

A G E N D A

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METRO

MEETING: METRO COUNCIL REGULAR MEETING
DATE: October 5, 1995
DAY: Thursday
TIME: 2:00 p.m.
PLACE: Council Chamber

<u>Approx. Time *</u>		<u>Presenter</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 September 28, 1995 Metro Council Meeting.	
	5. INFORMATIONAL ITEMS	
2:20 PM (10 min.)	5.1 Report by the Auditor: Observations Relating to Loaned Employees and Metro's Code of Ethics	Dow
2:30 PM (60 min.)	5.2 Informational Update of TGM Grants	Fregonese Cotugno
	6. RESOLUTIONS	
3:30 PM (5 min.)	6.1 Resolution No. 95-2216 , For the Purpose of Amending the Council Organizing Resolution.	McLain
3:05 PM (5 min.)	6.2 Resolution No. 95-2215 , For the Purpose of Authorizing Execution of 26 Intergovernmental Agreements with Local Park Providers for the Local Share of the Open Spaces Bond Measure.	McCaig
3:10 PM (5 min.)	6.3 Resolution No. 95-2197 , For the Purpose of Appointing Monica D. Hardy to the Solid Waste Rate Review Committee.	Kvistad

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

Approx.
Time *

Presenter

7. ORDINANCES - SECOND READINGS

3:15 PM (10 min.)	7.1	Ordinance No. 95-614 , Amending the FY 1995-96 Budget and Appropriations Schedule for the Purpose of Transferring Appropriations to Fund Back Ordered Capital Expenditures Related to the Regional Governmental Information Exchange (REGGIE) Network; and Declaring an Emergency.	McCaig
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8. ORDINANCES - FIRST READINGS

3:35 PM (10 min.)	8.1	Ordinance No. 95-616 , Amending the FY 1995-96 Budget and Appropriations Schedule for the Purpose of Reorganizing the Staff of the Council Office, Creating New Positions, Reducing Staffing Levels for the Office of Citizen Involvement, and Declaring an Emergency	McLain
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9. EXECUTIVE SESSION

Held Pursuant to ORS 192.660 (1)(e) To conduct Deliberations With Persons Designated By the Governing Body to Negotiate Real Property Transactions.

3:45 PM (5 min.)	10.	Resolution No. 95-2209 , For the Purpose of Authorizing the Executive Officer to Accept an Assignment of Option and to Purchase Property in The Sandy River Target Area.	Washington
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3:50 PM (10 min.)	8.	COUNCILOR COMMUNICATIONS
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4:00 PM	ADJOURN
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* All times listed on the agenda are approximate; items may not be considered in the exact order listed.

Agenda Item 4.1

Meeting Date: October 5, 1995

Minutes of the September 28, 1995 Metro Council meeting were not available at the time the agenda for the October 5, 1995 was prepared. The minutes will be distributed the member of the Council prior to approval and adoption.

AGENDA ITEM 5.1
Meeting Date: October 5, 1995

**Report by the Auditor: Observations Relating to Loaned Employees and Metro's
Code of Ethics**

METRO

Observations Relating to Loaned Employees and Metro's Code of Ethics

September, 1995

A Report by the Office of the Auditor



METRO

Alexis Dow, CPA
Metro Auditor



METRO

OFFICE OF THE AUDITOR

September 28, 1995

COPY

Mike Burton, Executive Officer
Councilor Ruth McFarland, Presiding Officer
Councilor Jon Kvistad
Councilor Patricia McCaig
Councilor Susan McLain
Councilor Rod Monroe
Councilor Don Morissette
Councilor Ed Washington

Re: Observations Relating to Loaned Employees and Metro's Code of Ethics

Dear Mr. Burton and Councilors:

The accompanying report covers our review of a situation involving a loaned employee and questions regarding Metro's Code of Ethics. We undertook this study in response to an inquiry by a Metro area citizen.

We reviewed a draft of the report with the Executive Officer, the General Counsel and the Transportation Department Director. The last section of this report presents the written response of Executive Officer Burton.

We would appreciate receiving a written status report from the Executive Officer, or a designee, in six months indicating what further progress has been made to address the report's recommendation.

We appreciate the cooperation and assistance provided by the Executive Officer, the Office of the General Counsel and the Transportation Department.

Very truly yours,

Alexis Dow, CPA

Auditor: Leo Kenyon

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Executive Officer Mike Burton	—

Executive Summary

Government agencies at many levels engage in loaned employee programs to take advantage of expertise from both public and private sectors at little or reduced expense. Loaned employees have been and are being used by Metro.

In mid-1993, Metro's Planning Department requested an environmental organization to loan an employee to assist on water resource projects of mutual benefit. The loaned employee began assisting at that time, and a memorandum of understanding formalizing the arrangement was finalized in late 1994.

Prior to and after the arrangement was formalized, some Metro officials became concerned that the loaned employee was too vigorously advocating environmental issues affecting Metro. They were also concerned that his close association with Metro might lead people to believe he was a Metro employee. The loaned employee resigned in January 1995. It appears that his resignation was in both his and Metro's best interests.

At the time the loaned employee agreement was made, Metro had no policy regarding such arrangements. Had such a policy existed, controversies surrounding the loaned employee's activities might have been avoided. We discussed this matter with the Executive Officer and Metro's General Counsel during our review. On August 24, 1995, the Executive Officer signed a policy for loaned employees.

The loaned employee was authorized to contract with Metro under certain conditions. The environmental organizations that employed or contracted with him also contract with Metro. We reviewed the payments Metro made to him and these organizations, and found no improprieties.

A Senior Planner who worked closely with the loaned employee was found to be an unpaid officer in the nonprofit environmental organization that employed the loaned employee. After discussing this information and our concerns as to the propriety of these relationships with Metro's General Counsel, he concluded that the

relationships as disclosed to him were permitted by the Oregon Revised Statutes and Metro's Code.

The questions the Metro area citizen asked that initiated our review suggest an apparent conflict of interest with respect to these relationships. Apparent conflicts of interest exist whenever a reasonable person might suspect that private interests may cause employees to commit prohibited or unethical acts or to perform official duties in a way other than they would have if they had no such interests.

There is no evidence that the Senior Planner's relationship with the loaned employee and the environmental organization caused her to perform official duties in a way other than how she would have without such interests. In view of the Metro area citizen's concerns, those relationships created an apparent nonfinancial conflict of interest that the Senior Planner should have disclosed to her supervisor.

The Metro Code, which has parallel provisions in the Oregon Revised Statutes governing all public employees in the state, does not address this situation because the Code and state law cover only actual or potential financial conflicts of interest. Had Metro's code of ethics included discussions of nonfinancial and apparent conflicts of interest, management and other reasonable persons could have made informed judgments and acted accordingly with respect to the activities of the Senior Planner.

Metro's code of ethics omits many factors usually found in such codes—clear statements regarding the need for trust, objectivity, accountability and leadership, and the actions required to achieve these goals.

We suggest that the Executive Officer and Council evaluate Metro's need for a more comprehensive code of ethics. Such a code could establish clear criteria to guide employees in fulfilling their duties and help avoid unethical conduct or its perception.

Objectives

A Metro area citizen asked us to determine the reasons an individual resigned as a loaned employee from Metro and whether that individual may have benefited from his relationship with Metro. The concerned citizen advised us that a Metro employee, who worked with the loaned employee on water resource programs, was an officer in a not-for-profit environmental organization that employed the loaned employee. He asked us to inquire into the propriety of that relationship.

Scope and Methodology

To determine why the loaned employee resigned, we reviewed the newspaper accounts regarding his departure, his letters to the newspapers explaining his reasons for resigning, and his letter of resignation. We also interviewed a number of Metro officials, who were aware of this individual's role as a loaned employee, regarding his resignation.

To ascertain if the loaned employee received compensation from Metro, either directly or indirectly, we searched Metro's financial records for payments to this individual and to two environmental organizations and one program with which he was known to be associated. We compared recorded payments to these organizations to vouchers and supporting documentation and pertinent contracts.

To determine whether the Metro employee's relationship with one of the organizations was proper, we reviewed the articles of incorporation and the 1994 and 1995 annual reports of the organization. We also reviewed the memorandum of Understanding between Metro and the loaned employee as well as pertinent sections of Metro's Code and the Oregon Revised Statutes. We discussed the facts of this case with Metro's Office of the General Counsel and requested an opinion on the propriety of the relationship.

We conducted our review between May and August 1995 in

accordance with generally accepted government auditing standards.

Background

The individual in question first served as an employee loaned to Metro in about 1990. An environmental organization loaned him to the Planning Department to assist the Department in developing the Greenspaces Master Plan. We were told that the previous Planning Department director negotiated the agreement with that organization, but apparently did not prepare a formal memorandum of understanding. One Metro official told us that there was a letter between the Planning Department director and that organization confirming the agreement, but the official said that he had not seen it. We could not locate such a letter in Metro files.

Between 1990 and 1992, the Metro provided the loaned employee access to a desk, telephone, computer, etc. but he was never employed by Metro. He did a substantial amount of work during that period on the Greenspaces Master Plan and helped to put the first Greenspaces bond issue together. We were told that after the bond issue was defeated by the voters in 1992, this individual was seen only occasionally around the Metro offices.

In mid-1993, the current Planning Department director asked this individual to assist the department on projects of benefit to two environmental organizations and Metro. The Planning Department director formalized the relationship in a memorandum of understanding in late 1994.

Loaned Employee with Metro

1994 Memorandum of Understanding

One of Metro's Senior Assistant General Counsels told us that Metro did not have a policy on loaned employees when he and the Director of Planning drafted the loaned employee memorandum of understanding covering this individual. He

also said that because of an oversight, the memorandum of understanding was not signed until several months after it was drafted. All parties signed the memorandum of understanding on November 8, 1994.

In accordance with the memorandum of understanding, Metro assigned the loaned employee cubicle space and gave him access to Metro's computer system, photocopiers, FAX machine, telephone and reasonable use of office equipment. Metro also provided him with access to its mailing resources for normal correspondence related to his tasks done for Metro. In return, this individual was to work on regional water resources planning issues and to continue cooperating with the Parks Department's Metropolitan Greenspaces program. He was to prepare public information materials, participate in joint activities and provide advice on regional trails programs components and other Greenspaces projects as needed. The memorandum of understanding prohibited the loaned employee from any political advocacy on Metro's premises or when using Metro facilities such as telephones or copiers.

**Region 2040
Tabloid
Controversy**

The loaned employee started becoming controversial in the summer of 1994. He asked an environmental organization to purchase 3,500 of Metro's Region 2040 tabloids to be used by the organization in an outreach project. He included a critique of the Region 2040 growth management plans with the tabloid and urged the organization's constituents to communicate their views to Metro.

**Later Activities
Add to
Controversy**

We were told that the mailing of the tabloids caused some Metro councilors and other officials to become concerned. They felt that the loaned employee was attempting to unduly influence decisions on the Region 2040 project, becoming increasingly involved in policy debates, and being overly aggressive advocating an environmental organization's interests. We were also told that the loaned employee began receiving more visibility with respect to the Open Spaces bond issue. Metro officials began to be concerned that his activities, his close association with Metro and statements attributed to him could lead people to believe that he was a Metro employee. Metro employees were

precluded from actively promoting passage of the Open Spaces bond issue during work hours.

**Loaned Employee
Resigns**

Because of these actual and perceived controversies, Councilors and the Executive Officer discussed whether this individual should remain a loaned employee. We were told that neither the Councilors nor the Executive Officer asked the loaned employee to resign. He resigned as a loaned employee on January 25, 1995, to pursue his advocacy work on the Region 2040 program.

**Observations
Regarding
Resignation**

It appears that this individual's resignation as a loaned employee was in both his and Metro's best interests. His resignation eliminated any perception that he was openly advocating the Open Spaces bond issue in an official capacity as a Metro employee. We believe, however, that the controversy surrounding his activities at Metro may have been avoided had there been a firm policy governing the privileges, duties and responsibilities as a loaned employee. We discussed this matter with the Executive Officer and Metro's General Counsel during the course of our review. On August 24, 1995, the Executive Officer signed a policy for loaned employees. A copy of this policy is attached as Attachment 1.

The Loaned Employee, Environmental Organizations and Metro

**The Loaned
Employee and One
Environmental
Organization**

One environmental organization is a nonprofit corporation. It was incorporated in March 1981 to engage in and promote research and scientific study of wetlands and the education of the general public concerning wetlands. It also was to promote the acquisition, preservation, conservation and management of wetlands and related uplands systems as ecological, scientific, educational, scenic, historic and recreational resources. According to the memorandum of understanding, the loaned employee was an agent and employee of one organization as well as a director of one of its programs. He was also a contractor to a second environmental organization. The memorandum of

understanding authorized the loaned employee to enter into additional contracts with Metro for specific tasks that were agreed to by Metro and/or the environmental organization.

**Metro Payments to
the Organization**

During the period June 30, 1992 and July 20, 1995, the organization that employed the loaned employee had 9 contracts in force with Metro. Payments totaling nearly \$58,000 were made by Metro to that organization on 7 of these contracts and one sponsorship. We reviewed all of the payments made to the organization between October 31, 1992 and July 20, 1995 and found only three that were requested by the loaned employee on behalf of organization. One was for \$200 to co-sponsor a bicycle tour for the environment. A second for \$2,500 from the Parks Department was to co-sponsor an Adopt-A-Stream conference. The third was for \$5,500 from the Solid Waste Department to co-sponsor design and construction of interpretive signs for the Heron Lake Golf Course. None of the documentation showed that the loaned employee received any of the funds paid to the organization.

As of July 20, 1995, no payments had been made against the last 2 contracts. The total value of these contracts is not to exceed \$20,300. The contracts are with the Parks Department's Planning and Capital Development Division.

**Metro Payments to
a Second
Environmental
Organization**

Because the loaned employee was also a contractor with a second environmental organization, we reviewed all payments made by Metro to it between October 16, 1992 and July 20, 1995. We found no evidence that this individual received any payments through the second organization. We also reviewed the two highest value contracts with this organization and found that both were paid, or to be paid, from enhancement grant funds for work done or to be done for the Solid Waste Department.

**No Payments to
Loaned Employee
or the Programs
He Directed**

We found no payments from Metro to the loaned employee nor to the program he directed for the first organization during the period June 30, 1992 and July 20, 1995.

Observations Regarding Payments We found no evidence indicating that this individual received any financial compensation from Metro directly for his work as a loaned employee or indirectly through the two environmental organizations and one program that were named in the memorandum of understanding. The loaned employee was properly compensated with work space and other service privileges for the work authorized by Metro under the memorandum of understanding.

Metro Employee an Officer in One Environmental Organization

Membership Allowed The 1994 and 1995 annual reports of the organization that employed the loaned employee and other documents showed that during those years, a Metro Senior Planner was secretary of the organization and later its president. According to Metro's General Counsel, neither state ethics rules nor Metro's Code prohibit employees from being members or officers in such organizations.

Collaborator Not Supervisor In 1994 and early 1995, the loaned employee was working with this Senior Planner on water resource programs. The memorandum of understanding between Metro and the loaned employee stated that he was not entitled to monetary compensation and was an independent contractor, not subject to supervision by Metro employees. The Senior Planner as a member of a collective bargaining unit was not entitled to exercise supervisory authority over anyone. The Planning Department director told us that the Senior Planner collaborated with the loaned employee on projects, but never supervised him. The director also told us that he had not been aware of the Senior Planner being an officer in the environmental organization. We found no evidence that the Senior Planner had supervised the loaned employee either as a Metro employee or as an officer in the environmental organization.

**Advocacy
Prohibited During
Work Hours**

The memorandum of understanding with the loaned employee limited his work with Metro to normal coordination work and not advocacy for the environmental organizations or the program he directed while at Metro. It also precluded him from advocacy for a bond issue while at Metro. Neither the memorandum of understanding, Oregon statutes nor the Metro Code forbade such activities after work hours, once he was away from Metro premises.

The statutory prohibitions regarding political activity by public employees, i.e. the Senior Planner, are also clear that while off the job Metro employees may engage in political activity. As long as the Senior Planner, while in a paid status at Metro, did not engage in activity that promoted or opposed any ballot measure or candidate, no statutory or Metro Code violation occurred. Again, we found no evidence that either party engaged in any prohibited activities while at Metro.

**Employee's Action
in Signing
Contract Allowed**

The Senior Planner, in the capacity of president of the environmental organization, signed a \$15,000 Greenspaces Restoration Grant contract with the Parks Department's Capital Development Division. Metro's General Counsel told us that this action was permissible. He advised us that as long as the Senior Planner held only an unpaid position in the nonprofit environmental organization, no violation of ORS 244.040 (prohibiting public officials from using their positions to obtain personal financial gain or financial gain for any business with which the official is associated) or ORS 244.120 (requiring disclosure of any actual or potential financial conflicts of interest) had occurred. He further stated that the statutes clearly provide for an exemption for public officials who serve in a nonpaid capacity with 501(C)(3) not-for-profit organizations.

**Observation
Regarding
Employee's
Conduct**

We found no evidence that the Senior Planner's working relationships with the loaned employee or the environmental organization that employed him were inappropriate. Metro's General Counsel advised us that neither the Oregon Revised Statutes nor the Metro Code prohibited the Senior Planner's activities.

Does Metro Need a More Comprehensive Code of Ethics

Responsibilities of Government Employees

Government service requires unusually high standards of honesty, integrity, impartiality, and conduct by employees to assure the proper performance of government business and to maintain the confidence of citizens in their government. In all their dealings, government employees should conduct themselves as to permit no reasonable basis for suspicion of unethical conduct or practices.

Metro Citizen's Concerns

The questions asked by the Metro citizen that initiated our review suggested an apparent conflict of interest with regard to the loaned employee, the Senior Planner and the environmental organization that employed the loaned employee. Apparent conflicts of interest exist whenever a reasonable person might suspect that private interests might cause government employees to commit prohibited or unethical acts.

Conflicts of Interest

Conflicts of interest, or apparent conflicts of interest, may be financial, nonfinancial or those resulting from non-government employment. Nonfinancial conflicts may include personal relationships or organizational membership or affiliations which might cause employees to perform official duties in a way other than they would have if they had no such interests.

Apparent Conflicts of Interest at Metro

With respect to the loaned employee, the Senior Planner and the environmental organization, Metro's General Counsel concluded that no statutory or Metro Code violations had occurred. There is also no evidence that the Senior Planner's relationship with the loaned employee and the environmental organization caused her to perform her official duties in a way other than how she would have without such interests. However, in view of the Metro citizen's concerns, those relationships may have created an apparent nonfinancial conflict of interest which should have been disclosed to the Senior Planner's supervisor so that he could have determined whether conflicts existed.

Metro's Code of Ethics

The Metro Code, Section 2.02.240 establishes a code of ethics for Metro public officials who are not represented by bargaining units. There is no separate code of ethics for employees represented by bargaining units, but according to Metro's General Counsel, ORS Chapter 244 establishes a code of ethics for all public employees which is virtually identical to the provisions of the Metro Code and pertains to those employees as well. Metro's code of ethics, which is consistent with the Oregon Revised Statutes, describes actual or potential financial conflicts of interest, but does not address nonfinancial or apparent conflicts of interest.

