wish to express our support for the Hawthorne Bridge improvements.

Sincerely,

Peter Finley Fry AICP, staff
CEIC Land Use & Development Committee

Attachment





CENTRAL EASTSIDE INDUSTRIAL COUNCIL

P.O. Box 14251, Portland, Oregon 97214

(503) 232-1012

April 14, 1995

Mike Burton, Executive Officer
METRO
600 NE Grand Avenue
Portland, Oregon 97232-1866

RE: FY 96 MTIP/\$27 Million Regional Reserve

Dear Mr. Burton:

We strongly support the SE Water Avenue Extension.

The extension provides important connections within the Central Eastside and allows the development of a large block of underutilized property. Channel 12, has already committed to developing a portion of this property. The development of the Central Eastside and its infra-structure is critical to meet the goals of the Region 2040 Plan. Inter-city jobs lead directly to inner-city housing, reducing pressure on the Urban Growth Boundary.

Further, the ranking does not reflect the conditions addressed by the extension.

Accident Rates: The project is ranked 0. The project substantially impacts existing safety problems in the surrounding infrastructure. The project allows traffic to divert from the Grand/King Corridor and also avoid Southern Pacific main line crossings. The bridgeheads of the Grand/King Corridor have the highest accident rates in the region. The intersection of Clay and King/Grand is a significant safety hazard. The at-grade crossings of the Southern Pacific mainline are also safety issues, particularly the Grand Avenue crossing under the viaduct. The extension focuses traffic onto the recently improved Eight/Ninth/Division Place crossing.

Cost/Benefit Analysis: The project is ranked 0. The project actually has a high benefit to cost ratio. Not only does the project include a significant private investment, it also dramatically reduces the congestion (time delay) on surrounding streets for the same reasons identified under **Accident Rates**.

Sincerely,

Peter Finley Fry AICP, staff
CEIC Land Use & Development Committee

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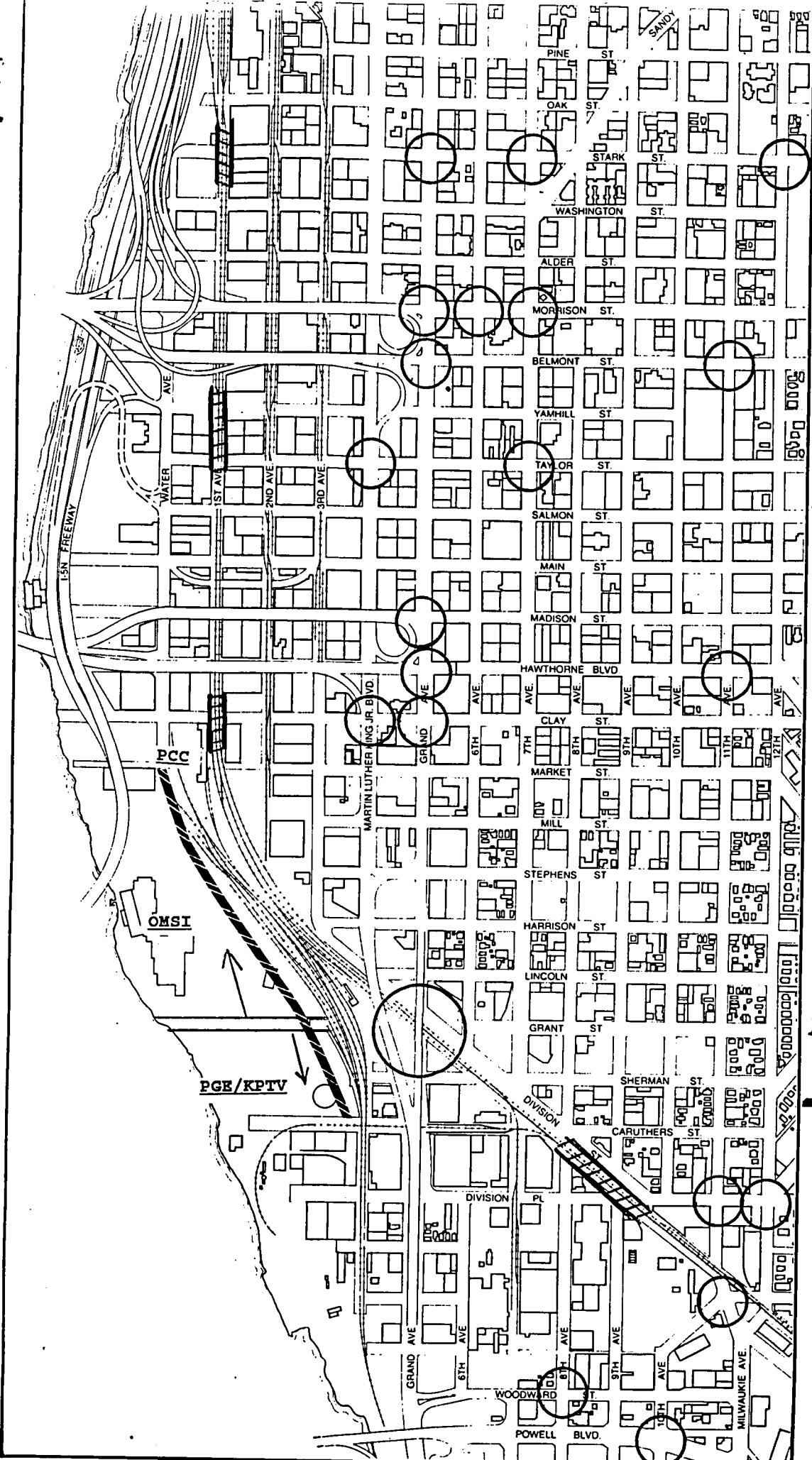
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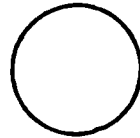



