

A G E N D A

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**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
DATE: April 8, 1999  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Council Chamber

**CALL TO ORDER AND ROLL CALL**

**1. INTRODUCTIONS**

**2. CITIZEN COMMUNICATIONS**

**3. EXECUTIVE OFFICER COMMUNICATIONS**

**4. AUDITOR COMMUNICATIONS**

**5. MPAC COMMUNICATIONS**

**6. METRO LEGISLATIVE UPDATE**

PacWest

**7. CONSENT AGENDA**

7.1 Consideration of Minutes for the April 1, 1999 Metro Council Regular Meeting.

**8. ORDINANCES - FIRST READING**

8.1 **Ordinance No. 99-796**, For the Purpose of Authorizing a Transfer of Metro Yard Debris Processing Facility License No. YD-0197 from Scotts Hyponex Corporation to Clackamas Compost Products, Inc. to Continue Operations at an Existing, Approved, Yard Debris Processing Site and Declaring an Emergency.

8.2 **Ordinance No. 99-801**, For the Purpose of Transferring the Solid Waste Franchise for Operation of the Citistics Reload/Materials Recovery Facility for Citistics, Inc. to USA Waste of Oregon, Inc.

**9. COUNCIL APPROVAL METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) 150 PERCENT CUT LIST**

10. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for April 8, 1999 Metro Council Meeting

	Sunday (4/11)	Monday (4/12)	Tuesday (4/13)	Wednesday (4/14)	Thursday (4/8)	Friday (4/9)	Saturday (4/10)
<b>CHANNEL 11</b> (Community Access Network) (all of Portland area)		4:00 P.M.					
<b>CHANNEL 21</b> (TVCA) (Washington Co., Lake Oswego, Wilsonville)							
<b>CHANNEL 30</b> (TVCA) (NE Washington Co. - people in Wash. Co. who get Portland TCI)							
<b>CHANNEL 30</b> (CityNet 30) (most of City of Portland)	8:30 P.M.						
<b>CHANNEL 30</b> (West Linn Cable Access) (West Linn, Rivergrove, Lake Oswego)		12:00 P.M. (4/1 meeting)		10:00 P.M.	11:00 P.M. (4/1 meeting)	10:30 P.M. (4/1 meeting)	7:00 A.M. (4/1 meeting)
<b>CHANNEL 19</b> (Milwaukie TCI) (Milwaukie)		7:00 A.M. (4/1 meeting) 8:00 P.M. (4/8 meeting)					8:00 A.M. 6:00 P.M. (both are 4/1 meeting)

*PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES.*

PUBLIC HEARINGS: Public Hearings are held on all Ordinances second read and on Resolutions upon request of the public. Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

**Consideration of the April 1, 1999 Metro Council Meeting minutes.**

**Metro Council Meeting  
Thursday, April 8, 1999  
Council Chamber**

# MINUTES OF THE METRO COUNCIL MEETING

April 1, 1999

Council Chamber

Councilors Present: Rod Monroe (Presiding Officer), Susan McLain, Ed Washington, Rod Park, Bill Atherton, David Bragdon, Jon Kvistad

Councilors Absent:

**Deputy Presiding Officer McLain** convened the Regular Council Meeting at 2:04 PM and announced that Presiding Officer Monroe was conducting Metro business at an editorial board and would be present shortly.

## 1. INTRODUCTIONS

None.

## 2. CITIZEN COMMUNICATION

**Art Lewellan, 3205 SE 8th #9, Portland OR 97214**, said that the I-5 corridor extension was not appropriate for the South North Light Rail. He suggested that the Central City Streetcar could utilize the alignment to get across the Broadway Bridge. (The audiotape did not pick up the rest of his comments.)

**Deputy Presiding Officer McLain** thanked Mr. Lewellan for his comments.

## 3. EXECUTIVE OFFICER COMMUNICATIONS

None.

## 4. AUDITOR COMMUNICATIONS

None.

## 5. MPAC COMMUNICATION

**Deputy Presiding Officer McLain** said there were no action items at MPAC.

**Councilor Atherton** said MPAC had agreed to send a letter to the legislature urging a public hearing on a bill that would change the 20-year land law.

## 6. METRO LEGISLATIVE UPDATE

**Jeff Stone, Chief of Staff**, said HB 2512, the business licensing bill, passed the Senate and was on its way to the Governor's office. Mr. Phelps had been in contact with Governor Kitzhaber, and a veto is not anticipated

**Mr. Stone** reported on two other bills of interest, Senate Bill 1031 and Senate Bill 1062. SB 1031 was the minor boundary-change bill; SB 1062 was the conservation easement bill. Both have been assigned to the Senate General Government Committee and would be acted on quickly.

SB 87 passed out of committee with a three-to-two vote and would be going to the full Senate for discussion. A number of other bills of interest to Metro were pending. Ray Phelps had been asked to find out which ones 'had legs' and which ones were foundering in committee.

**Mr. Dan Cooper, Legal Counsel**, said SB 838 was another bill relating to parks acquisitions in Exclusive Farm Use (EFU) zones. Mr. Phelps was working to get all three of the Senate bills of interest scheduled for public hearings before the senate's deadline, tentatively set for April 23, 1999. Bills not heard before then were unlikely to have time to move through both houses before the legislature adjourns in June. As bills continued to appear, some which might be of interest to Metro, they would all be closely watched.

**Presiding Officer Monroe** arrived and presided over the remainder of the meeting.

**Councilor Park** referred to SB 87 and asked if the amendments that were discussed had been incorporated into the bill.

**Mr. Cooper** said that the legal department had not seen the printed "A" engrossed version, although Mr. Phelps had stated that some of the amendments that were proposed had been included in the bill. Other amendments were being discussed and their fates were unknown.

**Councilor Park** asked if a recommendation would be forthcoming from the Metro Legal Department.

**Mr. Cooper** said none of the amendments that had been proposed before the work session would cause the Legal Department to change its recommendations that Metro remain neutral on the bill. He said if the Council opposed the bill for other reasons--for example, if it objected to the basic idea of the state's imposing a 20-year land-supply anywhere-it could do that. But as a technical matter, the bill would not require anything that Metro was not already doing.

**Councilor Park** said he would like to get a clarification on the final bill.

**Mr. Cooper** said that would be forthcoming as soon as printed copies were available.

**Councilor Bragdon** referred back to SB 87. He said some MPAC members had expressed concern that some of their proposed amendments had not made it into the final bill. He suggested tracking that. He also expressed concern over the impression that the bill would simply ratify what Metro was already doing. He said according to recent statements made by Metro's executive officer, that would not be the case. Rather, the bill would impose a big workload on Metro staff and could significantly affect the outcome of Urban Growth Boundary (UGB) decisions. He said he understood that Mr. Phelps had been requested to portray that Metro was already doing what the bill would require conceptually, and that its plans included goals 9 and 14 in terms of the economic vitality of the region. Metro had been conducting surveys of industrial lands. Councilor Bragdon said that was very different from what would be

required by SB 87 in terms of staff requirements and in that it would require looking backwards five years rather than forward five years.

**Mr. Stone** agreed with Councilor Bragdon. He said as soon as the bill was printed, it would be subject to heavy scrutiny. He said that at any time Councilors wanted an opinion on any bill--and he had a complete list of those being tracked--he or Mr. Cooper stood ready to assist.

**Presiding Officer Monroe** said Mr. Phelps had made it clear in Salem that Metro would prefer for this bill to go away. He said Metro's lack of support for this bill had been made clear. He said that although the amendments would improve the bill, they would still not make it a good bill.

**Councilor Atherton** said if he understood Presiding Officer Monroe correctly, Metro's stance was not neutral. If Mr. Phelps had been told it was, that message was incorrect. He said furthermore, no vote had been taken declaring Metro's neutral stance on this bill. He thought Metro should clearly communicate its opposition to this bill. He also said that in his view SB 87 would be an offensive, unwarranted intrusion by the State of Oregon into local affairs, and in that regard HB 87 was an unfunded mandate and poor planning. He thought Metro should oppose the bill on those grounds.

**Presiding Officer Monroe** responded to Councilor Atherton's concern. He said the reason a stronger stand had not been taken in opposition to the bill was that it might actually increase support on the part of some state legislators. He said they were trying to exercise the best strategy to get the best result.

**Councilor Atherton** said he thought times have changed, and he thought Metro had a duty to clearly communicate with the State Legislature what was in both Metro's and the State of Oregon's best interests. He urged making communication with Salem as clear as possible.

**Councilor McLain** said in response to Councilor Atherton, in some years the committee had voted on Metro Council's stance on various State Legislature issues. This year there have been times when the Metro Council did not know how the final bill would read. It had therefore sent language to Mr. Phelps to ensure that should the bill pass, it would be the best it could be. She thought Councilor Bragdon's concern and Councilor Atherton's were two different things. Councilor Bragdon was reflecting MPAC's concern that its language had not been incorporated into the bill so that were it to pass, it would neither create a situation Metro could not live with, nor a situation with unintended consequences. She said there were two questions here: 1) did Metro believe they should request any kind of land supply? or 2) did Metro believe that the terminology in the document itself was something it could live with or define and use?

**Councilor McLain** agreed with Councilor Atherton that if a bill came out of a state legislative committee in its final form and was ready to go to the floor, then it would be appropriate for the Council to vote on how it stands on that bill. She said she did not think any of the legislation had yet reached that point, and she did not think it would be appropriate to vote on language that might not be in the final version.

**Councilor Atherton** understood a bill was going to the Senate floor. He said that he would not want Metro's lobbyist to portray Metro as neutral on this bill when that was not the case. He thought the newspaper had done that.

**Councilor Bragdon** asked about the status of the gas tax bill.

**Mr. Cooper** said the good news was that the gas tax bill came out of Representative Montgomery's committee as a \$.04 increase in the gas tax, to take effect fairly soon and without any sunset. It included and a \$10 increase in vehicle registration fees. The bad news was that the bill would next go to the House Revenue Committee for further hearings and more work, and it might not come out of that committee in the same shape it went in. He said Representative Montgomery had taken his cues from the House leadership and kept the increase to no more than \$.04, but tried to maximize the dollar amount that would translate into. He then recommended that most of the increase be sent to cities and counties. The dollar amount would be the equivalent of what a \$.06 increase would have done in the first two years. Mr. Cooper said the "A" engrossed version of that bill was available, but it might be premature to study that version because it was not yet on its way to the House floor.

**Presiding Officer Monroe** said he had talked with Representative Montgomery after the bill left his committee. Representative Montgomery said he was under orders from the Speaker not to exceed a \$.04 increase in the gas tax. He tried to maximize the revenue from that \$.04 increase and took the sunset clause off before sending the bill to the Revenue Committee. According to Representative Montgomery, Representative Strobeck, who chairs the Revenue Committee, supported the bill and would protect it as best he could in committee.

**Councilor Kvistad** added that Representative Montgomery, who came from Hood River, had been a solid supporter of good transportation funding for the entire state.

**Presiding Officer Monroe** said Representative Montgomery was a politician from the "old school" of moderates who worked with moderates from the other party to accomplish something for everyone.

**Councilor Atherton**, regarding whether the Council should vote on this bill, noted that the newspaper had reported that this bill would be on the floor of the Senate next week. He said that if the Council wished to vote on its stance on this bill, it should do so quickly. He suggested discussing this at the Council/Executive Work Session on Tuesday. He said next Thursday would be too late.

**Presiding Officer Monroe** asked Mr. Cooper what the timeline was.

**Mr. Cooper** said the bill was amended in committee and sent on to the floor. He said he did not have a printed copy of either the formal amendments or the 'A' version of the bill. He offered to check on that and report back before the meeting adjourned.

**Presiding Officer Monroe** said he believed the rules would allow the Council to entertain a motion at any time in support of or in opposition to any piece of legislation.

**Councilor Atherton** said the MPAC decision asking for a hearing on HB 2595, which would go directly to the mandate to provide a 20-year supply of land for housing, was along the same lines. He asked whether the Council wanted to weigh in on this as well and add its voice the MPAC letter urging a hearing on this matter.

**Presiding Officer Monroe** said MPAC had voted and the Council could, too.

**Motion:** **Councilor Atherton** moved to send a letter to the House General Government Committee, its chair, and to the speaker requesting a hearing on HB 2595, the bill that would repeal the mandate for the 20-year land supply.

**Seconded:** **Councilor Park** seconded the motion.

**Discussion:** **Councilor Atherton** said that the letter would reflect the deliberation and recommendation of MPAC. He concurred with it. He said this proposal deserves an open discussion.

**Councilor Park** said that he would like to make a friendly amendment to the motion, and that would be to include all types of legislation similar to HB 2595, which discussed the 20-year land supply. He said the issue in general needed to be discussed, whether it was that bill or another like it. He said he was aware of at least two others.

**Presiding Officer Monroe** said the motion at hand was made concerning a specific bill; motions on other bills should be made separately. **Presiding Officer Monroe** asked Mr. Cooper for the status of HB 2595.

**Mr. Cooper** said that as of the end of last week, it had been assigned to the House of Representatives General Government Committee and no hearing had been scheduled.

**Councilor Washington** clarified that a yes vote on the motion at hand would simply indicate support for MPAC's request that a public hearing be held on HB 2595.

**Presiding Officer Monroe** replied in the affirmative.

**Councilor Washington** asked whether a member of the Council would need to be present at the hearing, should it be held.

**Presiding Officer Monroe** said that he assumed someone would need to represent the Council whether that be a member of the Council or a lobbyist or a public relations person.

**Councilor Park** said he supported MPAC's request. He thought it was important to discuss the issues. He thought it was important, in light of SB 87's moving through, that the impacts of this be understood. He thought the original premise needed to be re-examined.

**Councilor Washington** said if the Council requested a hearing, would it not be appropriate to articulate Councilor Park's concerns in the letter? He said that in the event a hearing was not held, the impacts of the decision should be conveyed anyway.

**Presiding Officer Monroe** suggested that the wording of the letter be approved by all the Councilors and particularly by Councilor Atherton, who made the motion to send it, and Councilor Park, who seconded the motion.

**Councilor Bragdon** asked whether Mr. Cooper had been charged with drafting MPAC's letter and if so could he summarize its contents?