Conventional Wisdom of Government Ethics

We compared Metro's code of ethics to that of the City of Portland. The Portland code was suggested to us by the Oregon Ethics Common as a clear and concise, yet comprehensive, code for local government agencies. The Oregon Ethics Common is an organization that promotes ethical awareness and behavior by raising and addressing ethical dimensions of issues as they impact our communities.

The purpose of Portland's code is to support ethical decisions and provide training to city officials. The Portland City Auditor reported that the code and explanations represented the conventional wisdom of government ethics, adapted to the city's organization and terminology. Portland's code is based on the following basic principles:

City of Portland's Code of Ethics

- **Trust.** The purpose of city government is to serve the public. City officials treat their office as a public trust.
- **Objectivity.** City decisions are based on the merits of the issues. Judgment is independent and objective.
- **Accountability.** Open government allows citizens to make informed judgments and hold officials accountable.
- **Leadership.** Ethical leadership sets a good example and treats all citizens with respect.

The City of Portland Code, less detailed explanations, is included as Attachment 2 to this report.

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Recommendation

Consideration should be given to establishing a comprehensive code of ethics for Metro.

While Metro has a code of ethics, it is basically intended to avoid or announce actual or potential financial conflicts of interest. Conventional wisdom of government ethics suggests that a code of ethics is much more. It should establish high standards of honesty, integrity, impartiality and conduct by employees to assure proper performance of government business and to maintain citizens' confidence in their government. We believe that the Executive Officer and the Council may wish to evaluate whether to expand Metro's code of ethics along the lines of Portland's code. As a minimum, the Executive Officer and Council may wish to evaluate whether the current Metro code of ethics should be revised to more clearly explain:

- the need for ethical conduct,
- the need to avoid the perception of unethical conduct,
- the types of conduct that may result in financial and nonfinancial conflicts or apparent conflicts of interest, and
- the methods of resolving such conflicts or apparent conflicts of interest.

If, after such an evaluation, the Executive Officer and Council decide such an expansion is needed, the Office of the Auditor will be pleased to assist in developing a revised code of ethics for Metro.

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EXECUTIVE ORDER NO. 95-56

EFFECTIVE DATE: August 24, 1995

SUBJECT: POLICY FOR LOANED EXECUTIVES

The purpose of this Executive Order is to establish policy and procedures for Metro's participation in loaned executive or loaned employee programs.

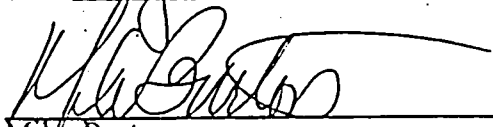
This Executive Order applies to cases where Metro accepts a loaned executive or employee from another entity. In extraordinary circumstances the Executive Officer may apply this policy in cases where Metro will loan an employee to another entity. The terms and conditions for use of all loaned executives and employees must be contained in a written agreement between Metro and the entity which is loaning the executive or employee. Written approval from the Executive Officer is required for all agreements for loaned executives and employees.

The loaned person must perform a task at Metro that is consistent with Metro's mission and existing budget/policy plans. The "loaned" individual shall act under the direct supervision of a Metro supervisor and must be carrying out a specific work plan that is documented in writing.

The agreement shall delineate the funding source and responsibility for payment of all salary and benefits, and shall address the issues of Workers' Compensation insurance liability, and tort claim issues. The agreement shall address potential conflict of interest issues and shall specifically disclose and acknowledge the benefits to be received by the loaning entity. All agreements must be reviewed and approved by the Office of General Counsel.

In the case where this policy is applied to authorize the loan of a Metro employee the Executive Officer shall make explicit findings that establish the benefits to be received by Metro that justify the expenditure of Metro funds or resources and show that the loan is consistent with Metro's mission and adopted budget.

ORDERED by the Executive Officer this 24th day of August, 1995.



Mike Burton
Executive Officer

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To: Elected Officials, City Employees,
Appointees to Boards and Commissions,
and City Volunteers

On April 27, 1994, City Council added a new chapter to City Code covering a code of ethics for all City officials. The ethics code is intended to support ethical decisions, provide training for new officials, and help decentralize administration.

As drafted, the code and explanations represent the conventional wisdom on government ethics, adapted to the City's organization and terminology. This is the first time the information has been gathered in one place, with the main themes and logical connections identified. Some ethical provisions overlap with federal, state, or local law, and these links are highlighted.

Everyone who worked on this project wanted to make sure the ethics code emphasizes positive expectations, rather than a list of prohibitions. They also want the code to be a first step toward in-depth discussion and training in ethical principles. If you are in doubt about a particular situation, you are encouraged to seek advice.

Barbara Clark, CPA
Portland City Auditor

City Code Chapter 1.03

CODE OF ETHICS

Sections:

- 1.03.010 Definitions
- 1.03.020 Trust
- 1.03.030 Objectivity
- 1.03.040 Accountability
- 1.03.050 Leadership

1.03.010 Definitions.

1. "City official" means any elected official, employee, appointee to a board or commission, or citizen volunteer authorized to act on behalf of the City of Portland, Oregon.
2. "Ethics" means positive principles of conduct. Some ethical requirements are enforced by federal, state, or local law. Others rely on training, or on individuals' desire to do the right thing. The provisions of this chapter which are not elsewhere enforced by law shall be considered advisory only.

1.03.020 Trust. The purpose of City government is to serve the public. City officials treat their office as a public trust.

1. The City's powers and resources are used for the benefit of the public rather than any official's personal benefit.
2. City officials ensure public respect by avoiding even the appearance of impropriety.
3. Policymakers place long-term benefit to the public as a whole above all other considerations, including important individuals and special interests. However, the public interest includes protecting the rights of under-represented minorities.
4. Administrators implement policies in good faith, as equitably and economically as possible, regardless of their personal views.
5. Whistle-blowing is appropriate on unlawful or improper actions.

6. Citizens have a fair and equal opportunity to express their views to City officials.
7. City officials do not give the appearance of impropriety or personal gain by accepting personal gifts.
8. City officials devote City resources, including paid time, working supplies, and capital assets, to benefit the public.
9. Political campaigns are not conducted on City time or property.

1.03.030 Objectivity. City decisions are based on the merits of the issues. Judgment is independent and objective.

1. City officials avoid financial conflict of interest and do not accept benefits from people requesting to affect decisions.
2. If an individual official's financial or personal interests will be specifically affected by a decision, the official is to withdraw from participating in the decision.
3. City officials avoid bias or favoritism, and respect cultural differences as part of decision-making.
4. Intervention on behalf of constituents or friends is limited to assuring fairness of procedures, clarifying policies or improving service for citizens.

1.03.040 Accountability. Open government allows citizens to make informed judgments and to hold officials accountable.

1. City officials exercise their authority with open meetings and public records.
2. Officials who delegate responsibilities also follow up to make sure the work is carried out efficiently and ethically.
3. Campaigns for election should allow the voters to make an informed choice on appropriate criteria.
4. Each City official is encouraged to improve City systems by identifying problems and proposing improvements.
5. City government systems are self-monitoring, with procedures in place to ensure appropriate actions.

1.03.050 Leadership. Ethical leadership sets a good example and treats all citizens with respect.

1. City officials obey both the letter and the spirit of all laws and regulations.
2. Leadership facilitates, rather than blocks, open discussion.
3. All City bureaus and work teams are encouraged to develop detailed ethical standards, training, and enforcement.
4. The City Auditor will publish a pamphlet containing explanations and examples of ethical principles.

Response to the Report



METRO

Date: September 20, 1995
To: Alexis Dow, CPA, Metro Auditor *[Signature]*
From: Mike Burton, Executive Officer
Re: Response to "A Report by the Office of the Auditor, Observations Relating to Loaned Employees and Metro's Code of Ethics"

I have received the audit report of September 19, 1995, titled "Observations Relating to Loaned Employees and Metro's Code of Ethics." I appreciate the opportunity to review this report. Staff have verified the factual accuracy of the document.

This inquiry has brought attention to an area that could benefit from a more detailed policy. We will work with the Office of General Counsel to refine our current code of ethics. We would appreciate receiving any information you have gathered on this subject that would facilitate our work.

JS/kt:c:\toda\jennifer\budmemo.doc

AGENDA ITEM 5.2
Meeting Date: October 5, 1995

Informational Update of TGM Grants

AGENDA ITEM 6.1
Meeting Date: October 5, 1995

**Resolution No. 95-2216, For the Purpose of Amending the Council Organizing
Resolution.**

Land Use Planning Committee Report

Resolution No. 95-2216, For the Purpose of Amending the Council Organizing Resolution

Date: September 27, 1995

Presented by: Councilor McLain

COMMITTEE RECOMMENDATION: At its September 26, 1995 meeting, the Committee voted 2/0 to recommend Council adoption of Resolution No. 95-2195. Councilors Morissette and McLain voted aye. Councilor McCaig was absent.

COMMITTEE DISCUSSION/ISSUES: The resolution changes the name of the Metro Council Land Use Planning Committee to the Growth Management Committee, consistent with the name of the department.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)	RESOLUTION NO. 95-2216
THE COUNCIL ORGANIZING)	Introduced by Councilor McLain
RESOLUTION)	

WHEREAS, the Metro Council has annually adopted an organizing resolution since January 1988 which established standing committees of the Council, made appointments to committees and established meeting schedules; and

WHEREAS, there is a need to revise the name of the Land Use Planning Committee to reflect the creation of the Department of Growth Management Services,

BE IT RESOLVED,

1. That this resolution amends Resolution No. 95-2166A, relating to Council Committees to change the name of the Land Use Committee to the Growth Management Committee.

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

J. Ruth McFarland, Presiding Officer

EXHIBIT A

PURPOSE OF THE COUNCIL STANDING COMMITTEES

Finance Committee

The purpose of the Finance Committee shall be to:

1. Review and make recommendations to the Council on the process to follow to consider and act on the Executive Officer's Proposed Fiscal Year Budget and Appropriations Schedule.
2. Review and make recommendations to the Council on periodic requests for amendments to the annual Adopted Budget and Appropriations Schedule.
3. Review and make recommendations to the Council on the annual financial audit and investment and credit policies and practices of Metro.
4. Review and make recommendations to the Council on revenue proposals of Metro including property tax measures, excise tax measures, bond measures, other tax measures, service charges and fees, etc.
5. Review and make recommendations to the Council on long-range financial plans and policies of Metro and its various functions.
6. Review and make recommendations to the Council on the duties, functions and work of the Department of Administrative Services, except those functions related to the management of Metro Regional Center, to insure that the adopted policies, program goals and objectives are carried out or met.
7. Review and make recommendations to the Council on the duties, functions and work of the Office of the Auditor, Office of the Executive, Office of General Counsel and the Council Office to insure that the adopted policies, program goals and objectives are carried out or met.
8. Review and make recommendations to the Council on confirmation of Executive Officer appointments to committees and appropriate administrative positions relating to Metro financial responsibilities.

9. Review and make recommendations to the Council on other matters referred or requested by the Presiding Officer or Council.

[Land Use Planning] Growth Management

The purpose of the ~~[Land Use Planning]~~ Growth Management Committee shall be to:

1. Review and make recommendations to the Council on policies and programs relating to Metro growth management and land use planning activities including the Future Vision, Regional Framework Plan, local government planning coordination, urban reserves, urban growth boundary administration, transit station area planning, water resource planning and management, housing, earthquake preparedness planning and other matters related to Metro's growth management and land use planning activities.
2. Review and make recommendations to the Council on the duties, functions and work of that portion of the Planning Department which performs growth management and land use planning programs to ensure that the adopted policies, program goals and objectives are carried out or met.
3. Review and make recommendations to the Council on confirmation of Executive appointments to the Metropolitan Policy Advisory Committee (MPAC) or other appropriate positions relating to the purpose of this assignment and for proposed changes to the MPAC Bylaws.
4. Review and make recommendations to the Council on other matters referred or requested by the Presiding Officer or Council.

Transportation Planning Committee

The purpose of the Transportation Planning Committee shall be to:

1. Review and make recommendations to the Council on policies and programs relating to Metro Transportation planning activities including but not limited to the High Capacity Transit studies, Regional Transportation Plan, the Transportation Improvement Program, Urban Arterial Fund development, Public Transit Management Plan, Intermodal Management System Plan, Congestion Management System Plan, and Data Resource Center.

2. Review and make recommendations to the Council on the duties, functions and work of that portion of the Planning Department which performs transportation planning and data resource programs to ensure that the adopted policies, program goals and objectives are carried out or met.
3. Review and make recommendations to the Council on appointments to the Transportation Policy Alternatives Committee and other appropriate appointments to positions relating to the purpose of this assignment, and review and make recommendations to the Council on proposed changes to the Joint Policy Advisory Committee on Transportation (JPACT) Bylaws.
4. Review and make recommendations to the Council on other matters referred or requested by the Presiding Officer or Council.

Regional Facilities Committee

The purpose of the Regional Facilities Committee shall be to:

1. Review and make recommendations to the Council on policies and programs relating to the development, construction, renovation and operation of Metro facilities including the Metro Washington Park Zoo, the Oregon Convention Center, the Metro Regional Center, City of Portland facilities under Metro management responsibility according to the Consolidation Agreement with the City of Portland, and the Multnomah County Park and Exposition facilities under Metro management according to the transfer agreement with Multnomah County, and the Metropolitan Greenspaces Program.
2. Review and make recommendations to the Council on the duties, functions and work of the Zoo Department, the Parks and Greenspaces Department and the Metro Exposition-Recreation Commission (MERC) and any other administrative unit which is established to work on the development of regional facilities to ensure that adopted policies and program goals and objectives are carried out or met.
3. Review and make recommendations to the Council on confirmation of Executive Officer appointments to: 1) the MERC, 2) any other committee or task force created to advise the Council on matters pertaining to the purpose of this assignment, and 3) appropriate administrative appointments.
4. Review and make recommendations to the Council on other matters referred or requested by the Presiding Officer or Council.

Regional Environmental Management Committee

The purpose of the Regional Environmental Management Committee shall be to:

1. Review and make recommendations to the Council on policies and programs relating to the preparation, adoption and implementation of the Regional Solid Waste Management Plan (RSWMP), the development and operation of solid waste disposal facilities, and Metro's waste reduction responsibilities.
2. Review and make recommendations to the Council on the duties, functions and work of Regional Environmental Management Department to ensure that adopted policies and program goals and objectives are carried out or met.
3. Review and make recommendations to the Council on confirmation of Executive Officer appointments to committees and appropriate positions relating to Metro's solid waste responsibilities.
4. Review and make recommendations to the Council or other matters referred or requested by the Presiding Officer or Council.

EXHIBIT B

COUNCIL STANDING COMMITTEE MEMBERSHIP*

Finance Committee

Councilor Patricia McCaig, Chair
Councilor Rod Monroe, Vice Chair
Councilor Jon Kvistad
Councilor Ruth McFarland
Councilor Susan McLain
Councilor Don Morissette
Councilor Ed Washington

~~Land Use Planning~~ Growth Management

Councilor Susan McLain, Chair
Councilor Don Morissette, Vice Chair
Councilor Patricia McCaig

Regional Facilities

Councilor Ed Washington, Chair
Councilor Patricia McCaig, Vice Chair
Councilor Don Morissette

Regional Environmental Management

Councilor Jon Kvistad, Chair
Councilor Susan McLain, Vice Chair
Councilor Ruth McFarland

Transportation Planning

Councilor Rod Monroe, Chair
Councilor Jon Kvistad, Vice Chair
Councilor Ed Washington

*The Presiding Officer may serve as a member of a committee for which there is a vacancy as a result of a vacancy on the Council.

EXHIBIT C

COUNCILOR ANCILLARY APPOINTMENTS

Council Parliamentarian
Councilor Rod Monroe

Friends of the Washington Park Zoo Board of Directors
Councilor Jon Kvistad
Councilor Don Morissette

Future Vision Commission
Councilor Susan McLain, Vice Chair
Councilor Ed Washington

Joint Policy Advisory Committee on Transportation
Councilor Rod Monroe, Chair
Councilor Don Morissette
Councilor Susan McLain
Councilor Patricia McCaig, Alternate

Metro Policy Advisory Committee
Councilor Susan McLain
Councilor Ed Washington
Councilor Jon Kvistad
Councilor Don Morissette, Alternate

Greenspaces Citizens Advisory Committee
Councilor Ed Washington
Councilor Susan McLain, Alternate

Greenspaces Liaison
Councilor Susan McLain

Metro CCI Liaison
Councilor Susan McLain

Oregon Regional Council Association Board of Directors
Councilor Ruth McFarland
Councilor Patricia McCaig, Alternate

Regional Emergency Management Policy Advisory Committee
Councilor Rod Monroe
Councilor Don Morissette

Regional Water Services Leadership Group

Councilor Jon Kvistad

Councilor Susan McLain, Alternate

Smith and Bybee Lakes Management Committee

Councilor Ed Washington

Councilor Jon Kvistad

Solid Waste Enhancement Committees

-North Portland

Councilor Ed Washington, Chair

-Metro Central

Councilor Ed Washington, Chair

-Oregon City

Councilor Don Morissette

-Forest Grove

Councilor Susan McLain

Solid Waste Policy Advisory Committee

Councilor Jon Kvistad

Councilor Susan McLain, Alternate

Solid Waste Rate Review Committee

Councilor Jon Kvistad, Chair

Councilor Susan McLain, Alternate

SW Washington Regional Transportation Policy Committee

Councilor Rod Monroe

South/North Steering Committee

Councilor Rod Monroe

**Special District Association of Oregon Board of Directors/
Legislative Committee**

Councilor Ruth McFarland,

Councilor Rod Monroe, Alternate

Tri-Met Committee on Accessible Transportation

Councilor Ed Washington

Councilor Jon Kvistad, Alternate

Water Resources Policy Advisory Committee

Councilor Jon Kvistad

Councilor Susan McLain

Councilor Patricia McCaig

Westside Corridor Project Steering Group

Councilor Jon Kvistad

Washington County Transportation Advisory Group
Councilor Jon Kvistad

Neighboring Cities Grant
Councilor Susan McLain
Councilor Don Morissette

Cascadia Task Force
Councilor Jon Kvistad
Councilor Rod Monroe

1% for Art
Councilor Ed Washington

Portland/Multnomah County Progress Board
Councilor Ruth McFarland

DEQ Parking Ratio Employee Policy Advisory Committee
Councilor Don Morissette

Portland State Institute of Urban Studies
Councilor Ed Washington
Councilor Jon Kvistad

Columbia Slough Watershed Council
Councilor Ed Washington

FOCUS Liaison
Councilor Susan McLain

EXHIBIT D

COUNCIL AND COMMITTEE MEETINGS

Council

The Metro Council meetings shall be regularly scheduled as outlined below except when the Presiding Officer finds a need to: 1) convene special meetings; 2) change meeting dates or times to respond to special scheduling needs, such as during Thanksgiving, Christmas or other religious holiday periods; or 3) cancel a meeting due to a lack of quorum or agenda items or other precipitating events.