David Nemarnik (1995)
Pacific Coast Fruit Co.

Jim Stark (1995)
Starks Vacuum Cleaners
Sales & Service



**CENTRAL
EASTSIDE
INDUSTRIAL
DISTRICT**



-  Unimproved RR at-grade crossing
-  Documented high accident locations
-  Improved RR at-grade crossings
-  Water Avenue Extension



CENTRAL EASTSIDE INDUSTRIAL COUNCIL

P.O. Box 14251, Portland, Oregon 97214

(503) 232-1012

May 4, 1995

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The Honorable Patricia McCaig
METRO
600 NE Grand Avenue
Portland, Oregon 97232-1866

RE: FY 96 MTIP/\$27 Million Regional Reserve

Dear Officer McCaig:

Academic literature documents that the leading cause of urban sprawl is the provision of infrastructure at the urban edge and the lack of investment within the urban area.

We support the goals and policies of the Region 2040 plan. We do not understand how the region's high priority projects are almost exclusively projects at the urban edge when the entire purpose of the Region 2040 plan is to support infill and growth within the region; **not** expansion of the region horizontally.

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Sincerely,

Peter Finley Fry AICP, staff
CEIC Land Use & Development Committee

Attachment





CENTRAL EASTSIDE INDUSTRIAL COUNCIL

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April 14, 1995

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600 NE Grand Avenue
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Sincerely,