**Mr. Cooper** said the letter was to be written by one of Executive Officer Mike Burton's staff.

**Councilor McLain** said she supported sending the letter. It simply requested that Metro Council would like to discuss this issue to answer a few simple questions: Was it good four years ago? Was it good now? If not, why was it not good? What implications did it have for cost to this agency? If we eliminated this law, was a replacement needed? How should the issues be addressed that were lined out in HB 2709? Even if these issues were not addressed this legislative session, at least they would have been raised and perhaps would be addressed next session.

**Presiding Officer Monroe** asked if Council could have a copy of the letter.

**Mr. Cooper** said the draft letter had not yet been reviewed yet by the Chair of MPAC, so any version they might see would not be a final one.

**Presiding Officer Monroe** said he had heard that this bill would not see the light of day. Agreements between interested parties had been reached that effectively killed this legislation. He invited Councilor Atherton to close on his motion.

**Councilor Atherton** echoed Councilor McLain's eloquent and simple statement and the simple wisdom of it, that the letter would be a clear and straightforward communication. He said he had talked with members of the legislature and found them open to this point of view. They agreed that this was an important matter that needed to be discussed.

**Presiding Officer Monroe** summarized the motion, which was to send a letter to the House General Government Committee, its chair, and to the Speaker of the House, urging them to hold a hearing on HB 2595. He called for the vote.

**Vote:** The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Kvistad voting no.

**Councilor Kvistad** said that he would like it noted in the record and in the letter that he did not support this letter.

**Presiding Officer Monroe** requested that the letter clearly state the vote was six to one.

## **7. CONSENT AGENDA**

### **7.1 Consideration of meeting minutes of the March 18, 1999, Regular Council Meeting.**

**Motion:** **Councilor McLain** moved to adopt the meeting minutes of March 18, 1999, Regular Council Meeting.

**Seconded:** **Councilor Washington** seconded the motion.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

## **8. ORDINANCES - FIRST READING**

**8.1 Ordinance No. 99-799, Confirming the Readoption of Metro Code 2.06 (Investment Policy); and Declaring an Emergency.**

**Presiding Officer Monroe** assigned Ordinance No. 99-799 to Council for the April 15th meeting.

**8.2 Ordinance No. 99-800, For the Purpose Of Amending a Solid Waste Franchise Granted to USA Waste Of Oregon, Inc., Doing Business as Metropolitan Disposal and Recycling Corporation, to Operate The Forest Grove Transfer Station, and Declaring An Emergency.**

**Presiding Officer Monroe** assigned Ordinance No. 99-800 to the Regional Environmental Management Committee.

## **9. RESOLUTIONS**

**9.1 Resolution No. 99-2756, For the Purpose of Approving the FY 2000 Unified Work Program.**

**Motion:** **Councilor Bragdon** moved to adopt Resolution No. 99-2756.

**Seconded:** **Councilor McLain** seconded the motion.

**Councilor Bragdon** said that this resolution adopted the Unified Work Program, which was a requirement of the federal government for the transportation program. This was due every July 1. It was on a cycle slightly ahead of Metro's own Regional Transportation Plan (RTP), so it could be subject to revision as those proceed. The federal government required that this be adopted. It had been approved by the Joint Policy Advisory Committee on Transportation (JPACT).

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

**9.2 Resolution No. 99-2758A, For the Purpose of Adopting Filing Fees for Quasi-Judicial and Administrative Amendments to the Urban Growth Boundary.**

**Motion:** **Councilor Bragdon** moved to adopt Resolution No. 99-2758A.

**Seconded:** **Councilor Washington** seconded the motion.

**Councilor Bragdon** said that this resolution proposed to increase filing fees for Urban Growth Boundary amendments. Those fees had not been reviewed since the early 1980s and had not kept up with inflation. This came forward with unanimous approval from the Growth Management Committee.

**Councilor McLain** called the committee's attention to the proposed fees presented in exhibit A to the resolution. An amendment to the resolution would require a review of these fees every five to seven years.

**Councilor Kvistad** asked what the current fees were. He requested someone to walk him through the proposed increases.

**Councilor Park** said paragraph 2 of the staff report listed the costs as approved in 1986.

**Councilor Bragdon** said the attachment also showed Resolution 86-684, approved on August 29, 1986, which also itemized the fees. They had not changed since then.

**Councilor Kvistad** said he would not vote for a fee increase until he knew how much the increase would be.

**Councilor McLain** said that the 1986 document, Attachment A, contained language as follows: 'for locational adjustments, the total cost shall not exceed \$2500.' It could be anywhere up to \$2500. She noted that in the new Exhibit A, those costs were broken out into three tiers--a major amendment, a locational adjustment, and a roadway realignment. She said experience had shown that this deposit did not cover Metro's actual costs. The recoverable costs associated with the processing of a 1998 locational adjustment petition actually ranged from \$4000 to \$6000.

**Councilor Kvistad** stated the roadway realignment application fees were going from \$25 to \$750. Locational adjustments were going up from \$1500 to \$6000 and major amendment petitions a maximum of \$5000 was going up to \$10,000 filing fee. He pointed out that the new fees were a great expense for a normal family to have to assume. He asked if there were any waivers for family applicants as opposed to corporations.

**Elaine Wilkerson**, Growth Management Services Director, said that any moneys not expended were refunded to the applicants. Attachment B showed there was a range of costs in 1998. An initial administrative deposit of \$2700 was requested. If that proved insufficient, more money had to be requested. She said that she did not like to ask for more money given that not all recommendations were necessarily favorable. It seemed more appropriate that the deposit be more in line with actual costs. If actual costs were less, the excess would be refunded to the petitioner. The biggest cost had historically been the cost of the hearings officer. That cost depended on the number of people who testified and the number of hearings required. In recent years, the costs of the hearings officers alone had routinely exceeded the deposit. The three tiers were created to reflect the actual costs associated with those applications.

**Councilor McLain** said that the fees reflected were ceilings, not flat fees. In the past when there were hardships, the Council had forgiven some of the in-house costs, although they had not been able to do that for the cost of the hearings officers. She said people were happier knowing up front what the maximum cost could be rather than finding out later their deposit was not enough.

**Councilor Park** said 13 years was too long to review a change in fees. He thought that was one of the reasons the increases had to be so steep. He said a five-year period would be more appropriate. He asked if the Council had a hardship policy for those who might have difficulty paying the fees.

**Councilor Kvistad** said he understood that any changes to fees would require an act of Metro Council. There was an appeal process that could be made to the Council, but there was no set policy for hardship cases.

**Councilor Park** asked Ms. Wilkerson if the program was designed to be revenue-neutral.

**Ms. Wilkerson** said that was absolutely correct.

**Councilor Washington** stated he had difficulty with this. He said the increases represented too much money. He said even five years was too long to wait to review fees; they should be reviewed annually. He asked if public hearings had been held on this resolution.

**Ms. Wilkerson** said the matter had been discussed at the Growth Management Committee, but she was not aware of a formal public hearing.

**Councilor McLain** said that staff brought this to the Growth Management Committee. The Committee felt staff had done a good job of reviewing what the actual costs were over the past five years and especially within the last year. Staff was trying to respond to a public concern, and that was knowing up front what the maximum cost of a filing could be up front. The Committee had discussed the fact that it had been 13 years since the fees had been reviewed; the fact that the proposed fees were large. She said the choices at hand were A) voting it out today; B) sending it back to committee, or C) making some other suggestions to staff for a process for changing filing fees. She said she would be comfortable with any of those options.

She said last year the staff had been put in the awkward position of having to ask petitioners for more money to cover costs. The majority of petitioners had stated they would rather pay up front than be asked for more money later.

**Councilor Washington** said his concern was not meant as a criticism of the Growth Management Committee. He recommended that this issue go back to committee before coming back to Council. He said it was not the public's fault that these fees were not raised in the past 13 years. He said he could not support the resolution without more discussion and study.

**Councilor Atherton** responded to the Councilor Washington by stating that the increases were associated with the general planning process, he would agree; however, they were not. There were special requests to change the Urban Growth Boundary. This was something special for specific individuals. Those costs would need to be covered. He thought they were reasonable, and he urged that they be passed immediately.

**Councilor McLain** said the petitioners last year did not pay \$1500, but closer to \$4000 to \$6000. Petitioners said that they did not like being told that the fee was \$1500 and then learn later that they would need to put up more money.

**Presiding Officer Monroe** asked if there were additional comments. Seeing none, he asked Councilor Bragdon for a close.

**Councilor Bragdon** said that based on the staff report and the discussion of the committee, he believed the proposed fees would be reasonable, and he urged a yes vote.

**Vote:** The vote was 5 aye/ 2 nay/ 0 abstain. The motion passed with Councilor Washington and Kvistad voting no.

**9.3 Resolution No. 99-2761, For the Purpose of Certifying that the Portland Metropolitan Area is in Compliance with Federal Transportation Planning Requirements.**

**Motion:** Councilor Atherton moved to adopt Resolution No. 99-2761.

**Seconded:** Councilor Kvistad seconded the motion.

**Councilor Atherton** proposed an amendment to the resolution. He indicated that over the years the Council had routinely approved the Unified Work Program. He said it was a self-certification that had three parts. The first part told the federal government Metro had used federal money as it was intended. It affirmed that this was a Metropolitan Planning Organization (MPO) and that the entire region was integrated in the planning. He said in his view, Metro clearly did that. The second part affirmed that Metro did planning, that it had a regional transportation plan, that it planned for projects, that it had a Transportation Improvement Program (TIP), and that it had a funding process. Clearly Metro complied with that part. The third part of the program called for planning factors. He said it was not clear to him that Metro had done that. He suggested postponing this self-certification until June, after the funding decisions had been made--particularly with the Priorities 2000 process that was still in progress.

**Presiding Officer Monroe** said this resolution had come forward from JPACT, and the Council could not amend resolutions that came from JPACT. The Council could send them back to JPACT with recommendations, but it could not amend them.

**Councilor McLain** said she assumed Councilor Atherton was referring to the planning factors under item number six, which were very broad. She said all the projects on the TIP had to meet those guidelines before they could make the list. All of them had been discussed at least three times with these guidelines in mind. She agreed with Councilor Atherton that it was always a good idea to be certain goals had been met, but she did not think the certification process should be delayed in this case for that reason. In her view, all the projects met the general factors. She suggested that the Transportation Planning Committee keep track of how the transportation projects and the RTP update met the general goals. She thought the vote should go forward on this time-sensitive issue and that Councilor Atherton should have an opportunity to discuss these issues further.

**Presiding Officer Monroe** said he had called a special Metro Council workshop to be held Tuesday, April 6, 1999, at 1 PM to review the 150% TIP decision-making process.

**Councilor Kvistad** said he had had only a few minutes to speak with Councilor Atherton on this matter. He had wanted to make certain Councilor Atherton could bring his concerns forward to Metro Council. He said Metro was just certified this past year on the five-year certification by the federal government that Metro met the federal criteria.

**Councilor Atherton** said a number of citizens had called him about this matter. He said he was new to this process.

**Councilor Kvistad** said Metro had been allowed to self-certify because of the way it had operated--it had set a standard for the way MPOs operate. He recommended the Council go forward with this document and continue discussions for Councilor Atherton's sake at the

committee level. He said Metro had \$75 million to allocate, and the challenge would come when it came time to allocate it.

**Presiding Officer Monroe** again summarized the way the Council worked with JPACT and the rules for dealing with resolutions and amendments. He emphasized that the relationship and legislative processes were different from those with the Metro Policy Advisory Committee (MPAC).

**Councilor Bragdon** said he shared Councilor Atherton's concerns. However, he urged support for the certification to enable Metro to obtain the federal money. He said this would be so Metro did not find itself in the same situation as Atlanta, which was denied federal funds. He urged going ahead with the self-certification, which indicated that Metro understood the factors. Then ensure compliance when money was allocated to various TIP projects next week.

**Presiding Officer Monroe** said he had called the special meeting workshop for April 6 to allow the Council to discuss the 150% cut list before it went to JPACT the morning of April 8 and before it came back to the Council for approval that afternoon. He apologized for the short notice.

**Councilor Kvistad** invited the Council to sit in on the public hearing on the 150% cut, to be held on April 6, 1999, at 5:30 PM, and to sit in on the JPACT meeting on April 8 at 7:30 AM.

**Councilor Washington** encouraged the entire Council to be at the public hearing on April 6 and at JPACT on the morning of April 8. He said the certification that would be passed today was only the beginning. The real test would come when the Council tried to allocate very meager resources for a major amount of work that needed to be done in this area..

**Councilor Atherton** said he appreciated the conversation. He said that this resolution stated Metro had complied with federal requirements before he personally could verify that it had. He asked what he should tell constituents in his community who lived right next to I-205. These people's backyards had a 12-foot-high wall to help block out the noise, yet you could not carry on a conversation in their homes because of the noise. Their kitchen counters were covered with black grit in their homes from rubber tires on the highway. What should he tell those people? Would it be valuable to tell JPACT that the Council would not to approve this until it was known for sure that the federal money had been used properly.

**Presiding Officer Monroe** called for the vote.

**Vote:** The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Atherton voting no.

9.4. **Resolution No. 99-2762, For the Purpose of Authorizing Construction of a New Hall D at Expo.**

**Motion:** Councilor Kvistad moved to adopt Resolution No. 99-2762.

**Seconded:** Councilor Washington seconded the motion.

**Councilor Kvistad** said he was one of the few 'no' votes about taking over the Expo Center and the regional parks, but today he believed in it and urged the Council to support this resolution. When Metro inherited Expo from Multnomah County, the halls needed considerable repair. The first new building, a 108,000 ft<sup>2</sup> facility to host the Smithsonian exhibit, was built with no additional taxes to the public. Since then that hall had been booked nearly to maximum. Because of the unqualified success of that building with the public and for the agency, Resolution 99-2762 proposed to proceed with phase two of a three-phase Expo rebuilding and reconditioning project. This would replace Hall D, a former animal barn, with an 80,000 ft<sup>2</sup> hall equipped with air-conditioning and with food service facilities. The building could be ready to serve as a temporary facility to house events that might be displaced by construction connected with expansion of the Oregon Convention Center. This would be a \$15.8 million project funded from existing revenue bonds, incurring no additional taxes. It would pay off a loan Intel made to build the first facility. He said this was a great opportunity and investment and he urged support for this resolution.

**Councilor Washington** thanked Councilor Kvistad for his leadership and stewardship of this project. He pointed out that, except for the new building, the facilities out there were not in the best of shape. He urged a 'yes' vote for this project.