Regular Sessions: The Metro Council shall meet in Regular Session on each Thursday beginning at 2:00 P.M., except that on the fourth Thursday of each month the regular session shall begin at 7:00 P.M.

Committees

The Metro Council standing committee meetings shall be regularly scheduled as outlined below except when the Committee Chair finds a need to: 1) convene special meetings; 2) change meeting dates or times to respond to special scheduling needs, such as during holiday periods; or 3) cancel a meeting due to a lack of quorum or agenda items or other precipitating events.

Finance: At the call of the chair or the Presiding Officer

~~[Land Use Planning]~~ Growth Management: Second and fourth Tuesdays of each month beginning at 1:30 P.M.

Regional Facilities: Second and fourth Tuesdays of each month beginning at 3:30 P.M.

Regional Environmental Management: First and third Tuesdays of each month beginning at 3:30 P.M.

Transportation Planning: First and third Tuesdays of each month beginning at 1:30 P.M.

AGENDA ITEM 6.2
Meeting Date: October 5, 1995

**Resolution No. 95-2215, For the Purpose of Authorizing Execution of 26
Intergovernmental Agreements with Local Park Providers for the Local Share
of the Open Spaces Bond Measure.**

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-2215, RELATING TO AUTHORIZING EXECUTION OF TWENTY-SIX INTERGOVERNMENTAL AGREEMENTS WITH LOCAL PARKS PROVIDERS FOR THE LOCAL SHARE OF THE OPEN SPACES PROGRAM BOND MEASURE 26-26

Date: September 15, 1995

Presented by:
Dan Cooper and Mel Huie

FACTUAL BACKGROUND AND ANALYSIS

Ballot Measure 26-26 provided for \$25 million for local share projects that were specifically identified in the ballot measure. The projects are to be administered by the 26 local parks providers that are identified in the Metro Greenspaces Master Plan. Prior to the election at which the bond measure was approved, Metro staff prepared an outline of the specific terms to be included in the intergovernmental agreements if the bond measure was successful. This information was transmitted to all local parks providers by Metro general counsel and the executive officer, and Councilor McLain. A copy of the letter outlining the significant terms to be included in the agreement is attached to this report.

After the adoption of the measure on May 16, 1995, three separate drafts of a form of intergovernmental agreement have been distributed to the local parks providers for their review and comment. The final version that is attached hereto represents the results of this effort.

Because of specific circumstances peculiar to each jurisdiction, not all of the jurisdictions will end up with identical language in their agreement with Metro. For instance, Washington County intends to use its local share to acquire properties that will be landbanked and later transferred to active park providers when the park providers are willing to accept responsibility for the property. Thus, Washington County's agreement will contain a provision that is unique to it that specifically reflects Metro's approval of subsequent transfers to other local government parks providers. The resolution would authorize the executive officer to deviate from the standard form which is attached where upon the recommendation of general counsel deviations have been requested by the local parks provider in order to reflect such specific local circumstances.

BUDGET IMPACT

The \$25 million local share allocation is consistent with the open spaces bond measure that has been passed and funds will be secured through the issuance of bonds.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 95-2215.

gl1245

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING)	RESOLUTION NO. 95-2215
EXECUTION OF TWENTY-SIX INTER-)	
GOVERNMENTAL AGREEMENTS WITH)	Introduced by Mike Burton,
LOCAL PARKS PROVIDERS FOR THE)	Executive Officer
LOCAL SHARE OF THE OPEN SPACES)	
PROGRAM BOND MEASURE)	

WHEREAS, Measure 26-26 as referred to the voters provided for \$25 million from Metro General Obligation Bond proceeds for local share projects to be administered by 26 local parks providers throughout the Metro area; and

WHEREAS, The Metro voters approved Measure 26-26 on May 16, 1995; and

WHEREAS, Pursuant to Measure 26-26, Metro desires to enter into intergovernmental agreements with the 26 local share parks providers to provide for the administration of the local share projects; now, therefore,

BE IT RESOLVED,

1. That the Metro council authorizes the executive officer to enter into intergovernmental agreements in a form substantially similar to attached Exhibit "A" with the following local parks providers for the maximum amounts specified:

<u>Jurisdiction</u>	<u>Allocation</u>
Clackamas County	\$ 1,876,235
North Clackamas Parks and Recreation District	1,043,025
City of Gladstone	156,857
City of Happy Valley	35,305
City of Lake Oswego	697,166
City of Milwaukie	349,020
City of Oregon City	268,322
City of Rivergrove	5,673
City of West Linn	333,385
City of Wilsonville	218,222
Multnomah County	3,401,545
City of Portland	7,480,868

City of Gresham	\$ 1,164,474
City of Troutdale	257,327
City of Fairview	169,109
City of Wood Village	169,109
Washington County	949,049
Tualatin Hills Parks and Recreation District	2,315,771
City of Beaverton	1,372,654
City of Cornelius	147,186
City of Durham	28,538
City of Forest Grove	321,226
City of Hillsboro	989,745
City of Sherwood	103,705
City of Tigard	757,954
City of Tualatin	388,528

TOTAL	\$25,000,000
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2. That the executive officer pursuant to the recommendation of the Metro general counsel may enter into agreements with local share providers that contain different provisions that are not material variances to the form attached hereto as Exhibit "A" that reflect special circumstances or conditions applicable to individual local share parks providers.

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

J. Ruth McFarland, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

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1244



METRO

COPY

Daniel B. Cooper
Tele: (503) 797-1528
FAX (503) 797-1792

April 24, 1995

Sent to all Parks Providers' Counsel
See Our File: 14.8.4.6

Scott Parker, Attorney
North Clackamas Parks and Recreation District
Courthouse Annex
906 Main Street
Oregon City, OR 97045-1819

Re: Metro Open Space Bond Measure

Dear Scott:

Metro is seeking voter approval of a \$135.6 bond measure on the May 16, 1995, ballot. The measure would authorize Metro to issue bonds for acquisition of open space, trails and stream protection. The bond issue allocates \$25 million for local parks projects. Attached is a copy of the Open Space Acquisition Bond Measure, and the Greenspaces General Obligation Bond Measure Proposed Local Share Guidelines adopted by the Council for the bond measure. I have been asked by Metro staff to prepare a form of Intergovernmental Agreement for Metro use if the bond issue is approved. Your client, North Clackamas Parks and Recreation District, has submitted a proposal for the use of funds to Metro and the project has been approved by the Metro Council.

The purpose of my letter is to share my thoughts with you about the terms and conditions for intergovernmental agreements Metro will enter into with the local parks providers to provide for the distribution of funds. The IGA would be modeled after the existing state and local agreements for land and water conservation projects which are utilized by the State of Oregon to pass-through to local governments federal funds for land and water conservation. However, in order to provide more flexibility and to address local issues, we believe modifications to those agreements would be advisable.

The project description for the agreement would be the project submittal from the local government that has been approved by the Metro Council. The term of the agreement would envision that local governments would have two years to complete the project or show substantial progress toward the project completion. Extensions would be subject to routine administrative approval when need was shown. Flexibility would be maintained by allowing the local parks providers to make findings that the project was no longer feasible and after utilizing a public process, pick an alternative within its boundaries that is consistent with the

April 24, 1995
Page 2

adopted local share guidelines. Alternative projects will be subject to Metro review and approval at an administrative level with approval not to be unreasonably withheld. Only in the event that a local government determined that the proposed project was not feasible and that it no longer desired to or was able to find a substitute project in its boundaries would the money be returned to Metro for reallocation consistent with the terms and conditions of the bond issue. There would need to be language included that allows for termination of the agreement if no action is taken by a local provider. Such a termination could occur only after 90 days notice from Metro.

Unlike the state funding agreements for land and water conservation, Metro will be able to supply funds for purchase of properties at the closing of the purchase transaction provided that the local government notifies Metro of the closing date in a reasonable amount of time prior to the need of funds. Other expenditure of bond proceeds for capital improvements, etc., will be invoiced to Metro with reimbursement from bond funds within 30 days.

Other conditions that Metro would anticipate are based on the local share guidelines. Signage giving credit to the Metro open spaces program for land and other improvements as well as a requirement for media acknowledgment on all communications will be similar to the land and water conservation documents. Operation and maintenance of any facility will be the local government responsibility with Metro's liability limited to the payment of the funds agreed to as project costs.

It is also anticipated that standard audit requirements, billing and invoice procedures, and payment transfers procedures using electronic transfers, etc., would be incorporated either in the document or in administrative procedures that would be prepared to be consistent with the document.

I anticipate that the first draft of an IGA containing these provisions will be available for distribution by the end of April.

Yours very truly,

/s/ DANIEL B. COOPER

Daniel B. Cooper
General Counsel

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Attachments

Project: Open Spaces Program
Contract No.

INTERGOVERNMENTAL AGREEMENT

Open Spaces Bond Measure

Local Share Component

This Agreement dated this ____ day of _____ 1995, is by and between Metro, a metropolitan service district organized under the laws of the state of Oregon and the 1992 Metro Charter, located at 600 N.E. Grand Avenue, Portland, Oregon 97232-2736, and the _____, located at _____, (hereinafter referred to as "Recipient"), and shall remain in full force and effect for the period September 1, 1995, to September 1, 1998, (unless extended as provided for herein).

W I T N E S S E T H:

WHEREAS, The electors of Metro approved a ballot measure on May 16, 1995, authorizing Metro to issue \$135.6 million in bonds for Open Spaces, Parks, Trails and Streams (the "Measure"); and

WHEREAS, The Measure provided that \$25 million from bond proceeds be expended by local parks providers for specified projects; and

WHEREAS, Recipient is a local parks provider who has received approval for funding for project(s) as specified in the Measure; and

WHEREAS, Metro and Recipient desire to enter into this Agreement to provide for funding of Recipient's project(s) subject to terms and conditions as provided for in the Measure;

NOW THEREFORE, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the parties hereto as follows:

1. Project Declaration

Metro hereby approves the Project proposal(s) and authorizes Recipient to proceed with the Project in accordance with the Scope of Work included as Attachment "A." All real property interests acquired shall be held in the name of Recipient.

2. Funding

Metro's contribution to the Project(s) is limited to \$ _____. Payment of funds by Metro to Recipient will be subject to the procedures set forth in Attachment "B" of this Agreement.

3. Funding Limitation

Metro through the approval of the Measure and the sale of bonds has established this Agreement with the sole purpose of implementing the Metro Open Spaces Program through funding of this Project. Therefore, Metro neither intends nor accepts any direct involvement in this Project which can or could be construed to result in supervisory responsibility during the course of acquisition or construction, and upon completion of the Project and payment of funds as provided for herein there will be no further obligations on the part of Metro.

4. Funding Requirements

Metro has committed to pay from bond proceeds the amount specified for the approved project(s) described in Attachment "A." Recipient may substitute a different project only if the following conditions are met:

a. Recipient through its governing body must find that one or more of the projects described in Attachment "A" have become degraded, are cost prohibitive or are otherwise infeasible.

b. Recipient through its governing body shall conduct a public process and determine the substitute project consistent with the provisions of the Measure and the Local Share Guidelines.

c. The substitute project is subject to administrative approval by Metro's Regional Parks and Greenspaces Department Director, such approval shall not be unreasonably withheld. Metro will designate the name of the Department Director in writing at the time this Agreement is executed. Thereafter, Metro may give written notice to Recipient of any change in the Department Director.

d. Metro's financial obligation under this Agreement shall not be increased.

Recipient agrees to comply at all times with provisions of the Measure and the adopted Local Share Guidelines which appear as Attachment "C" to this Agreement and by this reference are made a part hereof.

5. Term

Metro's obligation to provide funds pursuant to this Agreement shall terminate September 1, 1998. It is the intent of the parties that Recipient will have completed the project(s) and all Metro funding obligated under this Agreement shall have been paid prior to such date. However, in the event of unforeseen circumstances that cause Recipient to be delayed in completing the project(s), Recipient is entitled upon giving 30 days written notice to Metro to extend Metro's obligations pursuant to this Agreement for an additional six

months. More than one extension may be granted if necessary to complete the project(s). Recipient must receive approval of the extension from Metro's Regional Parks and Greenspaces Department Director. Metro may deny an extension if it finds that Recipient is not making good faith efforts to complete the project(s) and that the need for an extension is due to Recipient's neglect of the project(s). Any denial of an extension is not effective for 10 days after receipt of notice of the denial, and at Recipient's request is subject to review by the Metro Executive Officer. The provisions of Sections 7, 8, 9, and 10 shall continue in effect after the completion by Recipient of any project(s) pursuant to this Agreement.

6. Situs

This Agreement is entered into within the state of Oregon, and the law of said state, whether substantive or procedural, shall apply to this Agreement, and all statutory, charter and ordinance provisions that are applicable to public contracts in the state of Oregon shall be followed with respect to this Agreement.

7. Limitations on Use

All property acquired by Recipient with Open Spaces funding by Metro shall be maintained for its intended natural resource dependent recreational, natural area or trail activities. Recipient commits to maintain all property acquired pursuant to this Agreement in a manner consistent with Metro's Greenspaces Master Plan. Recipient will not construct or allow the construction of improvements to the property which are inconsistent with the Master Plan. However, in the event of extraordinary unforeseen circumstances Recipient may after January 1, 2005, authorize a change in use of acquired property. In the event a change in use occurs, Recipient agrees to take the following actions:

- Recipient shall give Metro 180 days advance written notice of its intent to authorize a change in use or sell the property to a third party. Recipient shall obtain an appraisal of the fair market value of the property assuming that the property was not subject to any use restrictions. The appraisal is subject to approval by Metro as to its completeness and reasonableness. After the appraisal value is determined and is approved by Metro, Recipient shall obtain the fair market value of the discontinued property and apply it to completion of a substitute project(s) within 90 days after authorizing the change in use.
- Recipient shall determine through the process described in Section 4 of this Agreement what substitute project should be funded and completed.

8. Oregon Constitution and Tax Exempt Bond Covenants

Recipient acknowledges that Metro's source of funds for this Program is from the sale of voter-approved general obligation bonds that are to be paid from ad valorem property taxes exempt from the limitations of Article XI, section 11(b), 11(c), 11(d), and 11(e) of the Oregon Constitution, and that the interest paid by Metro to bond holders is currently exempt from federal and Oregon income taxes. Recipient covenants that it will take no actions that would cause Metro not to be able to maintain the current status of the real property taxes as exempt for Oregon's constitutional limitations or the income tax exempt status of the bond interest. In the event Recipient breaches this covenant, Metro shall be entitled to whatever remedies are available to either cure the default or to compensate Metro for any loss it may suffer as a result thereof.

9. Funding Declaration

Recipient will document on-site, for all acquisitions and capital improvements, and in any publication, media presentations or other presentations, that funding came from Metro. On-site signage that provides recognition of Metro funding shall be subject to prior review and comment by Metro. All signage will be consistent with Metro guidelines for Open Spaces Projects. Recipient agrees to provide maintenance for all signs. Metro may elect to furnish on-site signage for use by Recipient.

10. Indemnification

Recipient shall indemnify Metro and its officers, agents and employees, against all loss, damage, expense and liability resulting from injury to or death of persons, or property damage, arising out of or in anyway connected to the wrongful acts of the Recipient's officers, agents and employees acting within the scope of employment or duties in performance of this Agreement, subject to the limitations and conditions of the Oregon Tort Claims Act, ORS chapter 30.

Metro shall indemnify Recipient and its officers, agents and employees, against all loss, damage, expense and liability resulting from injury to or death of persons, or property damage, arising out of or in any way connected to the wrongful acts of Metro's officers, agents and employees acting within the scope of employment or duties in performance of this Agreement, subject to the limitations and conditions of the Oregon Tort Claims Act, ORS chapter 30.

11. Termination for Cause

Metro may terminate this Agreement in full, or in part, at any time before the date of completion, whenever Metro determines, in its sole discretion, that Recipient has failed to comply with the conditions of this Agreement and is therefore in default. Metro shall promptly notify Recipient in writing of that determination and document such default as outlined hereinbelow. Notwithstanding any termination for cause, Recipient shall be entitled to receive payments for any work completed or for which Recipient is contractually obligated for which completion or contractual obligation occurred prior to the effective date of the termination, provided that Metro shall not be obligated to make any payment except for work specifically provided for in this Agreement.

12. Documentation of Default

Recipient shall be deemed to be in default if it fails to comply with any provisions of this Agreement.

Prior to termination under this provision, Metro shall provide Recipient with written notice of default and allow Recipient ninety (90) days within which to cure the default. In the event Recipient does not cure the default within ninety (90) days, Metro may terminate all or any part of this Agreement for cause. Recipient shall be notified in writing of the reasons for the termination and the effective date of the termination.

Recipient shall be liable to Metro for all reasonable costs and damages incurred by Metro as a result of and in documentation of the default.

If, after notice of termination, Metro agrees or a court finds that Recipient was not in default or that the default was excusable, such as a strike, fire, flood, or other event that is

not the fault of, or is beyond the control of Recipient, Metro will allow Recipient to continue work, or both parties may treat the termination as a joint termination for convenience whereby the rights of the Recipient shall be as outlined hereinbelow.

13. Joint Termination for Convenience

Metro and Recipient may jointly terminate all or part of this Agreement based upon a determination that such action is in the public interest. Termination under this provision shall be effective upon ten (10) days written notice of termination issued by Metro subject to that mutual agreement.

Within thirty (30) days after termination pursuant to this provision, Recipient shall submit an itemized invoice(s) for all unreimbursed work within the Scope of Work of this Agreement completed before termination.

Metro shall not be liable for any costs invoiced later than thirty (30) days after termination unless the Recipient can to Metro's full satisfaction show good cause beyond the Recipient's control for the delay.

14. Documents are Public Property

All records, reports, data, documents, systems and concepts, whether in the form of writings, figures, graphs, or models which are prepared or developed in connection with the Project shall become public property.

Nothing in this section or in any other part of this Agreement shall be construed as limiting a Recipient's ability to consider real property transactions in executive session pursuant to ORS 192.660(1)(e) or as requiring disclosure of records that are otherwise

exempt from disclosure pursuant to the Public Records Law (ORS 192.410 to 192.505) or Public Meetings Law (ORS 192.610 to 192.690).

15. Project Records

Comprehensive records and documentation relating to the Scope of Work and all specific tasks involved in the Project shall be maintained by Recipient.

Recipient shall establish and maintain books, records, documents, and other evidence and accounting procedures and practices, sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to be incurred for the performance of this Agreement.

16. Audits, Inspections, and Retention of Records

Metro, and any of its representatives, shall have full access to and the right to examine, during normal business hours and as often as they deem necessary, all of Recipient's records with respect to all matters covered by this Agreement. Such representatives shall be permitted to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls and other matters covered by this Agreement.

All documents, papers, time sheets, accounting records, and other materials pertaining to costs incurred in connection with the Project shall be retained by Metro and Recipient and all of its contractors for three years from the date of completion of the Project, or expiration of the Agreement, whichever is later, to facilitate any audits or inspection.