Peter Finley Fry AICP, staff
CEIC Land Use & Development Committee

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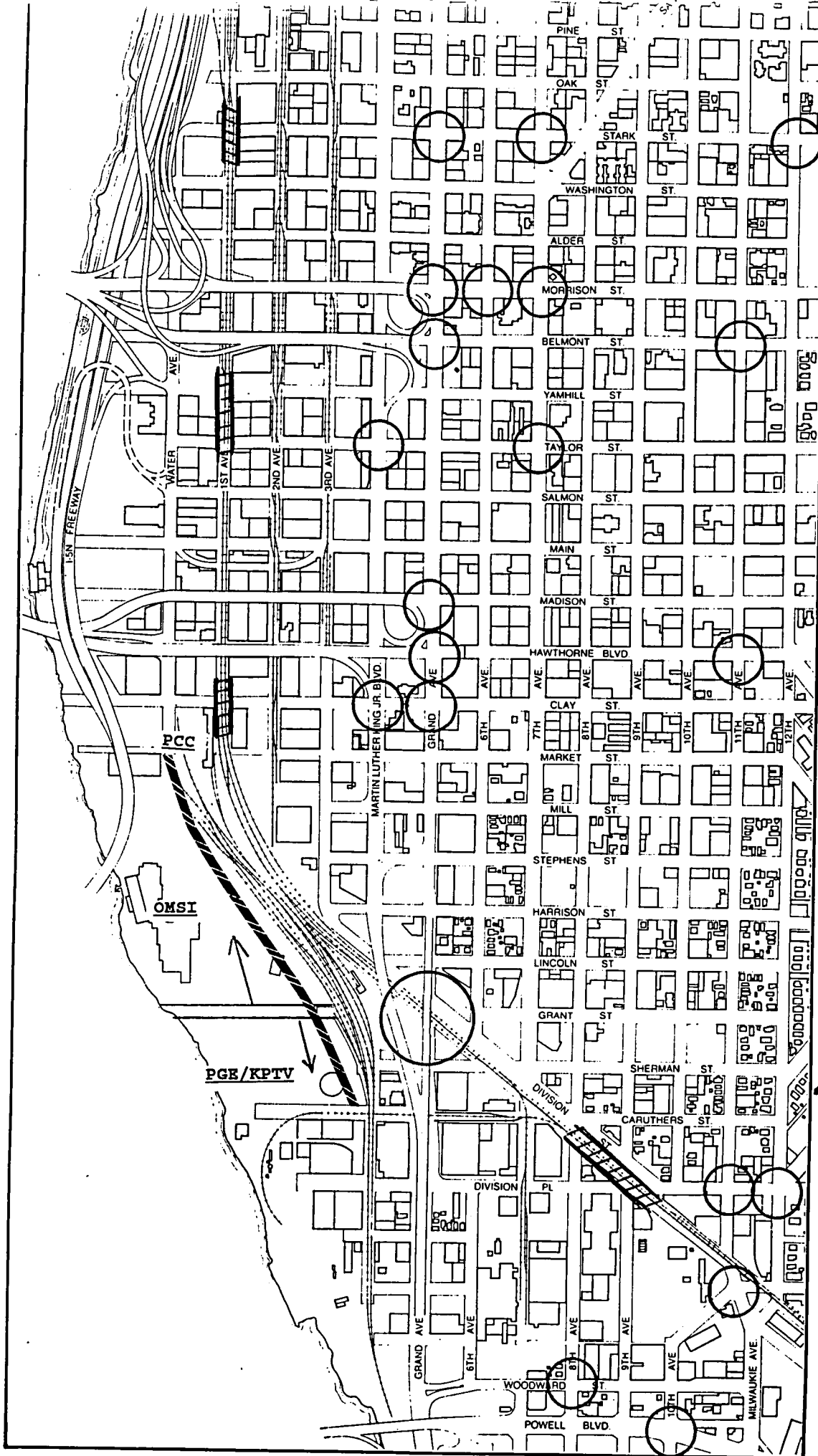
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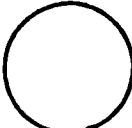



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Starks Vacuum Cleaners
Sales & Service