**Councilor McLain** said she supported this project. She said the fact that no new taxes would be needed to fund this project was important to her.

**Councilor Atherton** echoed Councilor McLain's comments. He thanked Councilor Kvistad for his work on this project.

**Councilor Park** said he supported this proposal and appreciated how it worked with other things Metro was trying to do for the region. He said the new facilities were badly needed and he appreciated that they could be built with no additional public revenues.

**Presiding Officer Monroe** thanked Councilor Kvistad for bringing this project along in spite of those who said it could not be done without sacrificing other needs. He thanked Councilor Washington for his support and noted that this would be in his district. He also thanked Executive Officer Mike Burton who was involved in the negotiations as well as Mark Williams and other officials from MERC who were involved and would be managing this facility. He promised that the bonds would be well managed, and he expected that in the not-too-distant future, Halls A, B, and C would also be replaced.

On a related subject, he announced that there would be a press conference at 9:00 AM on April 2, 1999, in the Convention Center parking lot to introduce plans for expanding the Oregon Convention Center and, with passage of this resolution, expansion of Expo as well.

**Councilor Kvistad** said this project was important to him since so many of the existing facilities were not up to code for seismic reasons. The choice was to bring them to code or replace them. He emphasized the value of doing this expansion without asking the taxpayers for more money. He promised the public a world-class facility that would maximize what they had invested already. He thanked those who supported this. He also thanked two former councilors, Ruth McFarland and Lisa Naito, who had worked very hard to bring this project to fruition. He also thanked Metro's partners at the county and city and the citizens of the region. He urged approval of this resolution.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

9.5 **Resolution No. 99-2760, For the Purpose of Authorizing the Executive Officer to Begin the Process to Finance the Construction of Hall D at the Expo Center.**

**Motion:** **Councilor Washington** moved to adopt Resolution No. 99-2760.

**Seconded:** **Councilor Kvistad** seconded the motion.

**Councilor Washington** said this was a \$15.8 million project that was going to be solely financed through revenue bonds and revenues from the facilities. This resolution directed the Executive Officer to start the financing process to get the bonds available for sale. He noted Attachment A, which showed the timeline.

**Councilor Kvistad** added that he and other Councilors would like to see this move forward as quickly as possible to try to meet the construction season this year.

**Councilor Washington** asked if the request made by Councilor Kvistad needed to be included in the form of an amendment. Presiding Officer Monroe said no.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed unanimously.

9.6 **Resolution No. 99-2767, For the Purpose of Appointing Kathy Clair to the Water Resources Policy Advisory Committee.**

**Motion:** **Councilor McLain** moved to adopt Resolution No. 99-2767.

**Seconded:** **Councilor Park** seconded the motion.

**Councilor McLain** said there Kathy Clair was elected in November of 1998 to replace Gary Clark on the Washington County Soil and Water Conservation District. This would name her as his replacement on Metro's Water Resources Policy Advisory Committee, also. Ms. Clair had been attending meetings as a non-voting member for the past month, and Metro looked forward to having her as a voting member.

**Councilor Park** said he did not know Ms. Clair personally, but he knew the reputation of the Washington County Water Conservation District. It's progressive and worked hard on the Tualatin Basin area. He looked forward to having their expertise on the committee.



**Councilor Kvistad** said he knew Ms. Clair and felt she would be a terrific addition to the committee.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed

**Presiding Officer Monroe** recessed the Metro Council and convened the Metro Contract Review Board.

## 10. CONTRACT REVIEW BOARD

10.1 **Resolution No. 99-2765**, For the Purpose of Authorizing Amendment No. 3 to Contract No. 920197 with URS Greiner, Inc.

**Motion:** **Councilor Park** moved to adopt Resolution No. 99-2765.

**Seconded:** **Councilor McLain** seconded the motion.

**Councilor Park** said as a business person this resolution made him uncomfortable, because it requested additional funds to cover a dispute in the contract. URS Greiner constructed a latex paint recycling building on the South Metro Transfer Station. Due to a change in orders coupled with miscommunication among Metro's contract managers and the contractor, the project had incurred cost overruns. Under these conditions, he would not ordinarily support paying the charges. However, the Regional Environmental Management (REM) staff had assured him changes were made in their procedures to ensure this would not happen again. He noted that the amount requested represented a negotiated amount that was considerably less than what had originally been requested. He urged support to fix the situation this time.

**Councilor Washington** said when this issue came before REM Committee, Mr. Warner had been very up front about the situation. He had presented the information and assured the committee they would make sure this did not happen again. He did not think this situation was intentional or anyone not doing their work. He urged the support of the council.

**Councilor McLain** praised Mr. Warner on his handling of the issue. She said he did not just accept the bill, but analyzed the bill and negotiated a fair payment based on the actual work done. She said she understood that work had been authorized without seeking staff or Council approval; however, steps had been taken to ensure that this would not happen in the future. She felt that the department understood this was a real issue.

**Councilor Kvistad** said he did not like these kinds of situations, even though he understood how they happen. He said this was \$26,000 of the public's money that was on the table. He said these situations were of great concern to him because the Metro Council had a double responsibility to do a good job with public money. He suggested making it clear this kind of situations was not to happen again, and if it happened again someone would be held accountable. He would support the amendment to the contract but felt it was something that must be watched.

**Councilor Park** appreciated all of the Council comments. He said he would not support this if he thought this could happen again. He thought the building itself, as a paint-recycling facility, would provide a valuable service to the public. He understood that so far it was performing its

function well. He felt overall the building was a "win," but he wished it had not happened with the extra dollars.

**Vote:** The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

**Presiding Officer Monroe** reconvened the Metro Council.

## 11. COUNCILOR COMMUNICATION

**Councilor Atherton** recalled an earlier conversation about SB 87 and asked if Mr. Cooper had a report for the Council about any changes in that bill. He noted that the Council had a question as to whether it was timely to send a message to the legislature now as opposed to next Thursday (April 8).

**Councilor Park** thanked the Councilor Kvistad for the souvenir from his latest trip.

**Councilor Kvistad** said he had enjoyed his vacation to Paris, but he had been in the middle of a street riot where 10,000 to 15,000 Serbians were throwing minor grenades protesting the Kosovo incident. He jested that it reminded him of taking votes on the Urban Growth Boundary.

**Mr. Cooper** said regarding SB 87 that Mr. Phelps said the bill had come out of committee, but it had not yet gotten to the Secretary's desk. He said because there were amendments, the bill still needed to go through a lengthy procedure, making it extremely unlikely that it would be voted on before next Thursday. Mr. Phelps said he would follow up to verify that, so the Council could discuss it.

**Presiding Officer Monroe** said that this issue could be added to the discussions on the I-TIP already scheduled for the Transportation Planning Council Work Session next Tuesday, April 6, at 1:00 p.m.

**Mr. Cooper** said that by that time, they would have a better idea if SB 87 would be under consideration on Thursday, April 8th. He guaranteed it no vote would be taken on the Senate floor before Tuesday, April 6th.

**Presiding Officer Monroe** said he thought the vote would be early in the week following the week of April 5.

**Councilor Atherton** said that the timeline should be fine. He said some of the information from proponents of this bill could be characterized as pure baloney. He thought it was important to counter that.

**Presiding Officer Monroe** asked that Mr. Cooper and Mr. Stone provide an update on this bill at the 1:00 PM Transportation work session.

**Councilor McLain** said that MPAC and its chair sent a letter on March 31<sup>st</sup> to the chair of the Ways and Means Transportation Subcommittee to support the TGM grants and the TGM grant program. She said those planning dollars had been helpful in building connectivity with our town centers and regional centers. MPAC made a suggestion that this Council might also want to write a letter to support those TGM grants. She asked the Council if it would be willing to let the

Presiding Officer sign such a letter indicating Council support for the TGM program and for the comments made by MPAC.

**Presiding Officer Monroe** called for objections; no one came forward. He said he would send the letter.

**Councilor Atherton** thanked the Council and the presiding officer about the discussion of the transportation planning program and the certification process. He said he felt the public appreciated the forthright discussion the Council had on these concerns.

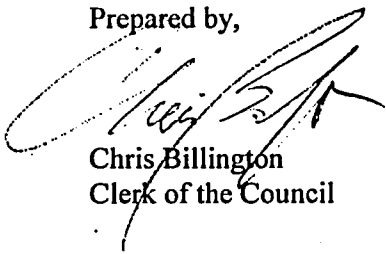
**Councilor Bragdon** said that in that discussion, Councilor Atherton had posed a question that remained unanswered and that was, what do we tell citizens who are calling us who are interested in the transportation issues. He offered his answer; tell them about the hearings, the RTP, and about the certification that was adopted today, which underscored safety as one criterion and efficient use of existing assets as another. He said to urge the public to make sure Metro lived up to what it said it wanted to do.

**Presiding Officer Monroe** reminded the Council of the public hearing was on Tuesday, April 6th, at 5:30 PM in the Council Chamber.

**12. ADJOURN**

There being no further business to come before the Metro Council, Presiding Officer Monroe adjourned the meeting at 4:05 PM

Prepared by,



Chris Billington  
Clerk of the Council

Document Number	Document Date	Document Title	TO/FROM	RES/ORD
040199c-01	4/1/99	Record relative to Resolution No. 99-2756 and 99-2761	TO: Metro Council FROM: Dick Jones	Res No. 99-2756 and 99-2761
040199c-02	4/1/99	Comments on Resolution No. 99-2756, 99-2761, 99-2767	TO: Metro Council FROM: Liz Callison	Res No. 99-2756, 99-2761, and 99-2767

*Agenda Item Number 8.1*

**Ordinance No. 99-796, For the Purpose of Authorizing a Transfer of Metro Yard Debris Processing Facility License No. YD-0197 from Scotts Hyponex Corporation to Clackamas Compost Products, Inc. to Continue Operations at an existing, approved, yard debris process site and Declaring an Emergency..**

***First Reading***

**Metro Council Meeting  
Thursday, April 8, 1999  
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING A TRANSFER OF ) ORDINANCE NO. 99-796  
METRO YARD DEBRIS PROCESSING FACILITY )  
LICENSE NO. YD-0197 FROM THE SCOTTS HYPONEX )  
CORPORATION TO CLACKAMAS COMPOST PRODUCTS, INC. )  
TO CONTINUE OPERATIONS AT AN EXISTING, APPROVED )  
YARD DEBRIS PROCESSING SITE ) Introduced by Mike Burton,  
Executive Officer

WHEREAS, on December 19, 1996 the Metro Council approved Ordinance No. 96-666 for the purpose of authorizing the Executive Officer to enter into a Licensing Agreement for a yard debris processing facility with the Scotts Hyponex Corporation located at 11620 SE Capps Road in Clackamas Oregon; and

WHEREAS, Clackamas Compost Products, a division of Lane Forest Products, Inc. located in Eugene, Oregon desires to continue operating the composting operation located at 11620 SE Capps Road in Clackamas; and

WHEREAS, pursuant to Metro Code Section 5.01.400(b) yard debris processing facility licenses issued prior to August 1, 1998 are governed by the former Metro Code Sections 5.01.230 through 5.01.380; and

WHEREAS, in accordance with the provisions in former Metro Code Section 5.01.380(d), Clackamas Compost Products has submitted a Metro License Transfer Application to transfer the Metro License Agreement No. YD-0197 to Clackamas Compost Products; and

WHEREAS, based on information submitted by Clackamas Compost Products, Inc., as specified in the Staff Report or otherwise submitted, the Executive Officer has found that the facility is in compliance with applicable provisions and standards in the Metro Code related to the licensing of yard debris processing facilities; and

WHEREAS, all other terms and conditions in the current Metro yard debris composting facility license No. YD-0197 originally issued to the Scotts Hyponex Corporation will remain in effect; and

WHEREAS, the facility is an existing operation providing necessary services to the public and has organic materials on-site; and

WHEREAS, nuisance impacts from yard debris processing facilities such as odor, dust and noise can adversely affect the health, safety, and welfare of the public; and

WHEREAS, the purpose of the licensing agreement is to protect the health, safety, and welfare of Metro area residents; and

WHEREAS, the Executive Officer has recommended that the Council approve this Ordinance granting a transfer of the attached License Agreement to Clackamas Compost Products, Inc.; now therefore,

**THE METRO COUNCIL ORDAINS AS FOLLOWS:**

1. The Council authorizes the Executive Officer to enter into the License Agreement for a yard debris processing facility, in a form substantially similar to the form attached as Exhibit A, within ten days of the effective date of this ordinance.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_ 1999.

\_\_\_\_\_  
Rod Monroe, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

EXHIBIT A

**YARD DEBRIS COMPOSTING FACILITY LICENSE**

issued by

**METRO**

600 N.E. Grand Avenue  
Portland, Oregon 97232-2736  
(503) 797-1700

LICENSE NUMBER: YD - 01 -97

DATE ISSUED: March 6, 1997 (see Section 2)

AMENDMENT DATE: Transferred to Clackamas Compost Products, Inc. on:

EXPIRATION DATE: March 6, 2002

TRANSFERRED TO: CLACKAMAS COMPOST PRODUCTS, INC.

NAME OF FACILITY: CLACKAMAS COMPOST PRODUCTS, INC.

ADDRESS: 11620 SE CAPPS ROAD

CITY, STATE, ZIP: CLACKAMAS, OR 97015

LEGAL DESCRIPTION: (see attached application)

NAME OF OPERATOR: Clackamas Compost Products, Inc. / Lane Forest Products

PERSON IN CHARGE: Tom Campbell

ADDRESS: P.O. Box 1431

CITY, STATE, ZIP: Eugene, OR 97440

TELEPHONE NUMBER: (503) 557-1028 (John Essner, Clackamas Site Manager);  
(541) 345-9085 (Tom Campbell Facility Manager-Eugene)

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# LICENSE AGREEMENT

This License is issued by Metro, a municipal corporation organized under the Constitution of the State of Oregon and the 1992 Metro Charter ("Metro"), to the ~~Scotts Hyponex Corporation~~ Clackamas Compost Products, Inc. ("Licensee").

In recognition of the promises made by Licensee as specified herein, Metro issues this License, subject to the following terms and conditions:

## 1. DEFINITIONS

The definitions in Metro Code Section 5.01.010 shall apply to this License, as well as the following definitions. Defined terms are capitalized when used.