A final determination of the allowability of costs charged to the Project may be made on the basis of an audit or other review. Any funds paid to Recipient in excess of the amount to

which Recipient is finally determined to be entitled under the terms of this Agreement constitute a debt to Metro, and shall be returned by Recipient to Metro.

17. Law of Oregon

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

All applicable provisions of ORS chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the state of Oregon, are hereby incorporated as if such provisions were a part of this Agreement including but not limited to ORS 279.015 to 279.320.

Specifically, it is a condition of this Agreement that Recipient and all employers working under this Agreement are subject employers that will comply with ORS 656.017 as required by Oregon Laws 1989, chapter 684.

18. Assignment

Recipient may not assign any of its responsibilities under this Agreement without prior written consent from Metro, except the Recipient may delegate or subcontract for performance of any of its responsibilities under this Agreement.

19. Severability

If any covenant or provision in this Agreement shall be adjudged void, such adjudication shall not affect the validity, obligation, or performance of any other covenant or provision which in itself is valid, if such remainder would then continue to conform with the terms and requirements of applicable law and the intent of this Agreement.

20. Entire Agreement

This Agreement constitutes the entire agreement between the parties. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement. Recipient, by the signature below of its authorized representative, hereby acknowledges that Recipient has read this Agreement, understands it and agrees to be bound by its terms and conditions.

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

CITY/COUNTY OF

METRO

By: _____

By: _____

Title: _____

Mike Burton
Executive Officer

gl
1256a

AGENDA ITEM 6.3
Meeting Date: October 5, 1995

**Resolution No. 95-2197, For the Purpose of Appointing Monica D. Hardy to the
Solid Waste Rate Review Committee.**

STAFF REPORT

Consideration of Resolution No. 95-2197, for the purpose of confirming the appointment of Monica D. Hardy to the Solid Waste Rate Review Committee.

Date: August 21, 1995

Presented by: Roosevelt Carter

FACTUAL BACKGROUND AND ANALYSIS

Ordinance No. 91-436A, Metro Code Chapter 5.08 establishes a seven-member Solid Waste Rate Review committee, six members to be appointed by the Executive Office, subject to confirmation by the Metro Council. The members appointed by the Executive Officer include: two persons engaged in the business of hauling solid waste; one person with business-related financial experience; one person with experience in establishing rates; one person involved with a local recycling or waste reduction program; and one citizen rate payer. The seventh committee member is a Metro Councilor, appointed by the Council Presiding Officer, and who serves as committee chair.

The citizen rate payer position has most recently been filled by Mrs. Elenora C. Fielder, who was appointed to serve a four-year term that would expire in September 1998. Mrs. Fielder, due to personal circumstances, is unable to complete this term and resigned from the committee.

Monica D. Hardy has been recommended to serve in the capacity of the citizen rate payer to complete the unexpired term. Ms. Hardy has significant community involvement through volunteer work with Jr. Achievement and as a member of the Board of Directors of the YMCA of the Columbia Willamette. Ms. Hardy is an Assistant Vice President with First Interstate Bank, a Certified Trust Compliance Professional, and member of the Oregon Bar Association (a brief vitae is attached).

This appointment will continue a balanced cross section of membership on the committee, representing all three counties and meeting the specific membership requirements.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 95-2197.

JM:ay

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BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING)	RESOLUTION NO. 95-2197
MONICA D. HARDY TO THE SOLID)	Introduced by Mike Burton
WASTE RATE REVIEW COMMITTEE)	Executive Officer

WHEREAS, Chapter 5.08 of Code of the Metropolitan Service District provides for the establishment of a Rate Review Committee composed of seven members, including one Metro Councilor, who shall serve as Committee chair and who shall be appointed by the Council Presiding Officer, and all other members shall be appointed by the Executive Officer, subject to confirmation by the Council; and

WHEREAS, The Executive Officer's appointments shall include two persons engaged in the business of hauling solid waste; one person with business-related financial experience; one person with experience in establishing rates; one person involved with a local recycling or waste reduction program and one citizen ratepayer; and

WHEREAS, terms for all non-Council members shall be four years each, a non-Council member may be reappointed for a consecutive term, not to exceed one full term; and

WHEREAS, Elenora C. Fielder who occupied the citizen rate payer position and whose term would expire in September, 1998, has resigned, leaving a vacancy on the Committee; and

WHEREAS, Monica D. Hardy has been recommended to complete the unexpired term of the designated citizen rate payer member; and

WHEREAS, Monica D. Hardy is a resident of Multnomah County who is an active member of various organizations including the Board of Directors of the Metro area YMCA, the Oregon Bar Association and a Trust Compliance Officer of First Interstate Bank and is well-suited to carry out the duties of the citizen ratepayer; and

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

BE IT RESOLVED,

THAT Monica D. Hardy is confirmed for appointment to the Rate Review Committee to fill the unexpired term of the citizen ratepayer member.

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

J. Ruth McFarland, Presiding Officer

JM:dk
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ATTACHMENT A

Monica D. Hardy

546 N. Holland Ave.
Portland, OR 97217

503-225-3246 (day)

503-286-4427 (eve)

PROFESSIONAL AFFILIATIONS

- Oregon State Bar (passed Bar exam 2/95, expected membership enrollment 9/95)
- Certified Trust Compliance Professional (CTCP)

PROFESSIONAL HISTORY

FIRST INTERSTATE BANK, Portland, OR (10/93 - Present)
Assistant Vice President/Trust Compliance Officer

Responsible for advisory services and oversight of the trust compliance programs of the First Interstate Bancorp territory, encompassing 12 states and \$145 billion in trust assets. Areas of responsibility includes risk management for personal trust, employee benefit, custody, operations, corporate trust, trust loan servicing and trust real estate. Comprehensive knowledge of fiduciary law & federal banking law (e.g. - Reg. 9 and common trust funds, ERISA as it applies to trusteeship of employee benefits plans, Reg. Z. etc.).

- Designed and implemented trust compliance programs to monitor current government regulation of the banking industry and inform trust management of pertinent issues, reviewed risk assessments, and rendered advice on trust legal/regulatory issues;
- Designed and implemented fiduciary training program for all trust employees in the NW Region of First Interstate Bank;
- Advisor on acquisitions of other bank trust departments;
- Reviewed all trust products offered by First Interstate Bank trust department for regulatory compliance;

MUHLHEIM, PALMER, ZENNECHE & WADE, Eugene, OR (9/92 - 6/93)
Law Clerk

Legal research and writing in the areas of bankruptcy and general business law.

- Law clerk for In Re Corey Partners, a nationally recognized bankruptcy case addressing the areas of general partnership law and bank trustees.

HARRANG, LONG, GARY & RUDNICK, Eugene OR (10/91 - 8/92)
Law Clerk

Legal research and writing in the areas constitutional law, bankruptcy, general business law, municipal law, and employment law.

- Researched a First Amendment case which was before the Oregon Court of Appeals
- Researched constitutionality of the Measure 5 property tax amendment to the Oregon constitution for argument before the Oregon Supreme Court

EDUCATION

J.D., UNIVERSITY OF OREGON SCHOOL OF LAW 1993

- Concentration in Business Law, Pertinent courses: Securities Regulation; Partnership and Corporate Taxation; Personal Income Tax; Trusts & Estates; Partnership and Corporations; Commercial Law; Bankruptcy; Business Planning
- President, International Law Society, 8/91 - 6/92
 - Designed and created the first ILSA Newsletter, PANGEA
- Director, Black Law Students Association, 8/91 - 8/92
 - Originator of the Northwest Minority Job Fair. This job fair was the first of its kind in Oregon and it continues to date
- 1992 Frederick Douglass Moot Court Competition

B.A., Criminal Justice, STATE UNIVERSITY OF NEW YORK 1988

BRUNEL UNIVERSITY, London, England 1988

**COMMUNITY
INVOLVEMENT**

Board of Directors, YWCA
Junior Achievement Volunteer

**COMPUTER
SKILLS**

Hardware: IBM, Macintosh
Software: IHS Banking & Trust Library (CD-ROM); Westlaw; Lexis; Premise (Bankruptcy - CD-ROM); Microsoft Word for Windows; WordPerfect; Powerpoint

REFERENCES

Ellen Bachman, Esq.
Law Department
First Interstate Bank
1300 SW Fifth Ave, MP-2
Portland, OR 97201
503-225-2221

Sharon Secrest, AVP
Trust Compliance Officer
First Interstate Bank
1300 SW Fifth Ave, MP-2
Portland, OR 97201
503-340-5776

Wilson Muhlheim, Esq.
Muhlheim, Palmer, Zennache & Wade
975 Oak Street, Suite 630
Eugene, OR 97401
503-687-4757

Sharon Rudnick, Esq.
Harrang, Long, Gary, & Rudnick
101 E. Broadway
Eugene, OR 97401
503-485-0220

Writing Sample Available Upon Request

AGENDA ITEM 7.1
Meeting Date: October 5, 1995

**Ordinance No. 95-614, Amending the FY 1995-96 Budget and Appropriations
Schedule for the Purpose of Transferring Appropriations to Fund Back
Ordered Capital Expenditures Related to the Regional Governmental
Information Exchange (REGGIE) Network; and Declaring an Emergency.**

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 95-614 AMENDING THE FY 1995-96 BUDGET AND APPROPRIATIONS FOR THE PURPOSE OF TRANSFERRING APPROPRIATIONS TO FUND BACK ORDERED CAPITAL EXPENDITURES RELATED TO THE REGIONAL GOVERNMENT INFORMATION EXCHANGE (REGGIE) NETWORK; AND DECLARING AN EMERGENCY

Date: August 16, 1995

Presented by: Terry Allan

FACTUAL BACKGROUND AND ANALYSIS

This ordinance provides the necessary appropriation authority for the Transportation Department to make payment on a shipment of equipment that was purchased as part of the original REGGIE procurement. The Council authorized the REGGIE purchase in FY 1994-95 through Ordinance No. 95-606 and the companion Resolution No. 95-2154.

The REGGIE equipment was purchased in FY 1994-95. However, it was necessary to back order a shipment of communication routers. The back-ordered shipment was not received prior to the end of FY 1994-95, and payment will now be made and charged against the Department's FY 1995-96 budget.

This action carries forward the appropriation authority for this shipment from FY 1994-95 to the current fiscal year by transferring of \$22,000 of existing materials & services appropriation in the Planning Fund to capital outlay to pay for the back ordered communications routers. The overall spending authority for the department remains unchanged.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 95-614, transferring \$22,000 from the Planning Fund materials & services appropriation to capital outlay.

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1995-96)	ORDINANCE NO. 95-614
BUDGET AND APPROPRIATIONS)	
SCHEDULE FOR THE PURPOSE OF)	Introduced by Mike Burton
TRANSFERRING APPROPRIATIONS TO)	Executive Officer
FUND BACK ORDERED CAPITAL)	
EXPENDITURES RELATED TO THE)	
REGIONAL GOVERNMENT INFORMATION)	
EXCHANGE (REGGIE) NETWORK; AND)	
DECLARING AN EMERGENCY)	

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations with the FY 1995-96 Budget; and

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

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

THE METRO COUNCIL ORDAINS AS FOLLOWS;

1. That the FY 1995-96 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purposes of transferring \$22,000 from materials and services to capital outlay in the Planning Fund to provide appropriation authority for the payment of back ordered capital expenditures related to the Regional Government Information Exchange (REGGIE) network, and

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

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

J. Ruth McFarland, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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Exhibit A
Ordinance No. 95-614

FISCAL YEAR 1995-96		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Planning Fund							
Total Personal Services		82.90	5,006,795	0.00	0	82.90	5,006,795
<u>Materials & Services</u>							
521100	Office Supplies		49,144		0		49,144
521110	Computer Software		69,600		0		69,600
521111	Computer Supplies		9,000		0		9,000
521240	Graphics/Reprographic Supplies		38,200		0		38,200
521260	Printing Supplies		2,000		0		2,000
521310	Subscriptions		5,539		0		5,539
521320	Dues		8,546		0		8,546
524110	Accounting & Auditing Services		5,000		0		5,000
524190	Misc. Professional Services		2,582,488		0		2,582,488
525640	Maint. & Repairs Services-Equipment		82,800		0		82,800
525710	Equipment Rental		11,000		0		11,000
525740	Capital Leases (FY 92)		276,750		0		276,750
526200	Ads & Legal Notices		37,800		0		37,800
526310	Printing Services		276,200		0		276,200
526320	Typesetting & Reprographics Services		64,000		0		64,000
526410	Telephone		19,500		0		19,500
526420	Postage		160,689		0		160,689
526440	Delivery Services		11,200		0		11,200
526500	Travel		50,560		0		50,560
526510	Mileage Reimbursement		2,900		0		2,900
526700	Temporary Help Services		28,800		0		28,800
526800	Training, Tuition, Conferences		52,220		0		52,220
528100	License, Permits, Payments to Other Agencies		11,355,261		(22,000)		11,333,261
529500	Meetings		33,211		0		33,211
529800	Miscellaneous		750		0		750
Total Materials & Services			15,233,158		(22,000)		15,211,158
<u>Capital Outlay</u>							
571500	Purchases-Office Furniture & Equipment		47,300		22,000		69,300
Total Capital Outlay			47,300		22,000		69,300
Total Interfund Transfers			1,883,587		0		1,883,587
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		725,417		0		725,417
Total Contingency and Unappropriated Balance			725,417		0		725,417
TOTAL REQUIREMENTS		82.90	22,896,257	0.00	0	82.90	22,896,257

Exhibit B
Ordinance No. 95-xxx
FY 1995-96 SCHEDULE OF APPROPRIATIONS

	Current Appropriation	Revision	Proposed Appropriation
PLANNING FUND			
Personal Services	5,006,795	0	5,006,795
Materials & Services	15,233,158	(22,000)	15,211,158
Capital Outlay	47,300	22,000	69,300
Interfund Transfers	1,883,587	0	1,883,587
Contingency	725,417	0	725,417
Total Fund Requirements	\$22,896,257	\$0	\$22,896,257

All Other Appropriations Remain As Previously Adopted

AGENDA ITEM 8:1
Meeting Date: October 5, 1995

**Ordinance No. 95-616, Amending the FY 1995-96 Budget and Appropriations
Schedule for the Purpose of Reorganizing the Staff of the Council Office,
Creating New Positions, Reducing Staffing Levels for the Office of Citizen
Involvement, and Declaring an Emergency**

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 95-616 AMENDING THE FY 1995-96 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF REORGANIZING THE STAFF OF THE COUNCIL OFFICE, CREATING NEW POSITIONS, REDUCING STAFFING LEVELS FOR THE OFFICE OF CITIZEN INVOLVEMENT, AND DECLARING AN EMERGENCY

Date: September 29, 1995

Presented by: Councilor McLain

FACTUAL BACKGROUND AND ANALYSIS

This ordinance provides the necessary changes in the FY 95-96 budget and appropriations schedule to reflect a new organizational structure and staffing pattern in the Council Office. Two new job classifications would be created (Office Manager and Council Assistant) and an existing vacant secretary position would be reclassified as a receptionist. In addition, the .45 FTE of support for the Office of Citizen Involvement provided from two existing Council staff positions would be eliminated. Two of the three budgeted council analyst positions and all of the budgeted administrative secretary positions would be eliminated.

The new Office Manager position would be responsible for general office administration, coordination of office work flow, monitoring of the office budget and supervision of committee support services provided by the Council Assistants. The position will be filled within an annual pay range of \$38,000 to \$42,000.

The ordinance would provide for a reduction in the compensation of the assistant to the Presiding Officer and for the hiring of council assistants by the six remaining councilors. The council assistants will spend approximately 75% of their time providing various support services to the councilor for whom they are employed. These services will include correspondence, constituent and general public relations, scheduling, policy analysis and attending meetings on behalf of the councilor. The remaining 25% of the council assistant's time will be spent serving as the committee assistant for any Council committees chaired by the councilor for whom they are employed. These duties will include agenda preparation, taping of committee meetings and preparation of minutes and committee staff reports. It is intended that the council assistants will be hired within non-represented salary range 8 within the adopted Metro Pay Plan. This salary range is \$23,296 to \$33,946 annually. The average starting salary for those initially hired to fill these positions will not exceed \$30,000. The salary of the Assistant to the Presiding Officer will be reduced to be within salary range 8, effective January 1, 1996. Each of these positions will be exempt from the payment of overtime.

Exhibit A outlines the specific revisions in the budget schedule to accomplish the changes noted above. The totals shown in the revision and proposed columns for the General Fund are based on the following assumptions:

1) For new positions it is assumed that the Office Manager position will be filled by November 1, 1995, the council assistants will have an average starting date of October 15, 1995 and the receptionist position will have a starting date of October 15, 1995.

2) For eliminated positions, the totals in the proposed column represent the amount of FTE actually funded for the current fiscal year prior to the elimination of the positions.

3) The overtime line item is reduced to reflect actual expenditures to date and the assumption that no further overtime will be paid.

4) A "temporary professional support" line item is created to properly account for payments being made for the temporary employee currently providing receptionist and general office assistance services.

5) It is assumed that the proposed changes will have an expenditure-neutral affect on fringe benefits and overall personal services expenditures.,

The changes in the Support Services Fund related to the Office of Citizen Involvement are based on the following assumptions:

1) Support services currently funded as a portion of two positions from the Council office will be eliminated. These positions are being eliminated from the Council budget.

2) A total of \$2,000 will be budgeted for "temporary professional support" to assist the office in addressing any unmet support service needs.

3) Savings from the net reduction in personal services expenditures will be transferred to the Support Service Fund Contingency (Exhibit B).