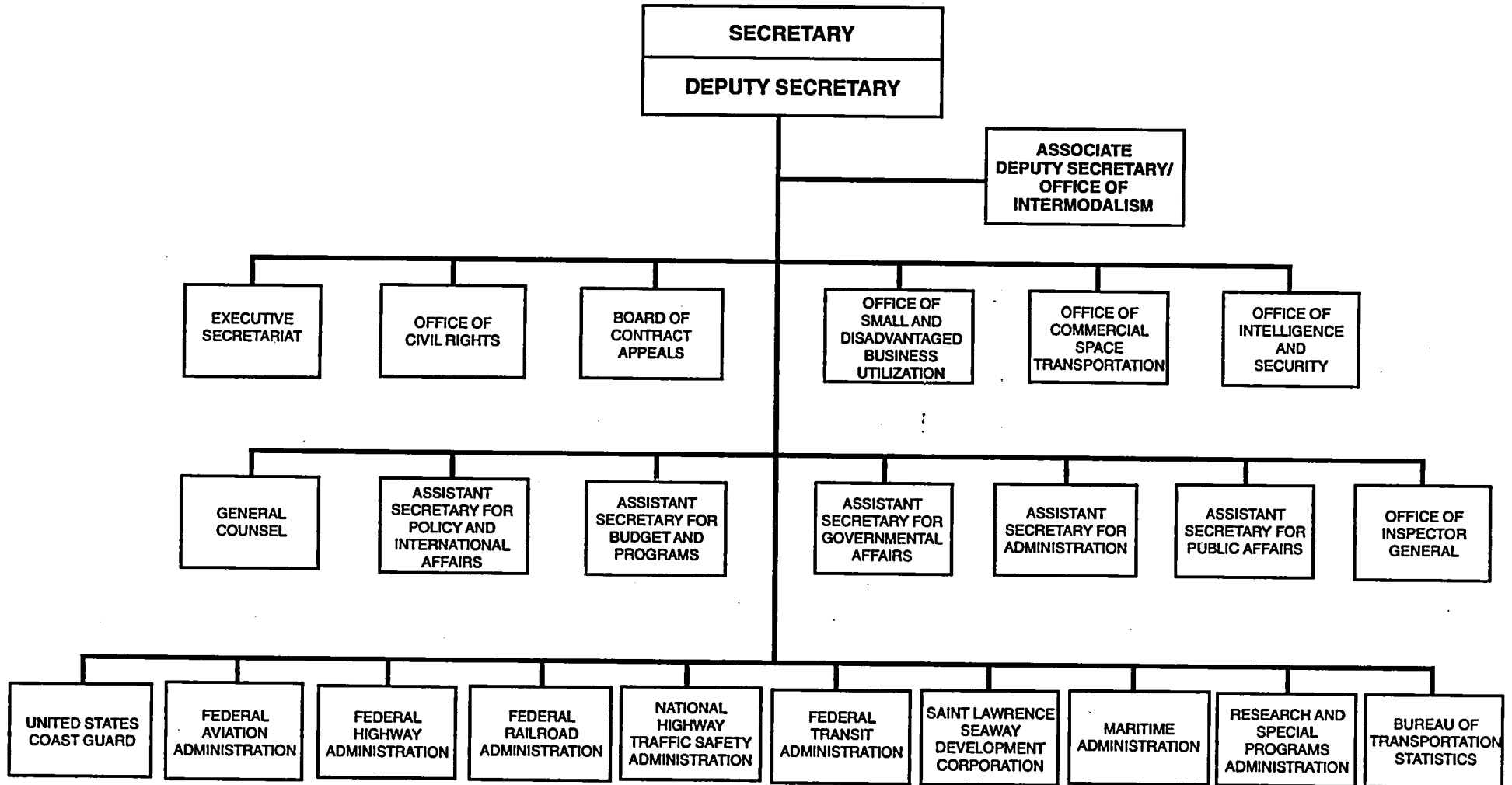


**CENTRAL
EASTSIDE
INDUSTRIAL
DISTRICT**



-  Unimproved RR at-grade crossing
-  Documented high accident locations
-  Improved RR at-grade crossings
-  Water Avenue Extension

U.S. DEPARTMENT OF TRANSPORTATION



Molly O'Reilly
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May 1, 1995

Metro Council
600 NE Grand
Portland, OR

Chair Ruth McFarland, Council Members

Subject: Allocating \$27 million reserve

Apologies that I am not at your hearing but a family death calls me out of town suddenly. Were I before you, these would be my comments:

When I sat on the panel at Metro receiving public testimony on April 17, many people asked that we make transit, bicycles, pedestrians and TOD's our priorities. They said that we can only diminish our dependence on the single occupancy vehicle by making other modes convenient, attractive and safe.

27 million dollars buys few lane miles; not enough to make a difference. If this money is to give us lasting benefit, we must invest it in new ways. Bob Bothman's letter (number 124) says it well.

The list you are given does a poor job. Almost \$13 million is spent on road projects. Yes, people believe in particular projects. But, many of today's projects update those made ten years ago to "solve the problem." The new projects will, unfortunately, also prove to be band-aids if based on old thinking.