"**Composting**" means the controlled biological decomposition of organic materials through microbial activity which occurs in the presence of free oxygen. Composting does not include the stockpiling of organic material.

"**Facility**" means the site where one or more activities that the Licensee is authorized to conduct occur.

"**Hazardous Waste**" has the meaning specified in ORS 466.005.

"**Prohibited Wastes**" has the meaning set forth in Section 5.2 of this License.

## 2. TERM OF LICENSE

This License is issued for a term of five years from the date signed by Metro and the Licensee, following approval by the Metro Council.

## 3. LOCATION OF FACILITY

The licensed Facility is located at 11620 SE Capps Road, Clackamas, Oregon. Tax lot 1800; Northeast 1/4, Section 15, Township 2 South, Range 2 East, W.M.; Clackamas County Oregon.

## 4. OPERATOR AND OWNER OF FACILITY AND PROPERTY

4.1 The owner of the Facility is Lane Forest Products, Inc. O.M. Scott & Sons Company/~~Hyponex Corporation~~.

4.2 The owner of the property underlying the Facility is Terry Emmert, Emmert Inc. Licensee warrants that owner has consented to Licensee's use of the property as described in this License.

4.3 The operator of the Facility is ~~Scotts Hyponex Corporation~~ Clackamas Compost Products, Inc. Licensee may contract with another person or entity to operate the

Facility only upon ninety (90) days prior written notice to Metro and the written approval of the Executive Officer.

## **5. AUTHORIZED AND PROHIBITED ACTIVITIES AND WASTES**

5.1 Subject to the following conditions, Licensee is authorized to operate and maintain a yard debris composting facility.

5.1.1 Licensee shall accept only yard debris, landscape waste, and clean wood wastes (e.g., untreated lumber, wood pallets). No other wastes shall be accepted at the Facility unless specifically authorized in writing by Metro.

### **5.2 Prohibited Wastes**

5.2.1 Licensee is prohibited from receiving, processing or disposing of any solid waste not authorized in this License.

5.2.2 Licensee shall not accept Hazardous Waste. Any Hazardous Waste inadvertently received shall be handled, stored, and removed pursuant to state and federal regulations.

## **6. MONITORING AND REPORTING REQUIREMENTS**

6.1 Licensee shall monitor facility operation and maintain accurate records of the following:

6.1.1 Amount of feedstock received and quantity of product produced at the facility.

6.1.2 Records of any special occurrences encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures.

6.1.3 Records of any public nuisance complaints (e.g., noise, dust, vibrations, litter) received by the operator, including:

- (a) The nature of the complaint;
- (b) The date the complaint was received;
- (c) The name, address, and telephone number of the person or persons making the complaint; and
- (d) Any actions taken by the operator in response to the complaint.

6.1.4 For every odor complaint received, the licensee shall record the date, time, and nature of any action taken in response to an odor complaint, and record such information within one business day after receiving the complaint. Records of such information shall be made available to Metro and local governments upon request.

6.2 Records required under this section shall be reported to Metro no later than thirty (30) days following the end of each quarter. The report shall be signed and certified as accurate by an authorized representative of Licensee.

6.3 The licensee shall submit to Metro duplicate copies of regulatory information submitted to the DEQ and local jurisdictions pertaining to the facility, within 30 days at the same time of submittal to DEQ and/or a local jurisdiction.

## 7. DESIGN AND OPERATIONAL REQUIREMENTS

7.1 Activities shall be conducted in accordance with the Metro approved facility design plan, operations plan and odor minimization plan submitted as part of the License Application. In addition:

7.1.1 To control odor and dust the Licensee shall:

- (a) Install dust control and odor systems whenever excessive dust and odor occur, or at the direction of Metro. Alternative dust and odor control measures may be established by the Licensee with Metro approval.
- (b) Take specific measures to control odors in order to avoid or prevent any violation of this License, which measures include (but are not limited to) adherence to the contents of the odor minimization plan.

7.1.2 With respect to vector control, the Licensee shall manage the Facility in a manner that is not conducive to infestation of rodents or insects. If rodent or insect activity becomes apparent, Licensee shall initiate and implement additional vector control measures.

7.2 The Licensee shall provide an operating staff which is qualified to perform the functions required by this License and to otherwise ensure compliance with the conditions of this License.

7.3 The licensee shall utilize functionally aerobic composting methods for processing authorized wastes at the facility.

7.4 All facility activities shall be conducted consistent with applicable provisions in Metro Code Chapter 5.01: Additional Provisions Relating to the Licensing of Yard Debris Processing Facilities (Sections 5.01.230 - 5.01.380). Licensee may modify such procedures. All proposed modifications to facility plans and procedures shall be submitted to the Metro Regional Environmental Management Department for review and approval. The Executive Officer shall have 10 business days from receipt of proposed modifications to object to such modifications. If the Executive Officer does not object, such modifications shall be considered approved following the 10-day period. Licensee may implement proposed modifications to Facility plans and procedures on a conditional basis pending Metro review and notice from Metro that such changes are not acceptable.

7.5 Licensee shall remove compost from the Facility as frequently as possible, but not later than one year after processing is completed.

## 8. FACILITY CLOSURE

8.1 In the event of closure of the facility, all yard debris, composting material, end-product, and other solid wastes must be removed from the facility within 180 days following the commencement of closure.

8.2 Licensee shall close the facility in a manner which eliminates the release of landscape waste, landscape waste leachate, and composting constituents to the groundwater or surface waters or to the atmosphere to the extent necessary to prevent threats to human health or the environment.

8.3 Within 30 days of completion of closure, Licensee shall file a report with Metro verifying that closure was completed in accordance with this section.

## 9. ANNUAL LICENSE FEE

Licensee shall pay an annual license fee of \$300, as established under Metro Code Section 5.01.320. The fee shall be delivered to Metro within thirty (30) days of the effective date of this License and on the same date for each year thereafter. Metro reserves the right to change its license fees at any time, by action of the Metro Council, to reflect license system oversight and enforcement costs.

## 10. INSURANCE

10.1 Licensee shall purchase and maintain the following types of insurance, covering Licensee, its employees, and agents:

- (a) Broad form comprehensive general liability insurance covering personal injury, property damage, and personal injury with automatic coverage for premises, operations, and product liability. The policy must be endorsed with contractual liability coverage; and
- (b) Automobile bodily injury and property damage liability insurance.

10.2 Insurance coverage shall be a minimum of \$500,000 per occurrence, \$100,000 per person, and \$50,000 property damage. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.

10.3 Metro, its elected officials, departments, employees, and agents shall be named as ADDITIONAL INSURED. Notice of any material change or policy cancellation shall be provided to Metro thirty (30) days prior to the change or cancellation.

10.4 Licensee, its contractors, if any, and all employers working under this License are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage

for all their subject workers. Licensee shall provide Metro with certification of Workers' Compensation insurance including employer's liability.

## **11. INDEMNIFICATION**

Licensee shall indemnify and hold Metro, its agents, employees, and elected officials harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with licensee's performance under the license, including patent infringement and any claims or disputes involving subcontractors. Licensee shall not assume liability for any negligent or intentionally wrongful act of Metro, its officers, agents or employees.

## **12. COMPLIANCE WITH LAW**

Licensee shall fully comply with all federal, state, regional and local laws, rules, regulations, ordinances, orders and permits pertaining in any manner to this License, including all applicable Metro Code provisions whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the operation of the Facility by federal, state or local governments or agencies having jurisdiction over the Facility are part of this License by reference as if specifically set forth herein. Such conditions and permits include those attached as exhibits to this License, as well as any existing at the time of issuance of this License and not attached, and permits or conditions issued or modified during the term of this License.

## **13. METRO ACCESS TO FACILITY**

Authorized representatives of Metro shall be permitted access to the premises of the Facility at all reasonable times for the purpose of making inspections and carrying out other necessary functions related to this License. Access to inspect is authorized during all business hours.

## **14. DISPOSAL RATES AND FEES**

- 14.1 The rates charged at licensed facilities are exempt from Metro rate setting.
- 14.2 Licensee is exempted from collecting and remitting Metro fees on waste received at the Facility. Licensee is fully responsible for paying all costs associated with disposal of residual material generated at the facility, including all Metro fees and taxes. A licensee shall obtain a non-system license prior to disposal of residuals at any facility not designated by Metro.
- 14.3 Licensee shall adhere to the following conditions with regard to disposal rates charged at the facility:
  - (a) A licensee may modify rates to be charged on a continuing basis as market demands may dictate. Rate schedules should be provided to Metro on a regular basis, and shall be provided to Metro on request.

- (b) Public rates charged at the facility shall be posted on a sign near where fees are collected. Rates and disposal classifications established by a licensee shall be reasonable and nondiscriminatory.

## **15. GENERAL CONDITIONS**

- 15.1 Licensee shall be responsible for ensuring that its contractors and agents operate in compliance with the terms and conditions of the license.
- 15.2 This License shall not vest any right or privilege in the licensee to receive specific quantities of yard debris during the term of the license.
- 15.3 The power and right to regulate, in the public interest, the exercise of the privileges granted by a license shall at all times be vested in Metro. Metro reserves the right to establish or amend rules, regulations or standards regarding matters within Metro's authority, and to enforce all such legal requirements against licensee.
- 15.4 This License may not be transferred or assigned without the prior written approval of Metro, which will not be unreasonably withheld.
- 15.5 To be effective, a waiver of any term or condition of a license must be in writing, signed by the executive officer. Waiver of a term or condition of a license shall not waive nor prejudice Metro's right otherwise to require performance of the same term or condition or any other term or condition.
- 15.6 This License shall be construed, applied, and enforced in accordance with the laws of the State of Oregon and all pertinent provisions in the Metro Code.
- 15.7 If any provision of a license is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, the validity of the remaining provisions contained in the license shall not be affected.

## **16. REVOCATION**

Suspension, modification or revocation of this License shall be as specified herein and in the Metro Code.

## **17. MODIFICATION**

- 17.1 At any time during the life of this License, either the Executive Officer or the Licensee may propose amendments or modifications to this License. Except as specified in the Metro Code, no amendment or modification shall be effective unless it is in writing, approved by the Metro Council, and executed by the Licensee and the Executive Officer.
- 17.2 The Executive Officer shall review the License annually, consistent with Section 6 of this License, in order to determine whether the License should be changed and whether a recommendation to that effect needs to be made to the Metro Council. While not

exclusive, the following criteria and factors may be used by the Executive Officer in making a determination whether to conduct more than one review in a given year:

- a) Licensee's compliance history;
- b) Changes in waste volume, waste composition, or operations at the Facility;
- c) Changes in local, state, or federal laws or regulations that should be specifically incorporated into this License;
- d) A significant release into the environment from the Facility;
- e) A significant change or changes to the approved site development plan and/or conceptual design; or
- f) Any change in ownership that Metro finds material or significant.
- g) Community requests for mitigation of impacts to adjacent property resulting from Facility operations.

**18. NOTICES**

18.1 All notices required to be given to the Licensee under this License shall be delivered to:

~~Trey George III, General Manager~~Susan Posner, Vice President  
~~Scotts Hyponex Corporation~~Clackamas Compost Products, Inc.  
~~535 W. Main Street~~PO Box 1431  
~~Molalla, OR 97038~~Eugene, OR 97440

18.2 All notices required to be given to Metro under this License shall be delivered to:

Licensing Program Administrator (Yard Debris Facilities)  
Metro Regional Environmental Management Department  
Metro  
600 N.E. Grand Avenue  
Portland, OR 97232-2736

18.3 Notices shall be in writing, effective when delivered, or if mailed, effective on the second day after mailed, postage prepaid, to the address for the party stated in this License, or to such other address as a party may specify by notice to the other.

CLACKAMAS COMPOST PRODUCTS, INC.

METRO

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

\_\_\_\_\_  
Mike Burton, Executive Officer  
Metro

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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## **EXECUTIVE SUMMARY**

### **ORDINANCE 99-796 AUTHORIZING A YARD DEBRIS PROCESSING FACILITY LICENSE TRANSFER TO CLACKAMAS COMPOST PRODUCTS, INC.**

#### **PROPOSED ACTION**

- This Ordinance transfers the Metro Yard Debris Processing Facility License from Scotts Hyponex Corporation to Clackamas Compost Products, Inc.

#### **WHY NECESSARY**

- Metro Code Chapter 5.01 requires an owner or operator of a yard debris processing facility to be licensed by Metro.
- License transfers are authorized by the Metro Council pursuant to Chapter 5.01 of Metro Code to ensure that uninterrupted service can be provided by Metro licensed facilities during changes in facility operators or ownership.
- In accordance with provisions in Metro Code, Clackamas Compost Products, Inc. has submitted a Metro License Transfer Application, and requests authorization to continue operating the composting facility (previously Scotts Hyponex) located at 11620 SE Capps Road, in Clackamas.

#### **DESCRIPTION**

- The site is zoned Heavy Industrial. The facility was established in 1992, as an outright permitted use subject to local design review. The operation was approved by the Clackamas County Design Review Committee.
- The facility accepts loads of yard debris from commercial and residential sources and recycles approximately 48,000 cubic yards of yard debris per year. The facility is open to the public.
- Clackamas Compost Products has been in both the yard debris composting and urban wood recycling business for the past six years in Eugene, Oregon, and has a good operating record there.

#### **BUDGET / FINANCIAL IMPACTS**

- There will be a slight increase in revenues from the annual license fee of \$300 per year paid by the licensee. Current staffing levels are expected to be adequate to handle any technical assistance or enforcement requirements that might arise from licensing this facility.



## STAFF REPORT

FOR THE PURPOSE OF AUTHORIZING A TRANSFER OF METRO YARD DEBRIS PROCESSING FACILITY LICENSE NO. YD-0197 FROM SCOTTS HYPONEX CORPORATION TO CLACKAMAS COMPOST PRODUCTS, INC. TO CONTINUE OPERATIONS AT AN EXISTING, APPROVED, YARD DEBRIS PROCESSING SITE

March 22, 1999

Presented by: Bruce Warner  
Bill Metzler

### I. INTRODUCTION

The purpose of this report is to provide the information necessary for the Metro Council to act on the recommendation that the Metro Yard Debris Processing Facility License Agreement No. YD-0197, (originally issued to the Scotts Hyponex Corporation located at 11620 SE Capps Road in Clackamas, Oregon) be transferred to Clackamas Compost Products, Inc. as the new facility operator. The License Agreement is attached to Ordinance No. 99-796 as Exhibit A.