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1995-96)	ORDINANCE NO. 95-616
BUDGET AND APPROPRIATIONS)	
SCHEDULE FOR THE PURPOSE OF)	Introduced by Councilors
REORGANIZING THE STAFF OF THE)	McLain and Monroe
COUNCIL OFFICE, CREATING NEW)	
POSITIONS, REDUCING STAFFING LEVELS)	
FOR THE OFFICE OF CITIZEN)	
INVOLVEMENT, AND DECLARING AN)	
EMERGENCY)	

WHEREAS, The Metro Council has reviewed and considered the need to reorganize positions and transfer appropriations within the FY 1995-96 Budget; and

WHEREAS, There is a need for reconfiguration of office management staff in the Council Office; and

WHEREAS, There is a need for enhanced public and community outreach; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS;

1. That the FY 1995-96 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose providing a net increase of 1.56 FTE in the Council Office , a reduction of .45 FTE in the Office of Citizen Involvement and a transfer of \$10,227 from the Office of Citizen Involvement Personal Services to the Support Services Fund Contingency, and

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

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

J. Ruth McFarland, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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Exhibit A
Ordinance No. 95-616
General Fund

HISTORICAL DATA ACTUAL \$		FY 1994-95 ADOPTED BUDGET		FISCAL YEAR 1995-96		ADOPTED		REVISION		PROPOSED	
FY 1992-93	FY 1993-94	FTE	AMOUNT	ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Council											
					<u>Personal Services</u>						
162,400	353,607		279,400	511110	ELECTED OFFICIALS						
					Councilors	7.00	203,200			7.00	203,200
67,568	70,261	0.95	66,748	511121	SALARIES-REGULAR EMPLOYEES (full time)						
0	0		0		Administrator		0				0
133,337	142,336	3.00	148,818		Assistant to the Presiding Officer	1.00	44,290		(4,290)	1.00	40,000
27,524	36,916		0		Council Analyst	3.00	169,699	(1.50)	(89,699)	1.50	80,000
0	0	0.00	0		Citizen Involvement Analyst		0				0
0	0	0.00	0		Council Assistant	0	0	4.35	134,905	4.35	134,905
0	0	0.00	0		Office Manager	0	0	0.67	30,000	0.67	30,000
29,608	33,456	1.00	33,385		Associate Service Supervisor		0				0
81,144	87,082	2.75	82,965	511221	WAGES-REGULAR EMPLOYEES (full time)						
19,292	21,954	0.80	18,836		Administrative Secretary	2.75	89,679	(2.04)	(64,679)	0.71	25,000
0	0		0		Secretary	0.80	21,164	(0.63)	(16,164)	0.17	5,000
					Receptionist		0	0.71	12,927	0.71	12,927
6,652	0		0	511235	WAGES-TEMPORARY EMPLOYEES (part time)						
11,204	7,801		13,972		Temporary Professional Support		0		5,000		5,000
156,962	278,960		244,767	511400	OVERTIME		10,000		(8,000)		2,000
				512000	FRINGE		150,649				150,649
695,691	1,032,373	8.50	888,891		Total Personal Services	14.55	688,681	1.56	0	16.11	688,681
					<u>Materials & Services</u>						
7,281	7,214		4,420	521100	Office Supplies		4,420				4,420
4,264	1,662		3,000	521110	Computer Software		4,500				4,500
234	560		450	521310	Subscriptions		450				450
755	815		660	521320	Dues		1,100				1,100
59,997	35,000		30,000	524110	Accounting & Auditing Services		0				0
13,235	3,638		10,000	524190	Misc. Professional Services		10,000				10,000
183	420		1,000	525640	Maintenance & Repairs Services-Equipment		1,300				1,300
179	0		0	525710	Equipment Rental		0				0
13,778	11,696		3,898	525740	Lease Payments		0				0
2,470	1,433		1,500	526200	Ads & Legal Notices		1,500				1,500
2,722	134		2,900	526310	Printing Services		0				0
1,099	787		850	526410	Telephone		850				850
0	117		200	526420	Postage		7,000				7,000
1,057	126		465	526440	Delivery Services		500				500

Exhibit A
Ordinance No. 95-616
General Fund

HISTORICAL DATA ACTUAL \$		FY 1994-95 ADOPTED BUDGET		FISCAL YEAR 1995-96		ADOPTED		REVISION		PROPOSED	
FY 1992-93	FY 1993-94	FTE	AMOUNT	ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Council (continued)											
10,387	8,380		5,000	526500	Travel		8,700				8,700
0	0		0	526510	Mileage Reimbursement		0				0
0	0		0	526700	Temporary Help Services		0				0
2,625	3,246		4,000	526800	Training, Tuition, Conferences		4,000				4,000
7,576	11,900		8,700	528100	License, Permits, Payments to Other Agencies		9,000				9,000
117,692	0		0	528200	Election Expense		0				0
40,525	41		0	529110	Council Per Diem		0				0
27,905	15,013		19,200	529120	Councilor Expenses		21,000				21,000
16,737	5,577		6,000	529500	Meetings		10,000				10,000
12	0		0	529800	Miscellaneous		0				0
330,713	107,759		102,243		Total Materials & Services		84,320		0		84,320
<u>Capital Outlay</u>											
14,378	3,356		13,800	571500	Purchases-Office Furniture & Equipment		19,500				19,500
14,378	3,356		13,800		Total Capital Outlay		19,500		0		19,500
1,040,782	1,143,488	8.50	1,004,934		TOTAL EXPENDITURES		792,501	1.56	0		792,501
<u>Contingency and Unappropriated Balance</u>											
0	0		568,475	599999	Contingency		578,336				578,336
753,060	870,649		200,000	599990	Unappropriated Fund Balance		200,000				200,000
753,060	870,649		768,475		Total Contingency and Unappropriated Balance		778,336		0		778,336
5,244,871	6,257,731	13.50	6,664,018		TOTAL FUND REQUIREMENTS	19.55	7,379,395	1.56	0	21.11	7,379,395

Exhibit A
Ordinance No. 95-616
Support Services Fund

HISTORICAL DATA ACTUAL \$		FY 1994-95 ADOPTED BUDGET		FISCAL YEAR 1995-96		ADOPTED		REVISION		PROPOSED	
FY 1992-93	FY 1993-94	FTE	AMOUNT	ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Office of Citizen Involvement											
					<u>Personal Services</u>						
				511121	SALARIES-REGULAR EMPLOYEES (full time)						
0	0	0.05	3,513		Administrator		0				0
0	0	1.00	38,608		Associate Administrative Services Analyst	1.00	42,094			1.00	42,094
				511221	WAGES-REGULAR EMPLOYEES (full time)						
0	0	0.25	7,170		Administrative Secretary	0.25	8,436	(0.18)	(7,686)	0.07	750
0	0	0.20	4,709		Secretary	0.20	5,291	(0.15)	(4,541)	0.05	750
				511235	WAGES-TEMPORARY EMPLOYEES (part time)						
					Temporary Professional Support				2,000		2,000
0	0		20,520	512000	FRINGE		15,630				15,630
0	0				Total Personal Services	1.45	71,451		(10,227)	1.45	61,224
					<u>Materials & Services</u>						
0	0		780	521100	Office Supplies		800				800
0	0		115	521320	Dues		115				115
0	0		2,500	524190	Misc. Professional Services		2,500				2,500
0	0		200	525640	Maintenance & Repairs Services-Equipment		200				200
0	0		5,000	526200	Ads & Legal Notices		5,000				5,000
0	0		400	526310	Printing Services		400				400
0	0		150	526410	Telephone		200				200
0	0		0	526420	Postage		2,000				2,000
0	0		85	526440	Delivery Services		85				85
0	0		500	526500	Travel		500				500
0	0		500	526800	Training, Tuition, Conferences		500				500
0	0		500	529500	Meetings		500				500
0	0		10,730		Total Materials & Services		12,800		0		12,800
0	0	1.50	85,250		TOTAL EXPENDITURES	1.45	84,251	0.00	(10,227)	1.45	74,024

Exhibit A
Ordinance No. 95-616

Support Services Fund

HISTORICAL DATA ACTUAL \$		FY 1994-95 ADOPTED BUDGET		FISCAL YEAR 1995-96		ADOPTED		REVISION		PROPOSED	
FY 1992-93	FY 1993-94	FTE	AMOUNT	ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
General Expenses											
0	0		200,000	599999	<u>Contingency and Unappropriated Balance</u> Contingency • General		231,726		10,277		242,003
216,645	612,628		673,151		Total Contingency and Unappropriated Balance		1,323,332		10,277		1,333,609
5,992,132	6,736,104	81.25	7,668,704		TOTAL EXPENDITURES	85.81	8,390,740	0.00	50	85.81	8,390,790

Exhibit B
FY 1995-96 SCHEDULE OF APPROPRIATIONS
Ordinance No. 95-616

	<u>Adopted Budget</u>	<u>Revision</u>	<u>Proposed Budget</u>
SUPPORT SERVICES FUND			
Office of Citizen Involvement			
Personal Services	71,451	(10,227)	61,224
Materials & Services	12,800		12,800
Capital Outlay	0		0
Subtotal	84,251	(10,227)	74,024
General Expenses			
Interfund Transfers	732,472		732,472
Contingency	653,419	10,227	663,646
Subtotal	1,385,891	10,227	1,396,118
Unappropriated Balance	669,913		669,913
Total Fund Requirements	\$8,390,740	\$0	\$8,390,740

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Metro Open Space Acquisition Program Draft Implementation Work Plan

Plan Summary

The *Open Space Implementation Work Plan* describes the process by which funds (\$135.6 million) from the Open Space, Parks and Streams bond measure passed by voters on May 16, 1995 will be used. The goal of the bond measure is to acquire about 6,000 acres of regionally significant open space in 14 target areas, help establish 5 regional trails and fund about 90 local government parks projects.

This acquisition effort directly supports the policies and goals of the Metropolitan Greenspaces Master Plan, Regional Urban Growth Goals and Objectives (RUGGOs) and the Region 2040 Concept Plan. A draft *Open Space Implementation Work Plan* will be presented to Metro Council for their review on October 5, 1995.

RECOMMENDED PLAN COMPONENTS

1. **Refinement-** is the public process whereby Metro adopts specific geographical boundaries and objectives for each target area and trail project. A refinement process is necessary because the amount of land available in each target area exceeds the dollars available for purchase, or in the case of trails, the exact trail alignment of the trail is not known. The process also allows for public involvement in the prioritization of bond monies.
2. **Acquisition Parameters-** are an approved set of criteria or conditions under which the Metro Executive Officer and his/her designees are authorized to negotiate and complete land acquisition transactions. These parameters will permit Metro to deal with willing sellers in a timely and business-like manner and allow the Metro Council to focus on policy level issues.
3. **Due Diligence-** is the systematic inspection of the legal title and physical condition of real property before purchase. Due diligence assures a level of protection of public investment in open space property.
4. **Early Acquisition Opportunities-** are situations wherein the Metro Executive Officer and Metro Council determine that a specific parcel of land should be purchased or optioned prior to the completion of the refinement process due to its unique attributes and limited market availability.

5. **Stabilization-** consists of initial actions taken after the purchase of property required to stabilize and prevent degradation of the parcel and secure the site to minimize health and safety risks. Stabilization activities can include fencing, gating, signage, removal of trash, demolition of derelict structures, control nuisances (e.g. weeds, erosion) that would increase land banking costs, and hazard removal (e.g. underground storage tanks, asbestos), management needs for land banking.
6. **Land Banking-** is the set of long term management actions taken to maintain a site in a stable condition. Land banking activities can include enforcement of parks rules; maintenance of fences, gates and signs; hazard mitigation; natural resource monitoring; nuisance control and contract administration.
7. **Local Share-** is the portion of the bond proceeds that will be allocated to local park providers for neighborhood and community park and open space projects. Projects are implemented through an intergovernmental agreement between Metro and the local park provider.
8. **Staffing-** will consist of qualified professionals hired for a limited time to carry out and complete the acquisition and project goals of the bond measure package (regional open space, regional trails, local projects). In addition to normal hiring procedures, Metro will utilize loaned staff from other organizations and existing Metro staff when feasible and appropriate. (Note: a Public Relations Specialist is indicated on the staff chart (p21) and in the proposed plan budget, but not listed in the staffing section of the draft plan. This will be added in the final document).

EXECUTIVE ORDER NO. 95-56

EFFECTIVE DATE: August 24, 1995

SUBJECT: POLICY FOR LOANED EXECUTIVES

The purpose of this Executive Order is to establish policy and procedures for Metro's participation in loaned executive or loaned employee programs.

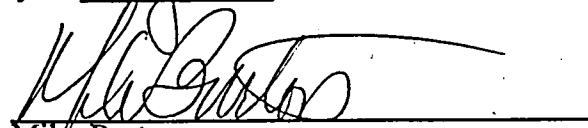
This Executive Order applies to cases where Metro accepts a loaned executive or employee from another entity. In extraordinary circumstances the Executive Officer may apply this policy in cases where Metro will loan an employee to another entity. The terms and conditions for use of all loaned executives and employees must be contained in a written agreement between Metro and the entity which is loaning the executive or employee. Written approval from the Executive Officer is required for all agreements for loaned executives and employees.

The loaned person must perform a task at Metro that is consistent with Metro's mission and existing budget/policy plans. The "loaned" individual shall act under the direct supervision of a Metro supervisor and must be carrying out a specific work plan that is documented in writing.

The agreement shall delineate the funding source and responsibility for payment of all salary and benefits, and shall address the issues of Workers' Compensation insurance liability, and tort claim issues. The agreement shall address potential conflict of interest issues and shall specifically disclose and acknowledge the benefits to be received by the loaning entity. All agreements must be reviewed and approved by the Office of General Counsel.

In the case where this policy is applied to authorize the loan of a Metro employee the Executive Officer shall make explicit findings that establish the benefits to be received by Metro that justify the expenditure of Metro funds or resources and show that the loan is consistent with Metro's mission and adopted budget.

ORDERED by the Executive Officer this 24th day of August, 1995.



Mike Burton
Executive Officer

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STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-2219 FOR THE PURPOSE OF RECOMMENDING FUNDING FOR THE ODOT/DLCD TRANSPORTATION AND GROWTH MANAGEMENT PROGRAM

Date: October 4, 1995

Presented by: Andrew Cotugno

PROPOSED ACTION

This resolution represents the recommendation of the Metro Council, the Metro Policy Advisory Committee (MPAC), and the Joint Policy Advisory Committee on Transportation (JPACT) to the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD) on the 1995-1997 Transportation and Growth Management (TGM) Program. The recommendation does not represent a funding decision. However, as established in the TGM Program guidelines, ODOT and DLCD must consider the recommendation as they finalize the program and make grant awards.

The decision and award process are shown in Attachment A. A joint DLCD/ODOT announcement of grant awards is scheduled for October 28. Actual notice to proceed on any of the grants will be subject to DLCD/ODOT approval of a final work program.

FACTUAL BACKGROUND AND ANALYSIS

Program Background

The 1995 Oregon Legislature approved a second round of funding for the joint ODOT/DLCD TGM Program for the 1995-1997 biennium. Program funds are allocated by ODOT region. Region 1, which includes the Metro area, has been allocated \$2,124,000. About \$160,000 will be awarded to jurisdictions outside Metro boundaries but still inside Region 1. Eligible grant categories and their purpose are as follows:

1. Category 1, Transportation Planning Rule Implementation. These are grants to help local governments implement the Transportation Planning Rule.
2. Category 2, Land Use Alternatives. These grants are intended to help local governments develop plans or tools which will help alter land uses in order to meet transportation needs.
3. Category 3, Urban Growth Management. Grants in this category are intended to help local governments develop, use, and implement growth management tools such as annexation plans, urban service agreements, development standards, infill strategies, and other general plans and agreements.

As established by the TGM program guidelines, all grant requests are generally limited to \$50,000 for "typical" projects. Projects having special merit or meeting special needs, particularly where results may be transferable to another agency or jurisdiction, may receive more than \$50,000.

Review and Selection Process

As approved by the Legislature, the TGM program includes a provision that the established Metropolitan Planning Organization (MPO) in each of Oregon's four metropolitan areas would provide a recommendation on funding for grant Categories 1 and 2. For the Metro area, it has been established that the recommendation will be in the form of a joint Metro Council, MPAC, and JPACT resolution to ODOT and DLCD. The funding decision for Category 3 grants is the sole responsibility of ODOT and DLCD. No formal recommendation is requested from the Metro area as part of the TGM program guidelines.

To begin the recommendation process for grant Categories 1 and 2, Metro staff assisted ODOT and DLCD staff in reviewing almost 60 applications. (A summary of each project is included in Attachment B.) Metro staff's role in reviewing the proposals was to comment on and provide background information on the applicability of local grant projects to regional projects, such as Region 2040 and the Regional Transportation Plan. Since Metro is an applicant for Category 1 and Category 2 grants, only DLCD and ODOT staff evaluated Metro's applications against the grant criteria. This was to ensure scoring consistency and to remove any bias or preference in favor of Metro proposals.

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

Applicant Qualifications (maximum of 10 points)

Demonstration of Success in Prior TGM/UGM Grant Projects
Project Manager/Personnel Qualifications and Abilities
Involvement of Local Governments/Districts

Quality of Application (maximum of 20 points)

Clear Objectives
Work Program and Schedule
Budget
Pre-Application

Community Support/Coordination (maximum of 15 points)

Support from Other Entities
Public Participation/Collaboration
General Collaboration/Coordination

Work Products (maximum of 20 points)

Specific Products

Likelihood of Adoption/Implementation

Transferability

Special Merit (maximum of 10 points)

Clear Solution to Transportation Problem, Opportunity, Need or Issue
(maximum of 15 points)

Enhancement of Other Transportation Modes (maximum of 10 points)

When reviewing the grant applications, Metro staff's interpretation of the above criteria was to score high those projects that work toward implementation of the goals in the Region 2040 Growth Concept, both land use and transportation. As a result, certain requests scored higher on specific criteria than just Transportation Planning Rule-related projects. Specifically, within the framework of the TGM program guidelines, Metro staff made the following interpretations:

- **Specific Work Products.** Metro awarded high points for projects that involve changes to comprehensive plans or lead to the creation of new or refined ordinances relating to regional growth management. These include ordinances to facilitate shared parking, encourage mixed use and redevelopment projects, establish parking maximums and reduce minimums, or establish minimum densities in centers, station areas, main streets and corridors.
- **Transferability.** Metro generally awarded high points to projects that will result in transferable products such as ordinances in the areas of mixed use, minimums and maximums for parking and density that could be adopted by other jurisdictions. Projects that refine the densities in the Region 2040 allocations and develop strategies to achieve those densities were also seen as transferable.

Metro staff also awarded points for an application showing "special merit." Metro's interpretation of this criteria was to give priority to projects that use an innovative, collaborative approach and result in tools or products that would be useful to jurisdictions regionwide.

Finally, there are two additional criteria for Category 1 and 2 applications. These criteria give points for a "clear solution to a transportation problem, opportunity, need or issue and for the enhancement of other transportation modes." Metro favored applications that address current problematic issues that jurisdictions regionwide are struggling with, such as how to implement the TPR requirements for reduction of VMT and parking spaces per capita. Metro also scored higher those projects oriented towards densification of corridors and centers while maintaining or enhancing multi-modal access. Similarly, transportation plans for improving multi-modal access to and within centers, station areas, main streets, and corridors were scored higher.

Proposals were scored individually by ODOT and DLCD staff prior to joint meetings with Metro staff to discuss and compare ratings and details of the grant applications. Major reasons that grant proposals scored low and have not been recommended for funding include the following:

- . The application included only a very general work program or the work program did not clearly address specific transportation problems or issues in a way which would achieve TPR objectives.
- . The application did not clearly describe how the work was related to other previous or ongoing work or there appeared to be a duplication with other work.
- . The application was not clear in products.
- . Implementation or follow-up on a round one TGM project was insufficient.

DLCD and ODOT staff generally had a similar interpretation of how to apply the scoring criteria. However, they tended to score highly those projects which identified a unique problem or issue within their community and clearly laid out an approach to address that issue by developing an appropriate implementation method, tool, or plan.

DLCD and ODOT staff tended to score lower those projects which merely lifted language out of the Transportation Planning Rule and failed to tie it to a local issue or problem. As a result, certain applications for transportation system plans or components of a system plan scored lower for that reason. ODOT and DLCD staff also tended to score lower those projects which were second phases to round one TGM projects, particularly if they were finishing work that was identified in the first phase. Finally, ODOT and DLCD staff also scored low those projects which seemed to duplicate recent planning efforts within certain jurisdictions; for example, a street system plan.