Two points in particular:

1. ATMS - an ODOT priority for moving more cars through our metro region. At first blush, a good idea. However, ATMS'd streets are disasters: witness MLK and McLoughlin. The car volume and speed discourages business, pedestrians, bicycles and therefore transit. Unfortunately, a well intentioned idea to help one mode hurts livability and the others. ATMS has not been subjected to regional debate or your stamp of approval. Yet, ATMS projects are listed as "high priority" for the 27 million and the Interim RTP. Says who? Why?

2. Sunnyside Road is a five lane suburban highway packaged as access to a TOD with space for future light rail. In reality, it induces sprawl at the edge of the UGB in the old way.

Although Sunnyside Village has outstanding policies and skinny streets, it is being built as a garage-at-the-front, low density, big-shopping-center-with-poor-building-orientation subdivision. The "median strip for future light rail" is a fifth lane and will be for decades. If light rail is ever contemplated here, it will surely not be put in that lane -- drivers would scream at losing the capacity! I believe the sidewalks and bike lanes do not connect much beyond the project's length.

We have agreed to focus transportation resources on regional centers. Sunnyside Road does not connect regional centers; it serves suburban sprawl, albeit slightly improved sprawl. It does not belong on this list.

So what should we do? Several suggestions:

1. Build out the pedestrian, bicycle and transit networks. People will then have true options. Encourage TOD's to reduce travel demand of all kinds.
2. When funding bike lanes, make jurisdictions pledge not to turn them into additional lane miles for forty years.
3. Remember: the pedestrian is the basic building block of transportation. People work, shop, pay taxes, choose where to live -- cars do none of that.
4. My list is attached. Without road projects, we can buy a lot, and really make a difference. It's exciting!

Subject: Federal RTP

Please look closely at the proposed criteria for selecting projects. They include "big safety projects" and ATMS. I suggest rejecting both.

We have been building "big safety projects" for decades. Although motor vehicles may move faster and safer, pedestrians and neighborhood livability suffer. Equally bad, the projects endlessly suck up money needed to build sidewalks, bike lanes and transit improvements. Instead, we create demand for more lane miles by neglecting other modes.


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ATMS has a similar effect. It is ODOT's new "hot button" that will require billions of dollars. As soon as ODOT has bike lanes and sidewalks on all its non-freeway highways in the metro area, we should look at ATMS. Today, less than 30% of ODOT facilities here have full sidewalks. No wonder people are in their cars in a city where walking should be easy!

Money is scarce today. Only the "Constrained List" will be built, and it must be adequate. We say, "We cannot build our way out of congestion," but we keep trying. We must build out the pedestrian, transit and bicycle networks and encourage TOD's as our top priorities.

Put big safety projects and ATMS as secondary priorities (or less) in the Federal RTP.

Sincerely,

A handwritten signature in cursive script that reads "Molly O'Reilly". The signature is written in dark ink and is positioned above the typed name.

Molly O'Reilly

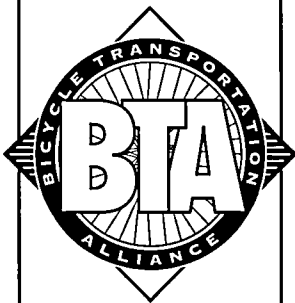
Att.

I served as a panelist for public testimony at Metro. Based on what I heard there, and what I have learned from five years on TPAC, below are my recommendations for spending the 27 Million set aside to implement Region 2040. A few principles guide me:

1. 27 million is a small amount of money, acquired with great pain.
2. For 50 years we have built a motor vehicle lane network and produced sprawl and congestion. 2040 calls for a future constructed differently, and reorienting spending priorities is the most important step.
3. Preservation (except major bridge) comes from the base budget, not from discretionary funds.