#### Key Findings Include:

- Yard debris processing facility licenses are authorized by the Metro Council.
- License transfers are authorized by the Metro Council pursuant to Chapter 5.01 of Metro Code to ensure that uninterrupted service can be provided by Metro licensed facilities during changes in facility operators or ownership.
- On March 6, 1997, Scotts Hyponex Corporation was issued a Metro Yard Debris Processing Facility License (No. YD-0197) to operate a yard debris processing facility at 11620 SE Capps Road in Clackamas, Oregon. The Scotts facility has operated in good standing with Metro under the terms of their license agreement.
- Clackamas Compost Products, a division of Lane Forest Products, Inc., took over the Scotts Hyponex composting operation located at 11620 SE Capps Road in Clackamas. Clackamas Compost Products has been in both the yard debris composting and urban wood recycling business for the past six years in Eugene, Oregon, and has a good operating record there.
- In accordance with the provisions in Metro Code, Clackamas Compost Products has submitted a License Transfer Application to Metro. The request is to transfer the Metro License Agreement No. YD-0197 made with Scott's Hyponex Corporation (the previous site operators) to Clackamas Compost Products, the new site operators.
- The Executive Officer has determined that the Metro License Transfer Application, submitted by Clackamas Compost Products is complete. Clackamas County approves of the issuance of the Metro License Transfer, and land use approvals are in place.

- This Ordinance transfers the Metro Yard Debris Processing License from Scotts Hyponex Corporation to Clackamas Compost Products, Inc.
- All other terms and conditions in the current Metro yard debris composting facility license No. YD-0197 originally issued to the Scotts Hyponex Corporation will remain in effect for Clackamas Compost Products, Inc.
- The Executive Officer has reviewed all required submittals and has determined that Clackamas Compost Products, Inc. meets the requirements of the Metro Code related to licensing yard debris-processing facilities.

## II. FACILITY AND APPLICANT INFORMATION

### Location:

- The site is located south of State Highway 224, north of the Clackamas River, and east of Interstate 205, in Clackamas County.
- Facility address: 11620 SE Capps Road, Clackamas, Oregon 97015.
- The facility lies in the Northeast 1/4, Section 15, Township 2 South, Range 2 East, W.M; Clackamas County Oregon. Tax Lot 1800.

### Zoning:

- The site is zoned I-3, Heavy Industrial. The facility is an outright permitted use, subject to design review. On September 25, 1992, the Clackamas County Design Review Committee approved the yard debris composting facility.

### General Facility Description:

- The 9.57-acre site is leased by Clackamas Compost Products, Inc. The site area used for yard debris composting operations is limited to 6.9 acres by action of the Clackamas County Design Review Committee - File No: Z0854-92.
- The facility accepts loads of yard debris from commercial and residential sources. The facility is open to the public.
- The facility will process approximately 48,000 cubic yards of yard debris per year.

### Applicant Qualifications

- Clackamas Compost Products, Inc. is a division of Lane Forest Products, Inc. located in Eugene, Oregon. Lane Forest Products has been in both the yard debris composting and urban wood recycling business for the past six years utilizing an 18-acre site in Eugene, and has a good operating record there.

Completeness and Sufficiency of Application

Applicants for transfers of yard debris processing facility licenses are required to complete an application form and provide additional information as requested. The Executive Officer has reviewed the license transfer application, and have found that the facility meets all applicable Metro Code requirements and is eligible for a yard debris processing facility license.

**III. CONCLUSIONS**

The Executive Officer has reviewed all required submittals, and has determined that a transfer of License No. YD-0197 from the Scotts Hyponex Corporation to Clackamas Compost Products, Inc. should be granted. Clackamas Compost Products, Inc. meets the requirements of the Metro Code related to licensing yard debris-processing facilities. The original License Agreement granted to Scotts Hyponex; when transferred to Clackamas Compost Products Inc.; will appropriately address the licensing standards for the new facility site operators.

**IV. BUDGET IMPACTS**

There will be a slight increase in revenues from the annual license fee paid by the licensee of \$300 per year. Current staffing levels are expected to be adequate to handle any technical assistance or enforcement requirements that might arise from licensing this facility.

**V. STAFF RECOMMENDATION**

Based upon the preceding analysis, it is the opinion of staff that License Agreement No. YD-0197 made between Metro and the Scotts Hyponex Corporation located at 11620 SE Capps Road in Clackamas, Oregon, should be transferred to Clackamas Compost Products, Inc. (the new facility operators) in accordance with the provisions of the amended license agreement attached to Ordinance No. 99-796 as Exhibit A.

**VI. EXECUTIVE OFFICER'S RECOMMENDATION**

The Executive Officer recommends adoption of Ordinance No. 99-796.

BM:ck  
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*Agenda Item Number 8.2*

**Ordinance No. 99-801, For the Purpose of Transferring the Solid Waste Franchise for Operation of the  
Citistics Reload/Materials Recovery Facility for Citistics, Inc. to USA Waste of Oregon, Inc.**

***First Reading***

**Metro Council Meeting  
Thursday, April 8, 1999  
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF TRANSFERRING THE ) ORDINANCE NO. 99-801  
SOLID WASTE FRANCHISE FOR OPERATION )  
OF THE CITISTICS RELOAD/MATERIALS ) Introduced by Mike Burton,  
RECOVERY FACILITY FROM CITISTICS, INC. ) Executive Officer  
TO USA WASTE OF OREGON, INC. )

WHEREAS, Section 5.01.030 of the Metro Code requires a Metro franchise for any person to own and operate a solid waste processing facility, transfer station, or resource recovery facility; and

WHEREAS, Citistics, Inc. was granted a franchise by the Metro Council in August 1998; and

WHEREAS, USA Waste of Oregon, Inc. ("USAO") is acquiring the Citistics solid waste facility from Citistics, Inc.; and

WHEREAS, Citistics and USAO have jointly requested transfer of the Citistics franchise from Citistics, Inc. to USAO; and

WHEREAS, the provisions of Metro Code Section 5.01.400 require an application for transfer of this franchise to be considered under the provisions of former Metro Code Section 5.01.090; and

WHEREAS, former Metro Code Section 5.01.090 allows for the transfer of a franchise if an application has been filed in accordance with former Metro Code Section 5.01.060; and

WHEREAS, USA Waste of Oregon, Inc. has duly filed an application in accordance with former Metro Code Section 5.01.060; and

WHEREAS, the applicant has met all the requirements set forth in former Metro Code Section 5.01.060; and

WHEREAS, former Metro Code Section 5.01.090 specifies that the Council shall not unreasonably deny an application for transfer of a franchise; and

WHEREAS, any franchise granted shall be governed by the provisions of Metro Code Chapter 5.01 as amended by Ordinance 98-762C; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The transfer of the franchise from Citistics, Inc. to USA Waste of Oregon, Inc. is approved.

2. Upon acquisition of the Citistics facility, USA Waste of Oregon, Inc. shall be granted a Solid Waste Franchise in a form substantially similar to the attached "Exhibit A."

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Rod Monroe, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

**SOLID WASTE FRANCHISE**

issued by  
**METRO**

600 NE Grand Avenue  
Portland, Oregon 97232-2736  
(503) 797-1700

FRANCHISE NUMBER: \_\_\_\_\_  
DATE ISSUED: \_\_\_\_\_  
AMENDMENT DATE: \_\_\_\_\_ N/A \_\_\_\_\_  
EXPIRATION DATE: \_\_\_\_\_  
ISSUED TO: \_\_\_\_\_ USA WASTE OF OREGON, INC. \_\_\_\_\_  
NAME OF FACILITY: \_\_\_\_\_ TUALATIN VALLEY WASTE RECOVERY FACILITY \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ 5350 S.W. ALGER AVENUE \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_ BEAVERTON, OR 97005 \_\_\_\_\_  
LEGAL DESCRIPTION: \_\_\_\_\_ WASHINGTON COUNTY TAX LOT 400. \_\_\_\_\_  
SECTION 15DB TOWNSHIP 1S RANGE 1W \_\_\_\_\_  
NAME OF OPERATOR: \_\_\_\_\_ USA WASTE OF OREGON, INC. \_\_\_\_\_  
PERSON IN CHARGE: \_\_\_\_\_ JONATHAN ANGIN \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ 5350 SW ALGER AVENUE \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_ BEAVERTON, OR 97005 \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_ (503) 671-9048 \_\_\_\_\_

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## FRANCHISE AGREEMENT

This Franchise is issued by Metro, a metropolitan service district organized under ORS chapter 268 and the 1992 Metro Charter, referred to herein as "Metro," to USA Waste of Oregon Inc. referred to herein as "Franchisee."

In recognition of the promises made by Franchisee as specified herein, Metro issues this Franchise, subject to the following terms and conditions:

### 1. DEFINITIONS

The definitions in Metro Code Section 5.01.010 shall apply to this Franchise, as well as the following definitions. Defined terms are capitalized when used. Where Metro Code, State or Federal law definitions are referenced herein, reference is to the definition as amended or replaced.

**"Authorized Waste" or "Authorized Wastes"** means those wastes defined as such in Section 5.1 and 5.2 of this Franchise.

**"Battery"** means a portable container of cells for supplying electricity. This term includes, but is not limited to, lead-acid car batteries, as well as dry cell batteries such as nickel cadmium, alkaline, and carbon zinc.

**"Business"** means a commercial enterprise or establishment licensed to do business in the state of Oregon.

**"Clean Fill"** means Inert material consisting of soil, rock, concrete, brick, building block, tile or asphalt paving, which do not contain contaminants which could adversely impact the waters of the State or public health. This term does not include Putrescible Wastes, Construction and Demolition Wastes or Industrial Solid Wastes.

**"Commercial Solid Waste" or "Commercial Waste"** means Solid Waste generated by stores, offices, including manufacturing and industry offices, restaurants, warehouses, schools, colleges, universities, hospitals, and other non-manufacturing entities, but does not include Solid Waste from manufacturing activities. Solid Waste from business, manufacturing or Processing activities in residential dwellings is also not included.

**"Commingled Recyclables"** means Source Separated recyclable materials that have not been sorted by the generator (or have been only partially sorted) into individual material categories (e.g., cardboard, newsprint, ferrous metal) according to their physical characteristics.

**“Conditionally Exempt Generator Waste”** has the meaning specified in 40 C.F.R. § 261.

**“Construction and Demolition Waste”** means Solid Waste resulting from the construction, repair, or demolition of buildings, roads and other structures, and debris from the clearing of land, but does not include clean fill when separated from other Construction and Demolition Wastes and used as fill materials or otherwise land disposed. Such waste typically consists of materials including concrete, bricks, bituminous concrete, asphalt paving, untreated or chemically treated wood, glass, masonry, roofing, siding, plaster; and soils, rock, stumps, boulders, brush and other similar material. This term does not include Industrial Solid Waste, Residential Solid Waste or Commercial Solid Waste.

**“Contaminated Soils”** means soils resulting from the clean-up of a spill that are not Hazardous Waste.

**“DEQ”** means the Oregon Department of Environmental Quality, which includes the Oregon Environmental Quality Commission.

**“Disposal Site”** has the meaning specified in ORS 459.005.

**“Dry, Non-Putrescible, Solid Waste”** means Commercial, Residential and Industrial Solid Waste, that does not contain food wastes or other Putrescible Wastes. Dry, Non-putrescible Solid Waste includes only waste that does not require disposal at a municipal solid waste landfill (also referred to as a “general purpose landfill”), as that term is defined by the Oregon Administrative Rules. This category of waste excludes Source Separated Recyclables.

**“Facility”** means the site where one or more activities that the Franchisee is authorized to conduct occur.

**“Friable Asbestos”** means the asbestiform varieties of serpentine (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite (amosite), anthophyllite, actinolite and tremolite, but only to the extent that such materials, when dry and subjected to hand-pressure, can be crumbled, pulverized or reduced to powder.

**“General Purpose Landfill”** means any land disposal facility that is required by law, regulation, or permit to utilize a liner and leachate collection system equivalent to or more stringent than that required for municipal solid waste landfills under Subtitle D of the Resource Conservation and Recovery Act and is authorized by law to accept more than incidental quantities of Putrescible Waste.

**“Hazardous Waste”** has the meaning specified in ORS 466.005.

**“Household Hazardous Waste”** has the meaning specified in Metro Code Section 5.02.015(f).

**“Industrial Solid Waste” or “Industrial Waste” means:**

- (1) Solid Waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under ORS chapters 465 and 466 or under Subtitle C of the Federal Resource Conservation and Recovery Act. Such waste may include, but is not limited to, the following wastes or wastes resulting from the following processes:
  - (a) electric power generation;
  - (b) fertilizer/agricultural chemicals;
  - (c) food and related products and by-products;
  - (d) inorganic chemicals;
  - (e) iron and steel manufacturing;
  - (f) leather and leather products;
  - (g) nonferrous metals manufacturing/foundries;
  - (h) organic chemicals;
  - (i) plastics and resins manufacturing;
  - (j) pulp and paper industry;
  - (k) rubber and miscellaneous plastic products;
  - (l) stone, glass, clay and concrete products;
  - (m) textile manufacturing;
  - (n) transportation equipment;
  - (o) water treatment;
  - (p) timber products manufacturing;
  
- (2) This term does not include :
  - (a) Putrescible Waste, or office or lunch room waste from manufacturing or industrial facilities;
  - (b) Construction and Demolition Waste
  - (c) Contaminated Soils

**“Inert”** means containing only constituents that are biologically and chemically inactive and that, when exposed to biodegradation and/or leaching, will not adversely impact the waters of the state or public health.

**“Infectious Medical Waste” or “Infectious Waste”** has the meaning specified in ORS 459.386(2).

**“Low Level Solid Waste Materials Recovery” or “Low Level Recovery”** means those Solid Waste Materials Recovery activities that are limited to manual sorting and low technology mechanical methods.

**“Metro Regional User Fee”** has the meaning specified in Metro Code Section 5.02.015(e).

**“Metro Transfer Station”** means the Metro South Station and the Metro Central Station.

**“Operating Procedures Plan”** means the description of the Facility activities and the procedures required as a submittal under Section 7.3.2 of this Franchise.