Recommendation

The proposed Metro (Metro Council, MPAC, JPACT) recommendation for grant funding under the 1995-1997 Joint ODOT/DLCD TGM Program is included in Resolution 95-2219 in two pieces:

1. Metro recommends that the projects identified in Exhibit A to the resolution receive funding. These are the projects that generally scored the highest in the ranking process. The total combined amount for these projects approximately equals the allocated amount for Categories 1 and 2 for the Metro area.
2. Metro also recommends that as ODOT and DLCD finalize the statewide TGM program, they consider funding for those projects identified in Exhibit B. Potential funding sources for those projects could include Category 3 funds, unallocated funds from other regions, or other ODOT funds such as corridor

planning funds. ODOT has cautioned that it is not likely going to be possible to fund all the requests shown in Exhibit B.

Given the funding constraints, the recommendation does not include any funding endorsement for those projects identified in Attachment C to this staff report. Those projects generally scored low for one or more of the reasons mentioned above.

The Transportation Policy Alternatives Committee (TPAC) endorsed the recommendation at their September 29 meeting. The Metro Technical Advisory Committee (MTAC) took no endorsement action, deferring to MPAC.

ODOT and Metro staff will be available at all discussion and decision points involving the Metro Council, MPAC, and JPACT and can address issues related to individual grants requests.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 95-2219.

**Transportation Growth Management Planning Grants
Region 1
Metro Decision Process 1995**

September 5, 1995 to September 20, 1995	Metro/DLCD/ODOT Staff Review and Recommendations on Grant Awards
September 21, 1995	Action by Executive Officer Recommendation on Grant Awards
September 28, 1995	Action by MTAC Recommendation on Grant Awards
September 29, 1995	Action by TPAC Recommendation on Grant Awards
October 5, 1995	Briefing for Metro Council Cotugno/Fregonese/ODOT/DLCD
October 11, 1995	Action by MPAC Fregonese/ODOT/DLCD
October 12, 1995	Action by JPACT Cotugno/ODOT/DLCD
to be determined	Action by Metro Land Use/Planning Committee Recommendation on Grant Awards Cotugno/Fregonese/DLCD/ODOT
October 26, 1995	Action by Metro Council Endorsement of Grant Awards
October 28, 1995	DLCD/ODOT Announcement of Grant Awards

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1995 - 1997 TGM Grant Applications

Applicant: City of Beaverton

Project Title: Property Redevelopment Alternatives for Beaverton's Automobile-Dependent Downtown

Category: 1,2,3

Summary: This is a City of Beaverton-Metro joint proposal to investigate transportation, land use alternatives, and growth management solutions to a downtown area devoted to a preponderance of automobile-oriented activities and land uses. Metro's 2040 designates downtown Beaverton as one of six Regional Centers which are to "focus on compact development, redevelopment, and transit and highway improvements", to grow over time three times greater than the current density. The only feasible way for such densities to be achieved in central Beaverton is to find and implement public and private solutions for converting predominant auto oriented land uses into redevelopment opportunities which will create an urban form of increased densities and intensities.

Applicant: City of Beaverton

Project Title: South Tektronix Neighborhood Plan

Category: 2,3

Summary: This is a proposal to develop and implement a neighborhood plan for the South Tektronix Neighborhood as part of the LRT station area planning process. The City will coordinate this process with the Tek Station Management Committee, citizens who live in the area, and area businesses. The neighborhood plan will be used to develop needed changes to the City's Comprehensive Plan.

Applicant: City of Beaverton

Project Title: Transportation System Plan Update

Category: 1

Summary: This grant application is for assistance in funding the work for three products the City needs to complete to encourage pedestrian and bicycle travel, and to comply with the Transportation Planning Rule: 1) Local street network plans for undeveloped and underdeveloped areas of the city and the urban reserve; 2) Revised street standards for arterial and major collectors to include bike lanes; 3) A revised functional classification map reflecting the new road standards; and 4) A comprehensive public involvement program addressing all three products.

Applicant: City of Cascade Locks

Project Title: Cascade Locks Comprehensive Street & Transportation Plan

Category: 1

Summary: The City proposes to develop a detailed master street plan, street construction details in a handbook. It also proposes to update its Comprehensive Plan Transportation Element. The City would hire a firm with engineering and planning capacities. It would also make use of a coordinated effort with ODOT and the Old Columbia River Hwy Committee on various ISTEA and ODOT funded projects.

Applicant: City of Cornelius and Metro

Project Title: Cornelius Main Street District Plan

Category: 1,2,3

Summary: The focus of this grant is to generate a coordinated Special District Plan, including a transportation system and land use design theme, to create a Main Street in the Cornelius Core Area. The project will also formulate a street, sidewalk, bike path, and utilities master plan, including essential public improvements needed to create and support the Main Street District.

Applicant: City of Estacada
Project Title: City of Estacada's Transportation System Plan Update
Category: 1

Summary: Estacada is applying for a category one TGM grant to update the city's twenty year old Street Master Plan and incorporate this plan into a Transportation System Master Plan which includes a pedestrian and bicycle movement plan, street network plan within our UGB, link the local school district transportation needs to the city's plan. The Master Plan would also provide standard street design criteria, a master parking plan, revise ordinances as needed, interface with county and regional Transportation System Plans and update our Capital Improvement Program.

Applicant: City of Forest Grove
Project Title: Transportation System Plan
Category: 1

Summary: The preparation of a local Transportation System Plan in order to comply with the provisions of the Transportation Planning Rule.

Applicant: City of Forest Grove
Project Title: Forest Grove Town Center Development Plan
Category: 1,2,3

Summary: This is a project to produce a master plan for the Downtown Core area of Forest Grove into a traditional town center as envisioned in the Metro Region 2040 Plan. The planning approach would use a public involvement process to engage community stakeholders to study alternatives and develop strategies to transform a Main Street/Downtown in decline to an active, economically vibrant town center with increased employment opportunities, local shopping, a balanced pedestrian oriented transportation system and a unique regional specialization.

Applicant: City of Gresham
Project Title: Gresham Transportation System Plan
Category: 1

Summary: These grant funds will provide assistance to the City of Gresham to prepare and adopt an efficient Transportation System Plan that meets the needs of the Community and also complies with the Transportation Planning Rule (TPR). Local transportation plans consistent with regional and State plans will be incorporated into our comprehensive plans to link provisions of transportation facilities and services and land use planning.

Applicant: City of Gresham
Project Title: Land Use Alternatives Public Outreach
Category: 2

Summary: This project will provide for a coordinated program of public outreach and involvement to accompany implementation of a recently completed Land Use Alternatives Study. This program will include production of newsletters, public workshops, media releases, and other techniques to promote public awareness of, and support for, alternative land use proposals.

Applicant: City of Gresham
Project Title: Central Rockwood Focused Public Investment Plan
Category: 3, (too#'(s) 11

Summary: This project will provide a Focused Public Investment Plan for the Central Rockwood district of Gresham. This plan will build on the recently completed Rockwood Center Mixed-Use Plan, which proposes a variety of projects requiring significant public investment as a catalyst to redevelopment.

Applicant: City of Gresham

Project Title: Downtown Gresham Central Rockwood Parking Master Plan

Category: 3

Summary: The 1996 Downtown/Central Rockwood Parking Master Plan will identify the current and future supply and demand, analyze program alternatives and feasibility, finance, and administration. by 1997, the Master Plan will lead to direct capital and administrative implementation of a new parking management program.

Applicant: City of Happy Valley

Project Title: Happy Valley Transportation System Plan

Category: 1

Summary: The development of a Transportation system Plan for the City of Happy Valley which addresses bicycles, pedestrian, transit and vehicle needs. Street design standards and a street network plan for local streets will be included.

Applicant: City of Hillsboro

Project Title: Hillsboro Transportation System Plan

Category: 1

Summary: Preparation of Hillsboro Transportation System Plan in compliance with the State Transportation Planning Rule and in accordance with the Region 2040 Growth Concept.

Applicant: City of Hillsboro

Project Title: Downtown Hillsboro Station Community Plan (Regional Center) Traffic and Circulation Analysis

Category: 2

Summary: The Downtown Hillsboro Station Community Plan is a strategy for creating a development framework for the central Hillsboro area and those neighborhoods in close proximity to the new light rail line and the four downtown stations. Implementation will create a "Regional Center" as defined in the Metro 2040 Plan. However, prior to adoption, a key element must be tested to determine whether the densities of a "Regional Center" can be supported by the existing street system and circulation plan.

This Project will conduct the traffic analysis called for in the Transportation Planning Rule to determine the impacts of these land use changes on the city street and ODOT highway system. The second component of the study will test whether the conversion of the existing one-way grid system in the central business district to two-way flow is feasible from a traffic flow and capacity point of view. Such a conversion is highly desirable from an economic/business/ "community" standpoint, but must be tested for any "fatal flaws" prior to implementation.

Applicant: City of Hillsboro

Project Title: Tanasbourne/Amberglen Town Center Plan

Category: 3

Summary: Preparation of a development plan which implements the State Transportation Planning Rule and the Region 2040 Growth Concept "Town Center" designation for the Tanasbourne/Amberglen area located within the northeast portion of the City of Hillsboro.

Applicant: City of Hillsboro

Project Title: Mainstreets/Neighborhood Commercial Implementation Program

Category: 3

Summary: This project will enable the City of Hillsboro to implement the principles and concepts relating to identifying the location of Mainstreets as set forth within the Metro "Regional Mainstreets Implementation Strategy" project which was funded in 1994 by a TGM/UGM grant. To our knowledge, no other jurisdiction has attempted to apply this Strategy. Therefore, this project may serve as a prototype for applying the Strategy in suburban communities.

Applicant: City of Hillsboro

Project Title: Orenco and Quantama LRT Station Area Infrastructure Development

Category: 3

Summary: In recognition of the need for public-private partnership, the City of Hillsboro has entered into planning agreements with several private and institutional property owners in the immediate vicinity of the 185th Avenue, 205th Avenue, and Orenco Stations to develop a master plan for each station area. Alternative Station Area Master Plan will include site specific proposals and recommendations for Comprehensive Plan changes, amendments to the Zoning Ordinance and adequate Public Facilities requirements.

This Project will focus on developing the planning and preliminary engineering studies to ensure that each station area will be served by adequate Public Facilities so that maximum densities (both residential and commercial) can be built near the LRT stations.

Applicant: City of Hood River/County of Hood River

Project Title: Urban Area Transportation System Plan

Category: 3

Summary: To develop an Urban Area Transportation System Plan for the City of Hood River and County of Hood River. The plan would address land within the City limits, land within the urban growth boundary, and a little land outside the urban growth boundary. The plan would implement the State Transportation Planning Rule for both jurisdictions. The plan would complement the ODOT Hwy. 35 Corridor Plan.

Applicant: City of Lake Oswego

Project Title: Transportation System Plan

Category: 1

Summary: The City of Lake Oswego is applying for a Category 1 Grant to enable it to complete a Transportation System (TSP) in fulfillment of the provisions of the Transportation Planning Rule (TPR). The final product will include a bike and pedestrian plan, a public transportation plan and any adjustments to the roadway element of the existing Transportation Plan necessary to improve continuity of movement between modes and to increase choices in transportation modes. Changes will also be made to existing plans if needed to ensure consistency with state and regional transportation plans. The process used will be that outlined in the TPR: a determination of transportation needs, evaluation and selection of transportation system alternatives and development of a transportation financing program. Recommendations for any land use changes necessary to meet local and regional transportation needs shall also be developed to address Metro 2040 goals or state and local land use and transportation goals.

The resulting TSP will be adopted by the City and will be implemented through the City's Public Facility Plans and Capital Improvement Plan as well as land use regulations.

Applicant: City of Milwaukie/Metro

Project Title: Regional Center Management Plan

Category: 1, 2, 3

Summary: This project addresses the beginning components of a Regional Center Management Plan. We will develop mixed use higher density/intensity zoning districts as amendments to the Zoning Ordinance and Comp. Plan. We will develop a framework for public-private partnerships and begin a redevelopment project. We will conduct a detailed inventory of land uses and begin assessment of redevelopment potentials in the Regional Center. We will begin to market development in the Regional Center. We will conduct circulation and parking plan studies to manage transportation system impacts and promote walking, bicycling and transit use in the Regional Center area of Milwaukie.

Applicant: City of Milwaukie

Project Title: Lake Road Multimodal Connection Plan

Category: 1

Summary: A study to identify the necessary improvements to increase multimodal accessibility, safety, and connectivity to nearby school's, transit and other local and regional destinations.

The final product will be a plan with recommendations for multimodal improvements and access management within the Lake Road corridor.

Applicant: City of Milwaukie

Project Title: Riverfront to Springwater Trails Connection Plan

Category: 1

Summary: A feasibility study with recommended alignment and preliminary design option for connectivity of the multimodal trail segment between the City of Milwaukie waterfront to the Springwater Corridor in the City of Portland.

Applicant: City of Oregon City/Metro

Project Title: Regional Center Management Plan

Category: 1,2,3, tool #(s) 5,7,8

Summary: Joint application between the City of Oregon City and Metro to do a Regional Center Management Plan. This project fulfills objectives, and has elements of, all three TGM categories. The RCMP seeks to achieve the type of compact urban form called for by the Region 2040 Growth Concept.

Applicant: City of Portland, Bureau of Planning

Project Title: West Burnside Corridor Study

Category: 2,3, tool #(s) 7,10,11

Summary: The West Burnside Corridor Study will analyze pedestrian and bicycle crossings to develop design standards and implementation strategies for pedestrian and bicycle access across a section of West Burnside Street between the Park Blocks and NW 24th Place. Portland's Bureau of Planning and Office of Transportation will work with the West Burnside Corridor Study Task Force already initiated by representatives for neighborhoods adjoining the street. They will recommend improvements that encourage safe and convenient pedestrian and bicycle usage across West Burnside Street and accessibility to light rail stations. The project will recommend locations and designs of crossings, and standards for design of open spaces, street, sidewalks, set backs, plazas and adjoining development at key nodes.

Applicant: City of Portland

Project Title: TPR Parking Plan Phase II

Category: 1

Summary: Refine strategies from first phase of TPR parking plan. Strategies will include an examination of barriers to shared parking and a survey of Portland employers to determine cost of providing free employee parking. Review with public selected City strategies to comply with TPR parking space reduction requirement and make revisions to City policies and codes. Coordinate with Metro.

Applicant: City of Portland
Project Title: Pedestrian Plan Project Development
Category: 1

Summary: The Pedestrian Master Plan (developed under a '94-95 TGM grant) identifies possible pedestrian projects; based on system deficiencies and project request from the public. Using the important results of the LUTRAQ study as a starting point, this grant project will develop specific tools for evaluating the potential of these pedestrian projects for increasing pedestrian environmental factors and pedestrian mode share, including a more detailed map of Pedestrian Environmental Factors in the project areas. The methodology developed will serve as a model for other municipalities.

Applicant: City of Portland
Project Title: Model Bicycle and Walk to School Plan
Category: 1

Summary: This project will develop plans to promote bicycling and walking to schools representative of those types found throughout the region. The project will create a transportation profile for fourth grade through high school students, discern the extent to which environments favorable to walking and bicycling correlate with transportation mode split, identify real and perceived barriers to increased bicycling and walking to school, and address these barriers through a combination of treatments. This project will develop site-specific plans for several schools; the schools will be selected in a manner so that the plans can serve as models to promote bicycling and walking to school for schools throughout the region.

Applicant: City of Portland
Project Title: Broadway Weidler Corridor Demonstration Development Projects.
Category: 2

Summary: The Broadway Weidler Corridor Demonstration Projects will provide the feasibility analysis for two/three capital improvement and business development projects recommended by the local business and residential communities through the Broadway Weidler Corridor Vision Plan. This grant project would review these recommendations, prioritize projects, provide site analysis for specific projects, and develop project financing and implementation strategies that will include incentives for developers to invest in the Broadway Weidler Corridor. The project would be a model for identifying capital improvement and business development projects that promote housing and mixed use development, as well as multi-modal access in other regional "main streets."

Applicant: City of Portland
Project Title: Lents Town Center: Strategy for Transition
Category: 2,3

Summary: The Outer Southeast Community Plan dovetails with Metro's 2040 Plan by making Lents a Town Center. The Outer Southeast Business Coalition has spent almost a year holding public meetings, hiring and consultant, and preparing a generalized vision for Lents area. The Lents Town Center: Strategy for Transition will collaborate with the Business Coalition to complete that vision and prepare an implementation strategy of transition for the area. The Lents Town Center: Strategy for Transition project will assess market conditions in Lents and evaluate opportunities to create transit/bike/pedestrian-friendly development. It will establish a collaborative relationship with the property and business owners. It will graphically and narratively describe land uses, street designs, utilities, institutional and civic uses and design standards. The strategy will develop through workshops and other interaction with residents, business and property owners.

Applicant: City of Portland

Project Title: Gateway Regional Center Vision & Strategy

Category: 3

Summary: Vision Plan for Gateway - How to redevelop an area with existing low-density development into a thriving regional center. The Outer Southeast Community Plan and Metro's 2040 Concept Plan designates Gateway a Regional Center. The Outer Southeast Community Plan establishes zoning in keeping with Regional Center designation. The area has great potential for transportation-efficient land use. The community planning process has generated interest in visualizing how the area may look in 2040 and how the transition might occur. The project would entail property owner contact, workshops, designs of development scenarios, and a market analysis. It would also include a strategy for achieving the development goal.

Applicant: City of Portland

Project Title: West Portland Town Center

Category: 1,3

Summary: Develop a detailed plan for West Portland that will help guide public and private investment and achieve Metro's 2040 requirements as a designated Town Center. The area is a Metro 2040 designated Town Center and a focal point in the Southwest Community Plan (SWCP). The first phase of the grant project will analyze transportation policies and multi-modal systems; review existing street and transit designations; review regional and State priorities for the Interstate-5 ramp and light rail designation on SW Barbur Boulevard; explore right-of-way improvements for pedestrians and bicycles; and define market forces which affect the area. Phase two of the grant project will utilize the research to develop a preferred concept plan and produce a detailed implementation schedule. This plan will identify land use and transportation improvements needed to support the goals and objectives of the Town Center concept.

The planning process and timeline for the SWCP will work in concert with this grant-funded project. In October 1995 the SWCP team will print a tabloid and distributed to all households in southwest which describes alternative map designations. The tabloid will provide various land use patterns for the Town Center, which meet the Metro housing and employment targets. With citizen comments, the SWCP team will develop a proposed plan. This will be the first step. However, a greater level of research and design is needed to realize the Town Center designation. This grant is needed to fully analyze the transportation.

Applicant: City of Portland (PDC)

Project Title: Transit Supportive Development Resource Manual

Category: 2,3

Summary: Identify key opportunity sites near station areas along Eastside and Westside Light Rail alignments within the City of Portland for transit oriented development (TOD). Working with community partners, prioritize sites for transit supportive developments. Prepare case studies on successful TOD local projects. Develop prototypes for medium and higher density residential and mixed-use projects. Identify public financing tools and incentives available to transit supportive developments. Evaluate transit overlay zoning regulations to apply consistent design and development standards at LRT station. Prepare a handbook available to the community, property owners and developers to summarize transit-supportive opportunities and market the TOD concept. Develop and present a seminar for public and private partners to promote the development of TODs at transit station areas.