My recommendations:

WP 2 Pacific Ave. Ped/Bike improvements (F Grove)	102,000
PP 1 Hillside Ped Signals	1,120,000
PP 3 Woodstock Blvd Ped Improvement	200,000
CP 7 17th Ave multimodal project (Milw)	494,000
CP 4 A Avenue Ped Pathway (L Oswego)	7,200
WP 1 Hillsboro Downton Ped Improv.	250,000
MP 5 Springwater Trail Ped/Bike Access(Gr)	500,000
MP 2 Mult Co Sidwalk Corr Missing Links	180,000
PP 5 NE 33rd Bdway to Columbia	280,000
MP 3 Gresham Missing Links sidewalks	141,000
MB 1 Hawthorne Br Sidewalk widening (Mult Co)	1,755,000
OB 1 SW Barbur Blvd Hamilton/Front (ODOT)	1,440,000
WB 1 Walker Rd Bikeway Imprvmn't (WA Co)	296,000
PB 1 Gateway & Hollywd Bike to Transit	400,000
CB 2 SE 82nd Drive bikeway	80,000
WB 2 Bethany bike lanes	410,000
OB 6 SW Barbur Blvd bike	2,300,000
PB 5 Sellwood Br access	128,000
MT 1 TOD Implement Program (Metro)	2,229,468
MT 3 Civic Nhood -Station Plaza	960,000
MT 2 Beaverton Crk Master Plan	2,220,544
T 1 Fastlink- NW corridor	1,640,000
T 2 Fastlink - Eastside	1,678,372
PF 6 Lower Albina OXing	4,000,000
CRX2 Sunnyside Rd-toward Ped & bike elements	2,000,000
TTDM1 Regional TDM	1,077,000
PTDM2 Central City Vanpool Program	120,000
MRP1 Hawthorne Br. Deck Restrct.(partial fund)	1,466,800
Total:	\$27,000,000



Monday, May 1, 1995

Council Members
Metro
600 NE Grand Ave.
Portland, OR 97232

Re: Interim Regional Transportation Plan and Metropolitan Transportation Plan/2040 Reserve Funds

The Region 2040 Concept lays out a strong vision for the future of this region. It is not utopia but it is achievable. But, we cannot expect to maintain the features which make this area so attractive a place to live and visit unless we direct all the tools at our command toward realizing this vision. One of those tools is land use, which you will be addressing in the Regional Framework Plan. Another powerful tool is transportation.

Transportation decisions have tremendous impact on the form and functioning of our cities and towns. Decades of building freeways and highways have provided unimagined mobility for motorists while facilitating sprawl and making it almost impossible to just walk to the store in many parts of the region. Our predecessors had the foresight to forgo some freeways and use the funds to build up our transit system, including light rail. This has helped delay the decay of our older cities which is so common elsewhere in the country. (A process which recent research has shown to be accelerating in older areas around the Portland central city and in older suburbs such as Milwaukie, Gresham and Beaverton. *Myron Orfield, the Coalition for a Livable Future*)

Yet, if we look in the interim Regional Transportation Plan, chapter 7, which contains the "fiscally constrained" list of projects, you will notice that we have yet to recognize the costs of auto-dependence. The RTP proposes that we spend hundreds of millions to continue widening roads, sometimes up to 7 lanes wide. How will this affect land use in these areas? Is it possible for vibrant, pedestrian friendly development to occur alongside a 5-lane street full of high-speed, automobile traffic? For your answer, look at SE 82nd Avenue, or Scholls Ferry, or any number of multi-lane roadways in the region. Is this the future we want?

Wide roads, and the high volume, high speed traffic that goes with them, effectively destroy social and civic life along the roadway. Numerous studies have shown that increases in traffic speed and volume decrease pedestrian movement and lower the density of economic activity. While bicycle and pedestrian projects are included in the constrained list, there is no strategy to bring up the quality of bicycle and pedestrian access to the level enjoyed by motor vehicle traffic. (The proposed Metro Major Ped Upgrade fund is a step in the right direction, as would be a Major Bike Upgrade fund yet neither address the negative impact of overly wide roadways.)

Many streets designated as Main Streets and Corridors or passing through Town and Region Centers (as defined in the Region 2040 Concept) are designated as Major and Minor Arterials by the Interim RTP (for example, NE Broadway and Weidler, NE Sandy Boulevard, Beaverton-Hillsdale Highway). Policies for Major and minor arterials emphasize their use for high volume, high speed traffic. The

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impact of this traffic on surrounding land uses is not considered in the design criteria included in the RTP.