**“Prohibited Wastes”** has the meaning set forth in Section 5.3.1 of this Franchise.

**“Putrescible Waste”** means Solid Waste containing organic material that can be rapidly decomposed by microorganisms, and which may give rise to foul smelling, offensive products during such decomposition or which is capable of attracting or providing food for birds and potential disease vectors such as rodents and flies.

**“Recoverable Material”** means material that still has or retains useful physical, chemical, or biological properties after serving its original purpose(s) or function(s), and that can be reused or recycled for the same or other purpose(s).

**“Recovered Material”** means Recoverable Material that has been separated from Solid Waste at the Facility.

**“Residential Solid Waste”** means the garbage, rubbish, trash, and other Solid Wastes generated by the normal activities of households, including but not limited to, food wastes, ashes, and bulky wastes, but does not include Construction and Demolition Waste. This definition applies to multifamily structures of any size.

**“Residue”** means Solid Waste, resulting from Solid Waste Materials Recovery, that is transported from a franchised Facility to a Metro Designated Facility.

**“Sludge”** means any solid or semi-Solid Waste and associated supernatant generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility or any other such waste having similar characteristics and effects.

**“Solid Waste Materials Recovery”** means the activity of manually or mechanically separating materials from Solid Wastes for purposes of recycling or recovery.

**“Solid Waste Materials Recovery Facility”** means a facility franchised by Metro as a Processing and/or Resource Recovery Facility and authorized to receive specific categories of Solid Waste and to conduct one or more of the following activities: (1) Source-Separated Recyclables Processing, (2) Solid Waste Materials Recovery.

**“Solid Waste Reloading”** or **“Reloading”** means the primary activity of consolidating Solid Waste from collection vehicles into larger vehicles for transport to a Metro Designated Facility. All Solid Waste and Residue leaving the Facility must be delivered to a Metro Designated Facility or under the authority of a non-system license.

**“Source-Separate”** or **“Source Separating”** or **“Source Separation”** means

- (1) The setting aside of recyclable materials at their point of generation by the generator; or
- (2) That the person who last uses recyclable material separates the recyclable material from Solid Waste.

**"Source-Separated Recyclables"** means material that has been separated from solid waste at the source for the purpose of recycling, recovery, or reuse. This term includes recyclables that are Source-Separated by material type (*i.e.*, source-sorted) and recyclables that are mixed together in one container (*i.e.*, commingled).

**"Source-Separated Recyclables Processing"** means the activity of reloading, sorting or otherwise preparing Source-Separated Materials for transport to third parties for reuse or resale.

**"Special Waste"** has the meaning specified in Metro Code Section 5.02.015(s).

**"Unacceptable Waste Incident Tracking Form"** means the form attached to this Franchise as Attachment 1.

## **2. TERM AND APPLICABILITY OF FRANCHISE**

This Franchise is issued for a term of five years from the date of execution by the Executive Officer and following approval by the Metro Council. Renewal shall be granted in accordance with the terms of Metro Code 5.01.080(b) upon receipt of a completed renewal application.

## **3. LOCATION OF FACILITY**

The franchised Facility is located at 5350 SW Alger Ave., Beaverton, Oregon. Tax Lot 400, Section 15DB, Township 1S, Range 1W, Washington County.

## **4. OPERATOR AND OWNER OF FACILITY AND PROPERTY**

- 4.1 The owner of the Facility is USA Waste of Oregon, Inc. Franchisee shall submit to Metro any changes in ownership of the facility in excess of five percent of ownership, or any change in partnership, within 10 days of the change.
- 4.2 The owner of the property underlying the Facility is USA Waste of Oregon, Inc. Franchisee warrants that it has obtained the owner's consent to operate the Facility as specified in the Franchise.

- 4.3 The operator of the Facility is USA Waste of Oregon Inc. Franchisee may contract with another person or entity to operate the Facility only upon 90 days prior written notice to Metro and the written approval of the Executive Officer.

## 5. AUTHORIZED AND PROHIBITED ACTIVITIES AND WASTES

- 5.1 Subject to the following conditions, Franchisee is authorized to operate and maintain a combined Transfer Station and Solid Waste Materials Recovery Facility, as limited in this section.
- 5.1.1 The Franchisee may accept only Authorized Wastes, and conduct only Authorized Activities on those wastes, at the Facility. Franchisee is prohibited from receiving, Processing or disposing of any Solid Waste not authorized in this Franchise.
- 5.1.2 Franchisee shall accept Solid Waste at the Facility only from Miller Sanitary Service, Inc. and vehicles operated by Tualatin Valley Waste Recovery Facility.
- 5.1.3 Franchisee may accept no more than 100 tons per day of all Solid Wastes authorized under Section 5.2.1 of this Franchise. There is no tonnage limit on the amount of Source Separated Recyclable materials (as authorized and further limited under Section 5.2.2 of this Franchise) that may be accepted at the Facility.
- 5.1.4 Franchisee may receive the designated amount of Solid Waste consistent with (1) applicable law, (2) the terms of this Franchise, and (3) any other applicable permits and licenses obtained from other governmental units or regulatory agencies.
- 5.1.5 The Executive Officer may authorize Franchisee to accept additional types of waste, and perform Authorized Activities on said waste, only upon written request from the Franchisee.
- 5.1.6 Except as specified below, all Solid Waste and Residue leaving the Facility must be delivered to a Metro Designated Facility:
- 5.1.6.1 All material requiring disposal at a General Purpose Landfill must be transported to a Metro transfer station.
- 5.1.6.2 Inert material and Clean Fill may be disposed at any Disposal Site authorized by DEQ to receive such material.

## **5.2 Authorized Waste Types**

- 5.2.1 Franchisee is authorized to receive the following types of Solid Wastes:**
  - 5.2.1.1 Dry, Non-Putrescible, Commercial and Industrial Solid Waste.**
  - 5.2.1.2. Construction and Demolition Waste**
  - 5.2.1.3. Residential Solid Waste and its Putrescible component.**
- 5.2.2 Franchisee is authorized to receive Source-Separated Recyclable materials, excluding:**
  - 5.2.2.1 Yard Debris.**
  - 5.2.2.2 Used motor oil, unless said motor oil is collected as a Source-Separated material under a residential curbside collection program by hauler(s) licensed or permitted by a local governmental unit to collect residential waste and recyclables.**

## **5.3 Authorized Activities**

- 5.3.1 Franchisee is authorized to conduct the following activities at the Facility:**
  - 5.3.1.1 Material Recovery from wastes authorized under Sections 5.2.1.1 and 5.2.1.2 of this Franchise, and in accordance with Section 7.3 of this Franchise.**
  - 5.3.1.2 Low-level Material Recovery from wastes authorized under Sections 5.2.1.3 of this Franchise, and in accordance with Section 7.3 of this Franchise.**
  - 5.3.1.3 Reloading of Solid Waste.**
  - 5.3.1.4 Processing of Source-Separated Recyclable materials.**

## **5.4 Prohibited Wastes**

- 5.4.1 Franchisee shall not knowingly accept or retain any of the following types of Solid Waste, unless specifically authorized in Sections 5 or 7 of this Franchise.**
  - 5.4.1.1 Materials contaminated with or containing Friable Asbestos;**
  - 5.4.1.2 Batteries;**
  - 5.4.1.3 Liquid waste;**
  - 5.4.1.4 Oil, other than as specified in 5.2.2.2;**
  - 5.4.1.5 Sludge;**
  - 5.4.1.6 Vehicles;**

- 5.4.1.7 Infectious Waste;
- 5.4.1.8 Special Waste or any sub-stream of Special Waste;
- 5.4.1.9 Hazardous Waste;
- 5.4.1.10 Household Hazardous Waste and Hazardous Waste from Conditionally Exempt Generators;

5.4.2 Prohibited wastes received at the facility shall be managed in accordance with the Franchisee's DEQ Solid Waste Disposal Permit. Franchisee shall record receipt of Prohibited wastes on Metro's Unacceptable Waste Incident Tracking form (Attachment 1).

## 6. MINIMUM REPORTING REQUIREMENTS

- 6.1 Franchisee shall collect and transmit to Metro, according to the timetable in Section 6.2, accurate records of the following information:
  - 6.1.1 Tons of solid waste received - monthly total
  - 6.1.2 Number of collection vehicles delivering - monthly total
  - 6.1.3 Outgoing tons of solid waste by destination for each disposal facility - monthly total.
  - 6.1.4 Receipt of any materials encompassed by Section 5.3.2 of this Franchise, utilizing Metro's Unacceptable Waste Incident Tracking Form (Attachment 1).
- 6.2 Records required under Section 6.1 shall be reported to Metro no later than fifteen (15) days following the end of each month, in a format approved by Metro. A cover letter shall accompany the data that certifies the accuracy of the data and is signed by an authorized representative of Franchisee.
- 6.3 The Franchisee shall participate in an annual review with Metro of the Facility's performance. Within one year after the Facility begins operations, and each year thereafter, Metro will contact Franchisee to schedule the annual review meeting. Metro will provide at least three business weeks advance notice of this meeting. At least one business week prior to this meeting, Franchisee shall submit to the Franchise Administrator a summary, in letter format, addressing the topics listed below. The review will include:
  - 6.3.1 Receipt or release of Hazardous Waste or Infectious Waste at the Facility; nuisance complaints as recorded in the log required under Section 7.4.1.2.
  - 6.3.2 Any modifications under Section 18 of this Franchise.



- 6.3.3 Changes to site equipment, hours of operation and/or staffing, and any other significant changes in the Facility's operations that occurred during the previous year.
- 6.4 Franchisee shall retain on file for review by the Metro Regional Environmental Management Department copies of all correspondence, exhibits or documents submitted to the DEQ relating to the terms or conditions of the DEQ solid waste permit or this Franchise. In addition, Franchisee shall send to Metro, upon receipt, copies of any notice of non-compliance, citation, or enforcement order received from any local, state or federal entity with jurisdiction over the Facility.
- 6.5 Authorized representatives of Metro shall be permitted to inspect information from which all required reports are derived during normal working hours or at other reasonable times with 24-hour notice. Metro's right to inspect shall include the right to review, at an office of Franchisee located in the Portland metropolitan area, records, receipts, books, maps, plans, and other like materials of the Franchisee that are directly related to the Facility's operation.
- 6.6 Fees and charges shall be levied and collected on the basis of tons of waste received. Either a mechanical or automatic scale approved by the National Bureau of Standards and the State of Oregon may be used for weighing waste.
- 6.7 Where a fee or charge is levied and collected on an accounts receivable basis, pre-numbered tickets shall be used in numerical sequence. The numbers of the tickets shall be accounted for daily and any voided or canceled tickets shall be retained for three years. The Executive Officer may approve use of an equivalent accounting method.
- 6.8 Any periodic modification by Metro of the reporting forms themselves shall not constitute any modification of the terms of Section 6.1 of this Franchise, nor shall Metro include within the reporting forms a request for data not otherwise encompassed within Section 6.1.

## **7. OPERATIONAL REQUIREMENTS**

### **7.1 General Requirements**

- 7.1.1 The Franchisee shall provide an operating staff which is qualified to perform the functions required by this Franchise and to otherwise ensure compliance with the conditions of this Franchise.
- 7.1.2 A copy of this Franchise shall be displayed on the Facility's premises, and in a location where it can be readily referenced by Facility personnel.

**7.2 General Operating and Service Requirements**

- 7.2.1** If Franchisee contemplates or proposes to close the Facility permanently, Franchisee shall provide Metro with advance written notice of the proposed closure schedule and procedures.
- 7.2.2** If any significant occurrence, including but not limited to equipment malfunctions, or fire, results in a violation of any conditions of this Franchise or of the Metro Code, the Franchisee shall:
  - 7.2.2.1** Immediately act to correct the unauthorized condition or operation;
  - 7.2.2.2** Immediately notify Metro; and
  - 7.2.2.3** Prepare, and submit to Metro within 10 days, a report describing the Franchise or Metro Code violation.

**7.3 Operating Procedures**

- 7.3.1** Unless otherwise allowed by this Franchise, all Solid Waste Reloading and Low Level Recovery shall occur inside Facility buildings. Storage may occur outside, in an orderly manner, as specified in the Facility's Operating Procedures Plan.
- 7.3.2** Franchisee shall establish and follow an Operating Procedures Plan describing how Solid Waste Reloading and Low Level Recovery will be conducted at the Facility. These procedures shall demonstrate compliance with the Franchise, and shall be submitted to Metro in writing for review and approval prior to any waste being accepted at the Facility. Franchisee may from time to time, modify the Operating Procedures Plan. All proposed modifications to the Operating Procedures Plan shall be submitted to the Metro Regional Environmental Management Department for review and approval, prior to implementation. The Operating Procedures Plan shall include at least the following:
  - 7.3.2.1** Tualatin Valley Waste Recovery Facility shall notify Miller's Sanitary of it's requirements that prohibited wastes not be placed in drop boxes or collection containers destined for the Facility and request Miller's Sanitary to notify its customers of said requirements;
  - 7.3.2.2** Methods of inspecting incoming loads for the presence of Prohibited, Hazardous (including Infectious Waste) or Unauthorized Waste;
  - 7.3.2.3** Methods for managing and transporting for disposal at an authorized Disposal Site each of the Prohibited Wastes listed in Section 5, if they are discovered at the Facility;
  - 7.3.2.4** Objective criteria and standards for accepting or rejecting loads.

- 7.3.2.5 Plans, procedures, and training designed to minimize and manage hazards to human health and the environment due to:
  - 7.3.2.5.1 Fires
  - 7.3.2.5.2 Explosions
  - 7.3.2.5.3 Release of hazardous substances
  - 7.3.2.5.4 Discovery of Unacceptable Waste
  - 7.3.2.5.5 Power outages
  - 7.3.2.5.6 Flooding
- 7.3.2.6 Methods describing how activities authorized under Section 5 of this Agreement will be conducted in a manner to ensure that Putrescible Wastes do not contaminate Recoverable and Recovered Materials.
- 7.3.2.7 Procedures for monitoring, investigating, recording, minimizing, and managing all odors of any derivation including malodorous loads received at the Facility.
- 7.3.2.8 Methods for addressing all other operating requirements of Section 7.
- 7.3.3 All Authorized Solid Wastes received at the Facility must, within a 24-hour period from receipt, be either (1) properly disposed or (2) appropriately stored.
- 7.3.4 Sorting and Low Level Recovery areas shall be cleaned on a regular basis, in compliance with the Operating Procedures Plan required under Section 7.3.2 of this Franchise.
- 7.3.5 All vehicles and devices transferring or transporting Solid Waste from the Facility shall be constructed, maintained, and operated to prevent leaking, spilling, or blowing of Solid Waste on-site or while in transit.
- 7.3.6 The Franchisee shall not mix any Source-Separated Recyclable materials brought to the Facility with any other Solid Wastes. Materials recovered at the Facility may be combined with Source-Separated Recyclable Materials for Processing and shipment to markets.
- 7.3.7 The Franchisee shall reuse or recycle all uncontaminated Source-Separated Recyclable Materials brought to the Facility.
- 7.3.8 Franchisee shall take reasonable steps to notify and remind drivers that all loaded trucks coming to or leaving the Facility must be covered or suitably cross-tied to prevent any material from blowing off the load during transit.