Applicant: City of Portland (PDC)

Project Title: Collins Circle Redevelopment Strategy: Goose Hollow

Category: 3 (tool #(s) 5

Summary: Prepare a redevelopment strategy for the four blocks surrounding Collins Circle in Goose Hollow near the 18th and Jefferson light rail station. The area was identified as a "mixed use development opportunity zone" during the Westside Station Area Planning effort, capable of supporting a mix of high density uses that could support light rail and help achieve the region's livability goals. The strategy will identify a mix of uses which support each other, and reflect transit-oriented design principles. Included in the strategy will be recommendations for transportation improvements that promote bike and pedestrian access and circulation in the neighborhood, support the projects and link them to potential Collins Circle plaza improvements.

Applicant: City of Portland (PDC)

Project Title: Collins Circle Redevelopment Strategy: Goose Hollow

Category: 3 (tool #(s) 5

Summary: Prepare a redevelopment strategy for the four blocks surrounding Collins Circle in Goose Hollow near the 18th and Jefferson light rail station. The area was identified as a "mixed use development opportunity zone" during the Westside Station Area Planning effort, capable of supporting a mix of high density uses that could support light rail and help achieve the region's livability goals. The strategy will identify a mix of uses which support each other, and reflect transit-oriented design principles. Included in the strategy will be recommendations for transportation improvements that promote bike and pedestrian access and circulation in the neighborhood, support the projects and link them to potential Collins Circle plaza improvements.

Applicant: City of Portland (PDC)

Project Title: Albina Mixed-Use Project Handbook

Category: 3 (tool #(s) 5

Summary: Prepare a working developer's handbook to promote implementation of density housing and mixed-use projects within existing transit corridors of Northeast Portland to support the Region 2040 Plan and Livable City Initiative. The handbook would inventory available RH (mixed-use) zoned property, evaluate current and projected market supply/demand conditions, prepare feasibility studies for 8-10 prototypical sites, and provide a marketing strategy - including recommendations for zoning code changes and public investment - to attract project implementors.

Applicant: City of Portland

Project Title: 2040 Centers Transportation Descriptors and Alternative Mode Planning

Category: 1

Summary: Describe the 2040 centers, main streets, and station areas using attributes that effect alternate mode travel behavior in order to identify needed improvements with the system. The study would catalog these centers with the data in map and spreadsheet format. The data would be constructed in a Map Info data base that can be used for analyzing these areas for the City Transportation System Plan inventory and needs assessment and alternatives. The study would also include the development of a planning technique to assist in analyzing these center areas for alternate mode travel. The analysis would determine the areas potential for shifting trips to alternate modes, and what improvements are needed (sidewalks, bikelanes, etc.)

Applicant: City of Sandy

Project Title: City of Sandy Public Facility Policies and Capital Improvement Plan

Category: 3

Summary: Proposes follow-up activities for the Sandy 2040 Town Plan including: Adequate public Facilities Requirements to support a jobs-to-housing balance and the development of "villages"; Focused public investment plans to support strategic public funding to support the Sandy 2040 Town Plan and Neighborhood Plans.

Applicant: City of St. Helens
Project Title: St. Helens Transportation Plan
Category: 1

Summary: Develop a local transportation system plan (TSP) that includes a street inventory, traffic studies, intermodal relationships, land use inventory, transportation funding strategy, capital improvement program, and growth potential study. The final TSP will correlate long range growth plans with the transportation system to meet Oregon Transportation Planning Rule and the City's long range needs as shown in the City's Comprehensive Plan.

Applicant: City of Tigard
Project Title: Urban Service Provision Plan
Category: 3

Summary: The City of Tigard is seeking a grant to prepare an urban service provision plan for its unincorporated urban planning area. The plan will serve as the guide by which Tigard provides full urban services to this area, after annexation, under current comprehensive plan and Region 2040 Concept Plan build-out scenarios. The project will be coordinated with Washington County's effort to implement SB122, including the sharing of study information and results to help meet the requirements of the law. The project may also serve as a model for other jurisdictions and service providers for use in performing similar studies and assessments.

Applicant: City of Troutdale
Project Title: 257th Avenue Enhancement Study
Category: 1,2

Summary: The project is a transit pedestrian and bicycle enhancement study of 257th Ave. within the City of Troutdale. Metro's 2040 growth concept map designates this five-lane suburban arterial as a transit corridor. Current design of the road creates a barrier effect for pedestrians and transit users and conflicts with 2040 corridor development strategies. This study will identify urban design features to make the street more transit, pedestrian and bicycle friendly. The study will have applicability region-wide.

Applicant: City of Troutdale
Project Title: Troutdale Edgefield Station
Category: 1,2,3

Summary: The City of Troutdale is seeking a combination grant in Category 1,2 and 3. The project will evaluate existing available data for the purpose of planning alternative transportation modes, and to coordinate efforts to:

- Create efficient transportation system designs.
- Design transportation systems and land use patterns to increase "trip linking".
- Develop a focused Public Investment Plan (FPIP) and a Capital Improvement Plan (CIP)
- Coordinate, unify and prioritize the investments necessary to implement this project.
- Reduce traffic congestion within the Region.
- Implement transportation and growth management concepts in Troutdale and the Region consistent with the Metro 20 Plan and the ISTEA.

Applicant: City of Troutdale
Project Title: Troutdale Town Center Plan
Category: 1,2,3

Summary: The City of Troutdale is seeking a combination grant in Category 1,2 and 3 to prepare a land use strategy, implementing ordinances and a focused public investment plan for the Troutdale Town Center. This project will evaluate data and transportation relationships affecting lands and land uses within the City of Troutdale which make up the Town Center. Products developed as part of this project will be prepared to be incorporated into the City's Comprehensive Plan and implementing ordinances. These amendments will be used as tools to implement transportation and growth management concepts in Troutdale, consistent with the Metro 2040 Plan and the ISTEA.

Applicant: City of West Linn Department of Planning and Development
Project Title: Transportation System Plan
Category: 1

Summary: Prepare a comprehensive Transportation System Plan (TSP) that integrates existing work in progress in coordination with ODOT, the City of Lake Oswego, and Metro, and establishes the framework for future planning activities. The TSP Project will also integrate compliance requirements and standards consistent with the Americans with Disabilities Act (ADA) in providing transportation networks that serve the disabled community.

Applicant: City of Wilsonville
Project Title: Transportation Efficient Visual Design Standards
Category: 2,3, (tool#(s) 7

Summary: The City of Wilsonville is seeking to revise its zoning code to promote transportation efficient development patterns in an illustrated, user friendly format. This revised code will reflect a publicly developed vision of the community's future.

Applicant: City of Wilsonville
Project Title: Transportation Efficient Land Use Strategies-Dammasch Study Area
Category: 2,3, (tool#(s) 7

Summary: The City of Wilsonville seeks to develop and implement a Transportation-Efficient Land Use Master Plan for the former Dammasch Hospital site and the surrounding area. The intent is to complete a planning process which will create a master plan with supporting ordinances, urban design illustrations and architectural renderings, and implementation strategies. Also the project seeks to increase transit use, walking and bicycling. Finally, in so far as possible with the budget, a specific development plan will also be produced for the recommended land use scenario.

Applicant: City of Wilsonville
Project Title: Transportation Master Plan Update
Category: 1

Summary: The City of Wilsonville intends to update its Transportation Master Plan and develop implementing ordinances to comply with Goal 12 Administrative Rule, OAR 660-12. this project will integrate all existing plans and studies; analyze policies and land use regulations; develop alternatives that redress deficiencies; and develop a comprehensive multi-modal Transportation Master Plan and implementing ordinances.

Applicant: Clackamas County

Project Title: Damascus Urban Reserve Study, Phase II

Category: 1,2

Summary: The Phase 2 study for the Damascus area is to develop a comprehensive plan for those urban reserve places that will be the first to be brought into the urban growth boundary through the Region 2040 process. The goal is to develop recommendations for a transportation system and land uses to meet the requirements of the region 2040 concepts, Transportation Planning Rule and the County Comprehensive Plan. The area's transportation plan, coordinated with the County's TSP, and land use plan will be required before the area is annexed into the urban growth boundary. The study proposes an advisory committee of residents, property owners, business owners, and representatives from agencies and service districts. Surveys and focus include open house meetings, and presentations to CPOs, civic and social groups, and schools. A news bulletin with study updates will be mailed to all interested parties.

Applicant: Clackamas County

Project Title: Local Streets Traffic Calming and Skinny Street Standards for Clackamas County

Category: 1

Summary: Clackamas County is applying for a category 1 project grant that contains a number of components that will lead to the implementation of a neighborhood traffic calming program. Clackamas County has developed a general process for a local streets traffic calming program. The vision of this project is to carry this program forward and broaden its scope to include skinny street design along with the typical traffic calming devices. Steps included in this project are as follows:

1. Develop standards and criteria for application of skinny streets including development of criteria for their application.
2. Incorporate skinny street design issues into a more comprehensive traffic calming program process.
3. Combine steps 1 and 2 and amend preliminary "Neighborhood Transportation Management Process for Clackamas County" to include criteria for narrow streets as well as other devices. Incorporate documents into Clackamas County Roadway Design Standards document.
4. Form a Citizens Advisory Committee (CAC) and Technical Advisory Committee (TAC) and hold a series of three to five meetings to make necessary modifications and approve.

Applicant: Clackamas County

Project Title: TPR Design Guidelines

Category: 1

Summary: Prepare Zoning and Development Ordinance amendments addressing aesthetics of the streetscape to encourage pedestrian activity along Major Transit Routes. Also, prepare a handbook illustrating different ways to meet the County's pedestrian friendly requirements, both those already in place as well as those prepared through this project. The need for addressing aesthetics was identified in our earlier TPR zoning ordinance amendment process.

Applicant: Clackamas County

Project Title: Clackamas County Transportation System Plan

Category: 1

Summary: County completed the bicycle and pedestrian elements last fiscal year (95/95). This study will update the other elements required by the Transportation Planning Rule (TPR). Elements that will be analyzed include but are not limited to roads, transit, TDM, land use (region 2040), freight and a financial analysis. Project will be coordinated with the Metro's RTP update.

Applicant: Clackamas County
Project Title: North Clackamas Urban Service Agreement Project Phase II
Category: 3

Summary: This proposal is to continue the North Clackamas Urban Service Agreement Project, a TGM grant funded project, that was completed in June, 1995. Clackamas County, the cities in Clackamas County and the special districts that provide the urban services are seeking a category three grant to prepare a series of urban service agreements to meet the requirements of the Senate Bill 122 and to prepare the framework for an annexation plan in the County. Senate Bill 122 requires urban service agreements to be signed by all relevant parties no later than the time of each local government's state-mandated Comprehensive Plan periodic review. SB 122 requires urban services agreements for the following services: sanitary sewer; water; fire protection; parks; open space; recreation; and streets, roads and mass transit.

The project will address all of these services except transit (currently provided by Tri-Met, the regional transit authority). The project will also address surface water management, emergency medical services, law enforcement and planning.

The project will continue building consensus agreement on if and how to incorporate the urban and urbanizable portions of the North Clackamas area. A framework for annexation plan for at least some portions of the affected areas will be developed and a comprehensive analysis will be completed to examine the strengths and weaknesses of this approach.

Applicant: Columbia County
Project Title: Transportation System Plan Development
Category: 1
Summary:

Applicant: Metro
Project Title: Shared Parking Project
Category: 2, 3

Summary: Metro is seeking a grant for \$50,000 to develop model ordinances and publicize practical, how-to information on shared parking. Shared parking refers to two or more land uses jointly sharing the same parking spaces, thus significantly reducing the amount of space devoted to parking. It is a strategy that will allow jurisdictions and business people to use a finite land supply more efficiently, promote higher densities, increase non-auto modes, decrease vehicle trips and comply with the Transportation Planning Rule. The project will result in a handbook that planners, developers and private industry can use to initiate shared parking arrangements and adopt clear, effective ordinances.

Applicant: Metro
Project Title: Regional Street Design Study
Category: 1, 2

Summary: Metro is seeking a combination of category land 2 TGM grants to study new approaches to street design as functional classification that more closely link land use and transportation. This study will be a major element in the development of the Portland region TSP, and subsequent development and evaluations of local TSP's.

Applicant: Metro
Project Title: Accessibility Measures Project
Category: 1, 2

Summary: To develop a set of objective transportation performance measures, known as accessibility measures, to apply to the Portland region. These are to measure accessibility from both transportation and land use actions.

Applicant: Metro
Project Title: TOD Implementation - Phase II, Continuing Program Definition
Category: 2, 3

Summary: This request for a TGM grant is to provide continuing program definition for a TOD Implementation Program. Last year, TGM grant funds were provided for support services and activities for this TOD program. As a direct result of that grant effort and a parallel effort by Metro for other actions, a landmark TOD Program is being forged in the Portland region.

A TOD is more dense development with strong pedestrian connections at a transit station that induces significantly more transit trips than conventional development. This then improves the efficiency of the existing transit system, reduces congestion and improves air quality. As a result of the Metro effort, important national policies were set in place that recognize the value of land use/transit implementation and encourage such *joint development projects* and provide eligibility for capital expenditures. These policies are in the form of letters and legal opinions from FTA headquarters in Washington, D.C. and notice in the Federal Register. In addition, the Region, through JPACT and Metro Council with participation of ODOT, approved \$3 million funding for a Regional Revolving Fund to acquire TOD sites. This program represents the first of its kind in the country under ISTEA.

Applicant: Metro
Project Title: Regional Parking Management Program - Phase II
Category: 1

Summary: Metro is seeking a TGM grant for \$37,250 to develop policies for reducing parking spaces per capita by 10 percent over the next 20 years. The 10 percent reduction is required by the TPR. Strategies to achieve the reduction must be incorporated in the RTP by May 1996 and in local TSPs by May 1997. This grant will be used to refine the reduction strategies developed in the Phase I parking grant and assess where reductions in parking spaces are the most feasible from a political and technical view.

Applicant: Metro
Project Title: Growth Management and Schools
Category: 3

Summary: To understand the implications of school land needs on the Metro Urban Growth Boundary and to improve coordination between school districts, local governments and Metro.

Applicant: Multnomah County
Project Title: Design Standards Revision
Category: 1

Summary: Multnomah County is requesting a Transportation Planning Rule (Category 1) grant to revise the *Street Standards - Code and Rules* document. The project will address system functions classifications, street widths, design speeds, intersection treatments and traffic control, driveway spacing and design, sidewalk provisions, bicycle provisions and traffic calming techniques for arterial, collector and local streets within Multnomah County's jurisdiction.

Applicant: Multnomah County
Project Title: Bikeways Master Plan Update
Category: 1

Summary: Multnomah County is requesting a Transportation Planning Rule (Category 1) grant to update the Bicycle Master Plan. The project will address current conditions and deficiencies of the County bikeway system and further develop a bicycle network as part of the multi-modal transportation policy of Multnomah County. Facility design will be reviewed and updated to be consistent with the State Bicycle and Pedestrian Plan and current AASHTO Bicycle Guidelines. The list of bikeway improvements required to complete the network will be revised based on current roadway responsibilities. The Bikeway Plan Map for Multnomah County will also be updated based on current roadway responsibilities.

The Bicycle Master Plan Update will fulfill TPR requirements. Following adoption of the Bicycle Master Plan, the Comprehensive Framework Plan will be amended to reflect the revised policies, implementation strategies and map from the Bicycle Master Plan.

Applicant: Multnomah County
Project Title: UGM Grant Project for Rockwood Water PUD et al
Category: 3

Summary: This proposal is to develop a water urban services and cooperative agreement in East Multnomah County between applicant and the Cities of Fairview, Gresham, Troutdale and Wood Village, and Powell Valley Road Water District. This product will be a model for all multiple jurisdictional cooperative agreements and will prepare the several jurisdictions for eventual adoption of the urban services and cooperative agreements.

Applicant: North Plains, Metro
Project Title: North Plains/Metro Neighboring City Study
Category: 3

Summary: To understand how growth management of two urban growth boundaries (North Plains and Metro) can be coordinated with these entities as well as Washington County to minimize the negative impacts of future growth.

Applicant: Port of Portland
Project Title: PDX Transportation Management Association Feasibility Assessment and Implementation Plan
Category: 1

Summary: This project will assess the value of forming a transportation management association (TMA) at the Portland International Airport (PDX) as an effective tool for managing travel demand. The work effort will develop a work plan to form and operate a TMA, and develop a recommendation on the formation of a TMA.

The airport appears to have a number of qualities that contribute to a successful/TMA) a large employment center, b) a concentrated geographical area, c) limited and managed parking, and d) mandate to reduce employee trips.

Applicant: Tri-Met

Project Title: Primary Transit Network/Phase II

Category: 1

Summary: The Primary Transit Network (PTN) is the transit component of the Regional Transportation Plan. The PTN consists of bus and rail transit services with 15 minute or better all day service by 2015. The PTN is designed to support the intensification of regional centers, town centers, station communities and corridors as designated in the Region 2040 Growth Concept. A draft PTN was developed in Phase I under a TGM grant.

In Phase II the draft transit network will be refined as part of the update of the Regional Transportation Plan. Major tasks in Phase II include: (a) evaluation of new growth projections using the methodology developed in Phase I; (b) cost effectiveness analysis of PTN using ridership numbers from Metro's models; (c) study of the suburban vs. Urban equity issue; and (d) ongoing refinement of preferred and constrained transit networks. As in Phase I the PTN will be developed under the guidance of the RTP Transit Work Team.

Applicant: Washington County

Project Title: Design Criteria for Park, Recreation, and Open Space Areas in Light Rail Station Area Communities

Category: 1, 3

Summary: Case studies will be made of existing transit-based and transit-oriented communities, and public workshops will be held, for the purpose of creating criteria for the number, shape, size and type of park, recreation, open space and plaza areas within light rail station areas in Washington County's jurisdiction. The criteria will be used to generate a set of design guidelines for application to the existing light rail station areas and to future station areas and transit-oriented communities and developments.

Applicant: Washington County Planning Division

Project Title: Implementation of Narrower Local Street Standards and Neighborhood Traffic Management Techniques

Category: 1, 3

Summary: This project will adopt land use and road standards to implement the recommended road standards for narrower local street widths and traffic management techniques developed through a prior TGM grant entitled "Washington County Local Road Standards Revision". The project will result in land use and road standards that will build upon standards adopted by Ordinance 432 (implements OAR 660-12-055(3)), resulting in standards consistent with the Transportation Planning Rule.

Applicant: Washington County

Project Title: Expedited Development Review Procedures for Light Rail Station Areas

Category: 1, 2, 3

Summary: This project will develop and adopt implementing regulations for expedited development review procedures for development actions in the light rail station areas within unincorporated Washington County. The development and adoption of these implementing regulations will be done in conjunction with the work the County is doing to develop land use and transportation systems plans and development/design concepts for the station areas.