We can't continue to engage in business as usual. Newman and Kenworthy, in an international study of over 20 major cities, found that increases in road capacity invariably create more demand. Capacity increasing projects intended to ease congestion and lower pollution were found to contribute to the increase of both. Changes in operations to speed traffic flow, such as ATMS, have the same impact.

As an example of the foolhardiness of continuing past practices, consider just the amount of parking we will need in the next twenty years to accommodate the estimated 700,000 new residents expected. Based on current patterns, the amount of additional land area that would need to be paved for vehicle parking alone is **22.5 square miles or 14,400 acres**, about the size of the Urban Growth Boundary expansion proposed in the Region 2040 Concept.

Assumptions:

Ratio of registered motor vehicles to population (current DMV figures):	1:1
Number of parking spaces per vehicle (estimated current regionwide):	8:1
Projected population increase by 2015:	700,000
Typical parking space area (8'x14')	112 square feet

(This could be as much as 44,000 acres if accessways, landscaping, etc., were included in the calculation. Based on a figure of 126-140 parking spaces per acre from *Affordable Housing and Parking Requirements*, Todd Litman, 1994)

One of our goals is to decrease reliance on the automobile. This RTP virtually guarantees that we will fail to achieve this goal because it increases the capacity of the system for automobiles while doing only token, though necessary, improvements for bicycle and pedestrian travel (transit depends on people being able to get to the bus, where there are no sidewalks there will be few riders). There has never been a decrease in vehicle use without a decrease in capacity. Likewise, without an increase in capacity for pedestrians and cyclists, we will see little changes in utilization of these modes.

We can't continue to expand automobile capacity in a system which is already severely imbalanced. **Every destination within the region already has high quality automobile access, the vast majority of which is underutilized most of the day.** In contrast, nowhere in this region does bicycle, pedestrian, or transit access remotely approach the quality or quantity of motor vehicle access. Is it a surprise then that 90% of travel is by car?

Process

The Interim RTP has been all but ignored during the latest round of public hearings, overshadowed by the immediate concerns of people hoping to get projects funded out of the \$27 million reserve. It is unwise to make such broad sweeping policies and decisions with such little public debate. This version of the RTP is only to be in place for a year or two; yet, the process is iterative, building on what's come before. It is much harder to propose new ideas if it is not already in the plan nor is it easy to get rid of bad ideas once they are blessed by inclusion in the RTP.

Conclusion

In Clackamas County, the Commissioners took the brave step of directing 10% of their transportation budget toward improving bicycle and pedestrian access to schools, after being told by staff that this was not feasible. Today the Clackamas County Pedway Program is extremely popular with school administrators and parents clamoring for more.

The people want to be able to walk and bike more. More and better walking and cycling opportunities were cited by more respondents to the Region 2040 survey than any other issue with the exception of preserving greenspaces. Walking and biking are much more cost-efficient means of moving people and complement the Future Vision as well as Region 2040 Concept.

Though I have heard Henry Hewitt, chair of the Oregon Transportation Commission, state that "we can't build our way out of our problems, even if we had the money," this realization has not permeated our transportation bureaucracies. The standard transportation professional's reaction to congestion is to propose a new or wider roadway. We need to ask whether we can afford to continue to chase an unreachable goal. I challenge you to take charge of this issue, and provide the political will to change direction and provide real transportation alternatives.

Please, send this RTP back to the drawing board with direction to staff that we must meet our travel needs in accordance with state goals and the public's desires as contained in the long-deliberated Oregon Transportation Plan and the Region 2040 Concept.

Transportation investment can be an incredible tool to shape our communities. **It is the Council's place to set priorities for how we use this tool.** Will we continue to build monster highways (which need to be widened every few years to accommodate the additional traffic they attract) or will we build pedestrian and bicycle friendly streets which support the land use goals of Region 2040?

Thank you for the opportunity to comment. I wish you luck and wisdom.

Sincerely,



Rex Burkholder