7.3.9 All recovered materials and Residue at the Facility must be stored in bales, drop boxes or otherwise suitably contained. Material storage areas must be maintained in an orderly manner and kept free of litter. Stored materials shall be removed at sufficient frequency to avoid creating nuisance conditions or safety hazards.

7.3.10 Public access to the Facility shall be controlled as necessary to prevent unauthorized entry and dumping.

#### 7.4 Nuisance Prevention and Response Requirements

7.4.1 Franchisee shall respond to all written complaints on environmental issues (including, but not limited to, blowing debris, fugitive dust or odors, noise, traffic, and vectors). If Franchise receives a complaint, Franchisee shall:

7.4.1.1 Attempt to respond to that complaint within one business day, or sooner as circumstances may require, and retain documentation of unsuccessful attempts; and

7.4.1.2 Log all such complaints by name, date, time and nature of complaint. Each log entry shall be retained for one year.

7.4.2 To control blowing or airborne debris, Franchisee shall:

7.4.2.1 Keep all areas within the site free of litter and debris;

7.4.2.2 Patrol S.W. Alger Avenue from S.W. 7th to S.W. 5th daily;

7.4.3 To control odor, dust and noise, the Franchisee shall install dust control and odor systems whenever excessive dust and odor occur, or at the direction of Metro. Alternative dust and odor control measures may be established by the Franchisee with Metro approval.

7.4.4 With respect to vector control, the Franchisee shall manage the Facility in a manner that is not conducive to infestation of rodents or insects. If rodent or insect activity becomes apparent, Franchisee shall initiate and implement supplemental vector control measures as specified in the Facility Operating Procedures Plan or as a modification to such procedures. Franchisee shall bear all the costs of these measures.

### 8. ANNUAL FRANCHISE FEES

Franchisee shall pay an annual franchise fee, as established under Metro Code Section 5.03.030. Metro reserves the right to change its franchise fees at any time, by action of the Metro Council, to reflect franchise system enforcement and oversight costs.

## 9. INSURANCE

- 9.1 Before the effective date of this Franchise, Franchisee shall purchase and maintain the following types of insurance, insuring Franchisee, its employees, and agents:
- 9.1.1 Broad form comprehensive general liability insurance covering personal injury, property damage, and personal injury with automatic coverage for premises, operations, and product liability. The policy must be endorsed with contractual liability coverage; and
  - 9.1.2 Automobile bodily injury and property damage liability insurance.
- 9.2 Insurance coverage shall be a minimum of \$500,000 per occurrence, \$100,000 per person, and \$50,000 property damage. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.
- 9.3 Metro, its elected officials, departments, employees, and agents shall be named as Additional Insureds. Notice of any material change or policy cancellation shall be provided to Metro 30 days prior to the change or cancellation.
- 9.4 Franchisee and contractors of Franchisee, if any, and all employers working under this Franchise, are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage for all their subject workers. Franchisee shall provide Metro with certification of Workers' Compensation insurance including employer's liability.

## 10. INDEMNIFICATION

Franchisee shall indemnify and hold METRO, its agents, employees, and elected officials harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with Franchisee's performance under this Franchise, including patent infringement and any claims or disputes involving subcontractors or Subfranchisees.

## 11. SURETY BOND/CONDITIONAL LIEN

Before this Franchise shall become effective, Franchisee shall provide a surety bond or letter of credit in the amount of Twenty-Five Thousand Dollars (\$25,000), in a form acceptable to Metro, or at its option may provide a conditional lien on the franchised property in a form satisfactory to Metro.

## 12. COMPLIANCE WITH LAW

Franchisee shall fully comply with all federal, state, regional and local laws, rules, regulations, ordinances, orders and permits pertaining in any manner to this Franchise, including all applicable Metro Code provisions whether or not those provisions have been specifically mentioned or cited herein. All conditions imposed on the operation of the Facility by federal, state or local governments or agencies having jurisdiction over the Facility are part of this Franchise by reference as if specifically set forth herein. Such conditions and permits include those attached as exhibits to this Franchise, as well as any existing at the time of issuance of this Franchise and not attached, and permits or conditions issued or modified during the term of this Franchise.

## 13. METRO ENFORCEMENT AUTHORITY

- 13.1 Enforcement of this Franchise shall be as specified in the Metro Code.
- 13.2 Authorized representatives of Metro shall be permitted access to the premises of the Facility at all reasonable times for the purpose of making inspections and carrying out other necessary functions related to this Franchise. Access to inspect is authorized:
- (a) During all working hours;
  - (b) At other reasonable times with 24 hours notice;
  - (c) At any time without notice when, in the opinion of the Metro Regional Environmental Management Department Director, such notice would defeat the purpose of the entry. In such instance, the Director shall provide a written statement of the purpose for the entry.
- 13.3 The power and right to regulate, in the public interest, the exercise of the privileges granted by this Franchise shall at all times be vested in Metro. Metro reserves the right to establish or amend rules, regulations, fees, or standards regarding matters within Metro's authority, and to enforce all such legal requirements against Franchisee.
- 13.4 At a minimum, Metro may exercise the following oversight rights in the course of administering this Franchise: (1) perform random on-site inspections; (2) conduct an annual review of the Facility to assess compliance with operating requirements in this Franchise; (3) invoice Franchisee for any fees or penalties arising under this Franchise; (4) perform noncompliance investigations; (5) inspect and visually characterize incoming and outgoing loads for the purpose of assessing Prohibited Waste. In all instances Metro shall take reasonable steps to minimize disruptions to operations at the Facility.

- 13.5 Nothing in this Franchise shall be construed to limit, restrict, curtail, or abrogate any enforcement provision contained in the Metro Code, nor shall this Franchise be construed or interpreted so as to limit or preclude Metro from adopting ordinances that regulate the health, safety, or welfare of any individual or group of individuals within its jurisdiction, notwithstanding any incidental impact that such ordinances may have upon the terms of this Franchise or the Franchisee's operation of the Facility.

#### 14. DISPOSAL RATES AND FEES

- 14.1 In accordance with Metro Code Section 5.01.070, this Facility shall be exempt from Metro rate setting.
- 14.2 Franchisee is exempted from collecting and remitting Metro Fees on waste received at the Facility in conformance with this Agreement. Franchisee is fully responsible for paying all costs associated with disposal of residual material generated at the Facility. If Franchisee obtains authorization to dispose of residual material at a facility that has not been "Designated" by Metro, Franchisee shall remit to Metro the Tier 1 (one) User Fee on all waste disposed of at the non-designated facility.
- 14.3 Disposal of residue shall be at a designated facility under the Metro Code or under authority of a non-system license issued by Metro.

#### 15. GENERAL CONDITIONS

- 15.1 Franchisee shall be responsible to the extent practicable for ensuring that its contractors and agents operate in complete compliance with the terms and conditions of this Franchise.
- 15.2 Neither the Franchisee, nor the parent company of the Franchisee, if any, nor its subsidiaries, nor any other Solid Waste facilities under its control shall knowingly accept Metro area Solid Waste at their non-designated facilities, if any, except as authorized by a non-system license issued by Metro.
- 15.3 The granting of this Franchise shall not vest any right or privilege in the Franchisee to receive specific quantities of Solid Waste during the term of the Franchise.
- 15.4 Neither this Franchise nor the Franchisee may be conveyed, transferred or assigned without the prior written approval of Metro.
- 15.5 To be effective, a waiver of any term or condition of this Franchise must be in writing and signed by the Executive Officer. Waiver of a term or condition of this Franchise

shall not waive nor prejudice Metro's right otherwise to require performance of the same term or condition or any other term or condition.

- 15.6 This Franchise shall be construed, applied, and enforced in accordance with the laws of the State of Oregon and all pertinent provisions of the Metro Code.
- 15.7 If any provision of the Franchise shall be found invalid, illegal, or unenforceable in any respect, the validity of the remaining provisions contained in this Franchise shall not be affected.

## 16. NOTICES

- 16.1 All notices required to be given to the Franchisee under this Franchise shall be delivered to:

Jonathan Angin  
Vice President, Northwest Region  
Waste Management, Inc.  
5350 SW Alger Avenue  
Beaverton, OR 97005

- 16.2 All notices required to be given to Metro under this Franchise shall be delivered to:

Metro Franchise Administrator  
Regional Environmental Management Department  
Metro  
600 N.E. Grand Avenue  
Portland, Oregon 97232-2736

- 16.3 Notices shall be in writing, effective when delivered, or if mailed, effective on the second business day after mailed, postage prepaid, to the address for the party stated in this Franchise, or to such other address as a party may specify by notice to the other.

## 17. REVOCATION

Suspension, modification or revocation of this Franchise shall be as specified herein and in the Metro Code. (See especially Sections 12 and 13 and Metro Code Chapter 5.01.)

## 18. MODIFICATION

- 18.1 At any time during the life of this Franchise, either the Executive Officer or the Franchisee may propose amendments or modifications to this Franchise. Except as



specified in the Metro Code and Section 5.1.3 of this Franchise, no amendment or modification shall be effective unless it is in writing, approved by the Metro Council, and executed by the Franchisee and the Executive Officer.

18.2 The Executive Officer shall review the Franchise annually, consistent with Section 6 of this Franchise, in order to determine whether the Franchise should be changed and whether a recommendation to that effect needs to be made to the Metro Council. While not exclusive, the following criteria and factors may be used by the Executive Officer in making a determination whether to conduct more than one review in a given year:

18.2.1 Franchisee's compliance history;

18.2.2 Changes in waste volume, waste composition, or operations at the Facility;

18.2.3 Changes in local, state, or federal laws or regulations that should be specifically incorporated into this Franchise;

18.2.4 A significant release into the environment from the Facility;

18.2.5 A significant change or changes to the approved site development plan and/or conceptual design;

18.2.6 Any change in ownership that Metro finds material or significant.

USA WASTE OF OREGON, INC.

METRO

\_\_\_\_\_  
Jonathan Angin, Vice President NW Region

\_\_\_\_\_  
Mike Burton, Metro Executive Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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**METRO**

Regional Environmental  
Management  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1650  
Fax (503) 797-1795

ATTACHMENT 1

# Unacceptable Waste Incident Tracking Form

Item Number: \_\_\_\_\_ Date Discovered: \_\_\_\_\_

Description of Unacceptable Waste: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Generator (if known): \_\_\_\_\_

Waste Hauler: \_\_\_\_\_

Waste was determined to be:             Hazardous             Non-Hazardous

Disposition: \_\_\_\_\_

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

cash/metro/unaccept.pm6

original = Franchise Administrator  
yellow = Franchisee  
pink = file



June 1996  
Printed on recycled paper, please recycle!

**EXECUTIVE SUMMARY  
ORDINANCE 99-801**

**ORDINANCE TO TRANSFER A SOLID WASTE FRANCHISE FOR THE  
CITISTICS FACILITY FROM CITISTICS, INC.  
TO USA WASTE OF OREGON, INC.**

**PROPOSED ACTION**

Approve a franchise transfer that will:

- Authorize USA Waste of Oregon to become the franchised operator of the Citistics facility.
- Change the name of the facility from "Citistics" to "Tualatin Valley Waste Recovery."

**WHY NECESSARY**

- Because USA Waste of Oregon is acquiring the Citistics facility and its associated hauling company, Miller's Sanitary Service.

**ISSUES/CONCERNS**

- When originally franchised, neighbors of the facility testified before the Council regarding concerns over potential nuisance and environmental impacts. Since the facility began operating in January 1999, no complaints have been received by the operator or by Metro.
- No changes in operating procedures are contemplated by the franchise transfer. USA Waste of Oregon intends to operate the facility in exactly the same manner as Citistics, Inc.

**BUDGET/FINANCIAL IMPACTS**

The franchise transfer is not expected to have any budget or financial impact.

**IN CONSIDERATION OF ORDINANCE NO. 99-801, FOR THE PURPOSE OF TRANSFERRING THE SOLID WASTE FRANCHISE FOR OPERATION OF THE CITISTICS RELOAD/MATERIALS RECOVERY FACILITY FROM CITISTICS, INC. TO USA WASTE OF OREGON, INC.**

March 18, 1999

Presented by: Bruce Warner,  
Leann Linson

**I. Summary and Recommendation**

**A. Effect of Passage**

Approval of Ordinance No. 99-801 will transfer a Solid Waste Franchise for operation of the Citistics facility from Citistics, Inc. to USA Waste of Oregon, Inc. (USAO) concurrent with USAO's acquisition of the facility from Citistics, Inc. The franchise authorizes the facility to accept up to 100 tons per day of solid waste, including residential waste and its putrescible components, for recovery and reloading.

**B. Executive Officer Recommendation**

The Executive Officer recommends approval of Ordinance No. 99-801, transferring the Citistics franchise from Citistics, Inc. to USA Waste of Oregon, Inc. subject to the terms and conditions that are incorporated into the franchise document attached as "Exhibit A" to Ordinance No. 99-801.

**II. Background**

**A. History of the Facility**

Citistics is a reload/materials recovery facility located at 5350 SW Alger Ave. in Beaverton. On August 6, 1998, after hearing testimony from neighbors of the facility regarding concerns over potential nuisance and environmental issues, the Metro Council approved Ordinance 98-745, granting the facility a Solid Waste Franchise. The franchise agreement itself was signed on November 9, 1998. This was the last franchise to be authorized under the prior version of the Metro Code Chapter 5.01 before the adoption of the revised chapter by Ordinance No. 98-762C. The facility began operating in January 1999. If the Council approves the transfer of the franchise and the grant of the franchise to USAO, the franchise will be governed by the 1998 amendments to Chapter 5.01 of the Metro Code.