Applicant: Washington County/Metro

Project Title: Cedar Mill Town Center Plan

Category: 2, 3

Summary: Cedar Mill Town Center Plan will provide a detailed development concept for the Town Center area on Cornell Road. This project will also develop a program to carry out the development concept.

Applicant: Washington County

Project Title: Pedestrian Plan

Category: 1

Summary: The purpose of this project is to update the pedestrian element of the 1988 Washington County Transportation Plan resulting in a comprehensive Countywide Pedestrian Plan. Included in this Plan will be pedestrian facilities associated with County roadways within incorporated areas of the County and State highways. This Plan, upon completion, will become an element of the County's Transportation Plan Update. Design standards to implement portions of the Plan will be adopted. The Pedestrian Plan will include policies, implementing strategies and specific improvement recommendations consistent with the Transportation Planning Rule, Regional Transportation Planning and Station Area Plans.

Applicant: Washington County DLUT

Project Title: Neighborhood Commercial Implementation Plan

Category: 1, 2

Summary: The purpose of the proposed project is to build on a previous Neighborhood Commercial TGM grant and make applicable Comprehensive Framework Plan, Community Plan and Community Development Code changes to implement strategies identified in the 94-95 Neighborhood Commercial TGM Grant.

Applicant: Washington County DLUT

Project Title: Parking Standards for Light Rail Station Area

Category: 1, 2

Summary: Make applicable Community Plan and Community Development Code changes to implement parking strategies in light rail station areas in urban unincorporated Washington County.

Applicant: Washington County DLUT

Project Title: Consideration of New Landscaping Standards in Transit Corridors and Station Areas

Category: 2, 3

Summary: The intent of this project is to evaluate the effect of Washington County's present landscaping requirements on the ability of developers to achieve transit-supportive densities; and to prepare new standards for the amount, location and design of landscaping on development sites in transit corridors and station areas that will allow for the achievement of increasing densities.

Applicant: Washington County DLUT

Project Title: Implementation of HB 3133

Category: 2, 3

Summary: The purpose of this project is to prepare an ordinance that would implement HB 3133 (which allows a property tax abatement for transit-supportive, multiple-unit housing and mixed use projects) through a public process involving interested and affected jurisdictions and citizens. This process would address a number of issues related to implementation of HB 3133.

Applicant: Washington County DLUT

Project Title: Urban Collector System Study

Category: 1

Summary: This project will identify and assess a range of urban collector systems and facility characteristics and develop recommendations for modifications to Washington County's urban collector system. The product of this project will help significantly in the update of Washington County and other local jurisdictions transportation plans to be conducted in the near future to comply with the State Transportation Planning Rule.

Applicant: Washington County DLUT
Project Title: SB 122 Public Involvement Work
Category: 3

Summary: The purpose of this project is to conduct the extensive public involvement program to complete the mandates of SB 122. This project would be one in conjunction with a second grant which will conduct the technical work that must be completed to fulfill the requirements of SB 122. ORS 195.085 requires local governments and special districts to enter into urban service agreements no later than the first periodic review that begins after November 4, 1993. This project responds to that mandate and would bring all affected jurisdictions into compliance by July, 1997.

Applicant: Washington County DLUT
Project Title: SB 122 Technical Work
Category: 3

Summary: The purpose of this project is to develop special district coordination and urban service agreements for the portion of Washington County within the Regional Urban Growth Boundary. ORS 195.085 requires local governments and special districts to enter into urban service agreement no later than the first periodic review that begin after November 4, 1993. This project responds to that mandate and would bring all affected jurisdictions in Washington County into compliance at the same time.

Applicant: Tualatin Hills Park & Recreation District, Tualatin Valley Fire & Rescue District, Tualatin Valley Water District, Unified Sewerage Agency
Project Title: Negotiation of Urban Services Agreements for the Special Districts Serving Urban Washington County

Category: 3
Summary: This is a proposal for the development of data and analyses to aid Washington County jurisdictions in negotiating and drafting urban services agreements between the four special districts, Washington County and the cities of Beaverton, Portland and Hillsboro. These agreements will be used as models for the development of urban services agreements with the cities of Tigard, Tualatin, Durham, King City, Sherwood and Wilsonville.

**Transportation Growth Management Program
Metro Recommends ODOT Not Fund These Grant Projects
September 1995**

Grant Code	Jurisdiction	Project	Fund Decision ¹	Requested Amount ²	Revised Category ³
1.02	Lake Oswego	Transportation System Plan	N	\$ 49,925.50	1
1.10	Portland	Broadway Weidler Corridor Demonstration Development Projects	N	47,000.00	2
1.12	Wilsonville	Transportation-Efficient Land Use	N	75,000.00	2&3
1.13	Wilsonville	Transportation Master Plan Update	N	50,000.00	1
1.14	Wilsonville	Transportation Efficient Visual Design Standards	N	50,000.00	2&3
1.16	Multnomah County	Bikeways Master Plan Update	N	29,600.00	1
1.19	Portland	West Burnside Corridor Study	N	29,000.00	2
1.21	Milwaukie	Riverfront to Springwater Trails Connection Plan	N	17,448.00	1
1.22	Gresham	Downtown Gresham Central Rockwood Parking Master Plan	N	48,000.00	1
1.28	Clackamas County	Clackamas County Transportation System Plan	N	70,000.00	1
1.35	Washington County	Neighborhood Commercial Implementation Plan	N	19,650.00	2
1.37	Washington County	Consideration of New Landscaping Standards in Transit Corridors and Station Areas	N	43,386.00	2
1.39	Gresham	Land Use Alternatives Public Outreach	N	25,025.00	2
1.42	Forest Grove	Transportation System Plan	N	41,175.00	1
1.46	Port of Portland	PDX Transportation Management Association Feasibility Assessment and Implementation Plan	N	41,365.53	1
1.56	Hillsboro	Downtown Hillsboro Station Community Plan (Regional Center) Traffic and Circulation Analysis	N	30,000.00	1

Grant Code	Jurisdiction	Project	Fund Decision ¹	Requested Amount ²	Revised Category ³
1.62	Metro	Regional Parking Management Program, Phase II	N	\$ 37,243.00	1
1.64	Metro	Accessibility Measures Project	N	47,494.00	1&2
1.68	Metro	TOD Implementation, Phase II -- Continuing Program Definition	N	60,000.00	2&3
1.78	Washington County	Parking Standards for Light Rail Station Area	N	22,305.00	1&2

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10/03/95

1. Preliminary funding decision - final funding decision based on an approved (ODOT) work plan, timeline and budget.
2. Grant amount requested. Not all grants will be funded at the requested amount.
3. ODOT/DLCD revised funding categories - may be different than grant request application.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RECOMMENDING FOR) RESOLUTION NO. 95-2219
FUNDING FOR THE ODOT/DLCD)
TRANSPORTATION AND GROWTH) Introduced by Mike Burton,
MANAGEMENT GRANT PROGRAM) Executive Officer

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

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

WHEREAS, The 1995 Oregon Legislature approved funding of a joint Oregon Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCD) Transportation and Growth Management Program (TGM) to assist local jurisdictions and metropolitan areas implement the TPR; and

WHEREAS, The TGM Program includes three categories and totals \$2,124,000 for ODOT Region 1, which includes the Metro area; and

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

WHEREAS, Category 1 and 2 Grants generally total up to \$1,626,900 for ODOT Region 1; and

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

BE IT RESOLVED, That

(1) within the targeted amount of TGM funds for the Metro area, the Joint Policy Advisory Committee on Transportation, the Metro Policy Advisory Committee and the Metro

Council recommends for funding under the ODOT/DLCD TGM Program of those projects within the Metro boundary or those associated with Metro area planning activities as shown in Exhibit A to this resolution, and

(2) That JPACT, MPAC and the Metro Council recommend that as ODOT and DLCDC finalize a state wide TGM program, those projects shown in Exhibit B to this resolution also be considered for funding.

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

J. Ruth McFarland, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

MW/erb
I:\GMM\TGM95\MEM.RES
09/20/95

**Transportation Growth Management Program
Grant Application Summary
Preliminary Funding Decisions
September 1995**

Grant Code	Jurisdiction	Project	Fund Decision ¹	Requested Amount ²	Revised Category ³
1.03	Portland	Pedestrian Plan Project Development	Y	\$ 20,000.00	1
1.04	Portland	Model Bicycle and Walk to School Plan	Y	35,000.00	1
1.09	Portland	TPR Parking Plan Phase II	Y	13,459.50	1
1.15	Multnomah County	Design Standards Revision	Y	47,000.00	1
1.17	Portland	Lents Town Center: Strategy for Transition	Y	50,000.00	2&3
1.20	Milwaukie	Lake Road Multi-modal Connection Plan	Y	15,700.00	1
1.27	Clackamas County	Damascus Urban Reserve Study, Phase II	Y	60,000.00	1&2
1.29	Clackamas County	Local Streets Traffic Calming and Skinny Standards for Clackamas County	Y	50,000.00	1
1.30	Clackamas County	TPR Design Guidelines	Y	48,310.00	1
1.31	Beaverton	Property Redevelopment Alternatives for Beaverton's Automobile-Dependent Downtown	Y	72,150.00	2&3
1.32	Beaverton	Transportation System Plan Update	Y	49,000.00	1
1.40	Troutdale	257th Avenue Enhancement Study	Y	36,500.00	1&2
1.43	Milwaukie	Regional Center Management Plan	Y	119,797.00	1/2/3
1.48	Gresham	Gresham Transportation System Plan	Y	100,000.00	1
1.49	Beaverton	South Tektronix Neighborhood Plan	Y	75,000.00	2&3
1.50	Tri-Met	Primary Transit Network, Phase II	Y	41,000.00	1

Grant Code	Jurisdiction	Project	Fund Decision ¹	Requested Amount ²	Revised Category ³
1.55	Happy Valley	Happy Valley Transportation System Plan	Y	\$ 40,000.00	1
1.58	Hillsboro	Tanasbourne/Amberglen Town Center Plan	Y	50,000.00	2&3
1.59	Hillsboro	Hillsboro Transportation System Plan	Y	50,000.00	1
1.61	Metro	Bicycle Use Forecasting Improvements	Y	50,000.00	1
1.63	Metro	Regional Street Design Study	Y	94,846.00	1
1.65	North Plains/Metro	North Plains/Metro Neighboring City Study	Y	69,776.00	2&3
1.67	Metro	Shared Parking Project	Y	50,000.00	1&2
1.69	West Linn	Transportation System Plan	Y	49,587.00	1
1.70	Cornelius	Cornelius Main Street District Plan	Y	142,205.00	1&2
1.72	Washington County	Expedited Development Review Procedures for Light Rail Station Areas	Y	23,555.00	2&3
1.75	Washington County	Pedestrian Plan	Y	50,000.00	1
1.79	Troutdale	Troutdale Town Center	Y	68,950.00	1/2/3

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10/03/95

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**Transportation Growth Management Program
Metro Recommends ODOT Fund, If Additional Funds Are Available
September 1995**

Grant Code	Jurisdiction	Project	Fund Decision ¹	Requested Amount ²	Revised Category ³
1.05	Portland	West Portland Town Center	*	\$50,000.00	1&2
1.06	Portland	2040 Centers Transportation Descriptors and Alternative Mode Planning	*	50,000.00	1
1.12	Wilsonville	Transportation-Efficient Land Use	*	75,000.00	2&3
1.18	Portland	Gateway Regional Center Vision & Strategy	*	50,000.00	2&3
1.41	Oregon City	Regional Center Management Plan	*	94,092.22	1/2/3
1.60	Hillsboro	Mainstreets/Neighborhood Commercial Implementation Program	*	35,000.00	2&3
1.74	Washington County	Cedar Mill Town Center Plan	*	59,234.00	2&3
1.76	Washington County	Implementation of Narrower Local Street Standards and Neighborhood Traffic Management Techniques	*	17,840.00	1
1.77	Washington County	Urban Collector System Study	*	49,317.00	1

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AGENDA ITEM 6.3
Meeting Date: October 5, 1995

Resolution No. 95-2197, For the Purpose of Appointing Monica D. Hardy and re-appointing Shirley A. Coffin, to the Solid Waste Rate Review Committee.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING)	RESOLUTION NO. 95-2197
MONICA D. HARDY, AND RE-APPOINT-)	
ING SHIRLEY A. COFFIN TO THE SOLID)	Introduced by Mike Burton
WASTE RATE REVIEW COMMITTEE)	Executive Officer

WHEREAS, Chapter 5.08 of Code of the Metropolitan Service District provides for the establishment of a Rate Review Committee composed of seven members, including one Metro Councilor, who shall serve as Committee chair and who shall be appointed by the Council Presiding Officer, and all other members shall be appointed by the Executive Officer, subject to confirmation by the Council; and

WHEREAS, The Executive Officer's appointments shall include two persons engaged in the business of hauling solid waste; one person with business-related financial experience; one person with experience in establishing rates; one person involved with a local recycling or waste reduction program and one citizen ratepayer; and

WHEREAS, terms for all non-Council members shall be four years each, a non-Council member may be reappointed for a consecutive term, not to exceed one full term; and

WHEREAS, Elenora C. Fielder who occupied the citizen rate payer position and whose term would expire in September, 1998, has resigned, leaving a vacancy on the Committee; and

WHEREAS, Monica D. Hardy has been recommended to complete the unexpired term of the designated citizen rate payer member; and

WHEREAS, Monica D. Hardy is a resident of Multnomah County who is an active member of various organizations including the Board of Directors of the Metro area YMCA, the Oregon Bar Association and a Trust Compliance Officer of First Interstate Bank and is well-suited to carry out the duties of the citizen ratepayer; and

WHEREAS, Shirley A. Coffin, has served on the Rate Review Committee representing the local recycling and waste reduction position beginning February, 1992; and

WHEREAS, Ms. Coffin's term has expired and she has expressed an interest in serving a consecutive term; and

WHEREAS, Ms. Coffin is a resident of Washington County and is a member of the Association of Oregon Recyclers and has extensive experience as a citizen advisor to solid waste matters at the local government level; and

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

BE IT RESOLVED,

THAT Monica D. Hardy is confirmed for appointment to the Rate Review Committee to fill the unexpired term of the citizen ratepayer member and Shirley A. Coffin is re-appointed to a four-year term to the Rate Review Committee in the position of local recycling and waste reduction.

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

J. Ruth McFarland, Presiding Officer

STAFF REPORT

Consideration of Resolution No. 95-2197, for the purpose of confirming the appointment of Monica D. Hardy and the re-appointment of Shirley A. Coffin to the Solid Waste Rate Review Committee.

Date: August 21, 1995

Presented by: Roosevelt Carter

FACTUAL BACKGROUND AND ANALYSIS

Ordinance No. 91-436A, Metro Code Chapter 5.08 establishes a seven-member Solid Waste Rate Review committee, six members to be appointed by the Executive Office, subject to confirmation by the Metro Council. The members appointed by the Executive Officer include: two persons engaged in the business of hauling solid waste; one person with business-related financial experience; one person with experience in establishing rates; one person involved with a local recycling or waste reduction program; and one citizen rate payer. The seventh committee member is a Metro Councilor, appointed by the Council Presiding Officer, and who serves as committee chair.

The citizen rate payer position has most recently been filled by Mrs. Elenora C. Fielder, who was appointed to serve a four-year term that would expire in September 1998. Mrs. Fielder, due to personal circumstances, is unable to complete this term and resigned from the committee. Monica D. Hardy has been recommended to serve in the capacity of the citizen rate payer to complete the unexpired term. Ms. Hardy has significant community involvement through volunteer work with Jr. Achievement and as a member of the Board of Director of the YMCA of the Columbia Willamette. Ms. Hardy is an Assistant Vice President with First Interstate Bank, a Certified Trust Compliance Professional, and member of the Oregon Bar Association (a brief vitae is attached).

The local recycler and waste reduction position has been filled by Shirley A. Coffin, Washington County resident, beginning February, 1992. Ms. Coffin has extensive experience in recycling and solid waste matters as a member of the Association of Oregon Recyclers, the Washington County Solid Waste Advisory Committee and the Board of Directors of the Portland Recycling Team. (A brief Vitae is attached.)

These appointments will continue a balanced cross section of membership on the committee, maintain important continuity in the committee's membership, and meet the specific membership requirements of representing all three counties.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 95-2197.

JM:ay

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Monica D. Hardy

546 N. Holland Ave.
Portland, OR 97217

503-225-3246 (day)

503-286-4427 (eve)

**PROFESSIONAL
AFFILIATIONS**

- Oregon State Bar (passed Bar exam 2/95, expected membership enrollment 9/95)
- Certified Trust Compliance Professional (CTCP)

**PROFESSIONAL
HISTORY**

FIRST INTERSTATE BANK, Portland, OR (10/93 - Present)
Assistant Vice President/Trust Compliance Officer

Responsible for advisory services and oversight of the trust compliance programs of the First Interstate Bancorp territory, encompassing 12 states and \$145 billion in trust assets. Areas of responsibility includes risk management for personal trust, employee benefit, custody, operations, corporate trust, trust loan servicing and trust real estate. Comprehensive knowledge of fiduciary law & federal banking law (e.g. - Reg. 9 and common trust funds, ERISA as it applies to trusteeship of employee benefits plans, Reg. Z. etc.).

- Designed and implemented trust compliance programs to monitor current government regulation of the banking industry and inform trust management of pertinent issues, reviewed risk assessments, and rendered advice on trust legal/regulatory issues;
- Designed and implemented fiduciary training program for all trust employees in the NW Region of First Interstate Bank;
- Advisor on acquisitions of other bank trust departments;
- Reviewed all trust products offered by First Interstate Bank trust department for regulatory compliance;

MUHLHEIM, PALMER, ZENNECHE & WADE, Eugene, OR (9/92 - 6/93)
Law Clerk

Legal research and writing in the areas of bankruptcy and general business law.

- Law clerk for In Re Corey Partners, a nationally recognized bankruptcy case addressing the areas of general partnership law and bank trustees.

HARRANG, LONG, GARY & RUDNICK, Eugene OR (10/91 - 8/92)
Law Clerk

Legal research and writing in the areas constitutional law, bankruptcy, general business law, municipal law, and employment law.

- Researched a First Amendment case which was before the Oregon Court of Appeals
- Researched constitutionality of the Measure 5 property tax amendment to the Oregon constitution for argument before the Oregon Supreme Court

Attachment A.2

Shirley A. Coffin
65 SW 93rd Avenue
Portland, OR 97225

Education

BA - Biology: Whitman College, Walla Walla, Washington
MA - Biology: University of Oregon, Eugene, Oregon
Renewal of Teaching Certificate: Portland State University, Portland, Oregon

Experience

1983 to Present Beaverton Schools, Substitute Teacher

Volunteer

Washington County Solid Waste Advisory Committee
Metro Solid Waste Policies Advisory Committee
Board of Directors, Portland Recycling Team
Metro Citizen's Advisory Committee
Association of Oregon Recyclers
Metro Solid Waste Rate Review Committee, February 2, 1992 - present

**Transportation Growth Management Program
Grant Application Summary
Preliminary Funding Decisions
September 1995**

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