**B. The Applicant and the Applicant's Request**

In a letter dated February 1, 1999, Garry Penning of USA Waste of Oregon, Inc. (USAO) and Tom Miller, President of Citistics, informed the REM Director that USAO was negotiating to purchase the Citistics facility. USA Waste of Oregon, Inc. is the name presently used by the new Waste Management within the state of Oregon. A formal application for transfer of the franchise was received by Metro on March 22, 1999.

## Reason for the Ordinance

Section 15.5 of the Citistics Franchise states "Neither this Franchise nor the Franchisee may be conveyed, transferred or assigned without the prior written approval of Metro." Thus, it is necessary that a proposed ordinance approving the transfer be presented to the Metro Council.

### III. Application Procedure

#### A. Metro Code Provisions Related to the Applicant's Request

##### Section 5.01.090

Section 5.01.090 of the Metro Code governs transfer of franchises. Because the Citistics franchise was originally applied for prior to adoption of the revised Code Chapter 5.01, the agreement is governed by the provisions of Chapter 5.01 as it existed prior to July 1998. Section 5.01.090 has three parts, as follows:

- (a) *A franchisee may not lease, assign, mortgage, sell or otherwise transfer, either in whole or in part, its franchise to another person unless an application therefor has been filed in accordance with section 5.01.060 and has been granted. The proposed transferee must meet the requirements of this chapter.*

On February 22, 1999, Metro received from USAO a formal franchise application. The application was determined to be in accordance with section 5.01.060. Details are presented below.

- (b) *The council shall not unreasonably deny an application for transfer of a franchise. If the council does not act on the application for transfer within 90 days after filing of a complete application, the application shall be deemed granted.*

The proposed ordinance is being presented to Council in a timely manner and well within the 90-day limit.

- (c) *The term for any transferred Franchise shall be for the remainder of the original term unless the Council establishes a different term based on the facts and circumstances at the time of transfer.*

The original franchise has an expiration date of November 9, 2003. The proposed new franchise, presented as "Exhibit A" to Ordinance No. 99-801, has the same expiration date.

Section 5.01.060

Section 5.01.060 specifies eight items to be addressed in any franchise application.

- (a) *Applications for a franchise or license or for transfer of any interest in, modification, expansion, or renewal of an existing franchise or license shall be filed on forms provided by the executive officer. Franchises and licenses are subject to approval by the council.*

As mentioned above, on February 22, 1999, Metro received from USAO a formal application for transfer of the Citistics franchise. The application was filed in the format prescribed by the Executive Officer.

- (b) *In addition to the information required on the forms, franchise applicants must submit the following to the executive officer:*

- (1) *Proof that the applicant can obtain and will be covered during the term of the franchise by a corporate surety bond guaranteeing full and faithful performance by the applicant of the duties and obligations of the franchise agreement. In determining the amount of bond to be required, the executive officer may consider the size of the site, facility or station, the population to be served, adjacent or nearby land uses, the potential danger of failure of failure of service, and any other factor material to the operation of the franchise;*

The applicant's ability to obtain the necessary corporate surety bond is evidenced by the fact that it has obtained such bonds for its other Metro area solid waste facilities.

- (2) *In the case of an application for a franchise transfer, a letter of proposed transfer from the existing franchisee;*

As mentioned above, on February 2, 1999, Tom Miller, President of Citistics and the current franchisee submitted a letter to the REM Director requesting that the Citistics franchise be transferred to USAO.

- (3) *Proof that the applicant can obtain the liability insurance required by this chapter;*

The applicant has provided proof of insurance. The liability policy presently in force covers all operations of the insured.

- (4) *If the applicant is not an individual, a list of stockholders holding more than 5 percent of a corporation or similar entity, or of the partners of a partnership. Any subsequent changes in excess of 5 percent of ownership thereof must be reported within 10 days of such changes of ownership to the executive officer;*

USA Waste of Oregon, Inc. is a wholly-owned subsidiary of Waste Management of North America, Inc.

- (5) *A duplicate copy of all applications for necessary DEQ permits and any other information required by or submitted to DEQ;*

The Citistics facility is fully permitted by the DEQ. The DEQ permit and all related information have been provided to Metro and are on file in the REM Department.

- (6) *Signed consent by the owner(s) of the property to the proposed use of the property. The consent shall disclose the property interest held by the franchisee, the duration of that interest and shall read and agree to be bound by the provisions of section 5.01.180(e) of this chapter if the franchise is revoked or franchise renewal is refused;*

USAO will be acquiring the real property as well as the facility and equipment of Citistics.

- (7) *Proof that the applicant has received proper land use approval;*

The City of Beaverton has granted the Citistics facility a Conditional Use Permit (CUP). The CUP and all related information have been provided to Metro, and are on file in the REM Department.

- (8) *and such other information as the executive officer deems necessary to determine an applicant's qualifications.*

The applicant is a major solid waste company that operates other authorized facilities in the Metro Region and is well known to the REM Department. No additional information is necessary to determine the applicant's qualifications.

## **B. Analysis of Application**

It is USAO's intent to operate the facility in the same manner as originally proposed by Tom Miller and authorized by the facility's conditional use permit, DEQ permit and Metro franchise. Under USAO's ownership, the name of the facility will be changed from "Citistics" to "Tualatin Valley Waste Recovery."

## **IV. Fiscal Impact**

Ordinance No. 99-801 transfers an existing franchise to a new facility owner without any changes in authorizations. The facility will only process waste of the same type and in the same quantity as presently authorized by its existing franchise. Thus, it is anticipated that approval of Ordinance No. 99-801 will have no fiscal impact.

*Agenda Item Number 9.0*

**Council Approval Metropolitan Transportation Improvement Program (MTIP) 150 Percent Cut List**

**Metro Council Meeting  
Thursday, April 8, 1999  
Council Chamber**



**METRO**

Date: March 30, 1999  
To: JPACT/Metro Council  
From: *AC* Andrew C. Cotugno, Transportation Director  
Re: STIP/MTIP Update -- 150% List

The FY 2000-2003 STIP/MTIP allocation process is approaching the step to select the projects for funding. The technical committees and Metro staff have developed technical and administrative ranking information to provide the basis for narrowing the list. The process that has been outlined calls for an initial narrowing to approximately 150 percent of the available revenues by April 8, followed by adoption of the final program balanced to 100 percent of available revenues by May 27. A joint JPACT/Transportation Planning Committee hearing on the draft 150 percent list is scheduled for April 6 (5:30 p.m. time certain) and on the final program on May 4 (5:30 p.m. time certain).

Enclosed is the proposed 150 percent list that has been recommended by the Transportation Policy Alternatives Committee (TPAC). The total amount reflected on the list is \$125.5 million in 12 categories of proposed projects for the \$75.8 million available to allocate for the period 2000-2003. Also identified on the attached list is \$103.6 million in projects for which funding is already committed. A few points of clarification are appropriate:

1. The projects have been technically scored using the criteria established before applications were solicited. The "rank" for each project represents the results of that technical score within that mode.
2. There are numerous instances where projects that deviate from the technical ranking are recommended for funding based upon the administrative criteria such as overmatch, link to another priority or in an attempt to achieve geographic balance.
3. The "Transportation Enhancement" projects are going through a separate statewide evaluation process by ODOT. The full list of applicants is reflected here. By the May 8 conclusion, we will be provided a list of finalists and will need to determine whether to include any in our final program. If so, they will need to be funded within the \$75.8 million total funding available.

At the April 8 JPACT and Metro Council meetings, we are also seeking input on the best mix between the different transportation modes. Projects have been categorized and ranked in 12 separate groups. The enclosed 150 percent list proposes the following amounts in these groups:

• Road Modernization	\$19.434 million
• Road Reconstruction	4.198
• Bridge Rehabilitation	4.951
• Freight	7.589
• Boulevard	19.508
• Pedestrian	1.579
• Bike/Trail	9.026
• Transportation Demand Management	4.931
• Transit-Oriented Development	9.000
• Transit	34.069
• Transportation Enhancement	8.296
• Planning	<u>2.923</u>
TOTAL 150% LIST	\$125.504 million

The funds available to spend on these categories are as follows:

• Surface Transportation Program funds (STP) Available for all modal categories	\$33.2 million
• Congestion Mitigation/Air Quality (CMAQ) Available for projects that reduce emissions	\$37.7 million
• Transportation Enhancement Available for a specific list of project types that "enhance" the character of transportation system such as historic preservation, transpor- tation museums and environmental mitigation	\$ 4.9 million
TOTAL AVAILABLE REVENUE	\$75.8 million

In addition to the above choices, ODOT is proposing \$26.5 million for improvements to the Sunset Highway in the "Freeway" category.

To facilitate consideration of input from JPACT and the Metro Council on the appropriate allocation across these modes, a form is provided for each member to fill out indicating your preference for the amount to allocate to each mode. Staff will compile the results and use them as a guide in developing the final recommendation to be considered in May.

ACC:lmk

Attachments:

1. Schedule
2. Proposed 150% List
3. Narrow to 100% Program Form
4. Project Descriptions

## Priorities 2000 Project Selection Schedule

- 22-May-98** Public notification to kick-off process
- 23-Jun-98** Public hearing on draft criteria
- 16-Oct-98** Deadline for local governments to submit projects
- Oct – Feb** Technical ranking of projects
- 8-Feb-99** Public comment period begins
- 23-Feb-99** Public workshop with ODOT (in Portland): Comment on technical and administrative factors
- 27-Feb-99** Open house (in Hillsboro) – distribute information to public
- 17-Mar-99** Public workshop with ODOT (in Oregon City) – Comment on technical and administrative factors
- 22-Mar-99** Public comment period ends
- 26-Mar-99** TPAC: review/approve 150% cut list
- 6-Apr-99** JPACT/Transportation Planning Committee public hearing on 150% cut list  
5:30 p.m., Council Chamber, Metro Regional Center,  
600 NE Grand, Portland
- 8-Apr-99** JPACT/Metro Council Review/Approve 150% cut list
- 20-Apr-99** Transportation Planning Committee review
- 30-Apr-99** TPAC Approval of Program Recommendation
- 4-May-99** JPACT/Transportation Planning Committee public hearing on program  
recommendation – 5:30 p.m., Council Chamber, Metro Regional Center, 600  
NE Grand, Portland
- 13-May-99** JPACT consideration of program approval
- 27-May-99** Metro Council consideration of program approval

**Priorities 2000**  
**Narrowing the 150 Percent Cut List**  
**To A Balanced 100 Percent Program**

The categories listed below reflect the modes and funding amounts recommended by TPAC for retention on the 150 percent cut list. The total for all the modes is \$124.973 million. However, only \$75.8 million is available to allocate to projects. In general, modes in the first group (modes A-F) are only eligible for funding with the Surface Transportation Program (STP) funds, with a few projects or project elements eligible for Congestion Mitigation/Air Quality (CMAQ) funding. Modes in the second grouping (modes F-L) are eligible for all of the available \$75.8 million of funds. To help reach the next step – reducing to a 100 percent program – a response to the following exercise is requested by staff.

**Group 1 – STP Eligible**

Define the dollar amount or the percent of funds you would assign to each mode in Group 1. Due to eligibility restrictions, the total of funds assigned to modes in Group 1 should add up to no more than \$40 million or 53 percent of the available \$75.8 million.

Priorities 2000 150 Percent Cut List		
Mode	Amount (millions)	% Of Total
A Planning	\$2.9	2%
B Road Modernization	19.4	15.5%
C Road Reconstruction	4.2	3%
D Bridge	5.0	4%
E Freight	7.6	6%
F Boulevard	19.5	15.5%
<b>Subtotal</b>	<b>\$58.7</b>	<b>47%</b>

Proposed 100 Percent Distribution	
Amount (millions)	% Of Total
(up to \$40M)	(up to 53%)

**Group 2 – STP, CMAQ, Transportation Enhancement Eligible**

Define the dollar amount or the percent of funds you would assign to each mode in Group 2. Due to funding eligibility, the total for Group 2 modes could add up to \$75.8 million or 100 percent of available funds if nothing is assigned to Group 1 modes.

Mode	Amount (millions)	% of Total
G Pedestrian	\$1.6	1%
H Bike	9.0	7%
I TDM	4.9	4%
J TOD	9.0	7%
K Translt	34.1	27%
L ODOT Enhancement	8.3	7%
<b>Subtotal</b>	<b>\$66.9</b>	<b>53%</b>

Amount (millions)	% Of Total
(up to \$75.8 m)	(up to 100%)

**Group 1 and 2 Total**

Amounts assigned to each mode in Groups 1 and 2 should add up to no more than \$75.8 million or 100 percent.

<b>GRAND TOTAL</b>	<b>\$125.1</b>	<b>100%</b>
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<b>\$75.8</b>	<b>100%</b>
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NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

The table below breaks down the amount of Regional Flexible Funds allocated to each transportation mode from the beginning of ISTEA in 1992. Also shown are state highway funds allocated to freeway modernization in the urban portion of Region 1 during the same period.

<b>Modal Share of Committed Transportation Funds: 1992-2003</b>						
<b>(millions)</b>						
<b>PROJECT MODE</b>	<b>Built</b>		<b>Funded but Not Built</b>		<b>SUBTOTAL OF COMMITTED FUNDS</b>	<b>MODAL % OF COMMITTED FUNDS: NON-FRWY</b>
	<b>Amount</b>	<b>Percent</b>	<b>Amount</b>	<b>Percent</b>	<b>Amount</b>	<b>Percent</b>
<b>Planning</b>	\$5.400	5%	\$0.659	1%	\$6.059	3%
<b>Road Modernization</b>	30.120	26%	28.200	27%	58.320	26%
<b>Road Reconstruction</b>		0%	2.670	3%	2.670	1%
<b>Bridge</b>	3.130	3%	10.000	10%	13.130	6%
<b>Freight</b>	18.350	16%	13.000	13%	31.350	14%
<b>Boulevard</b>		0%	1.000	1%	1.000	0.5%
<b>Pedestrian</b>	5.950	5%	7.750	7%	13.700	6%
<b>Bike</b>	8.800	8%	5.838	6%	14.638	7%
<b>TDM</b>	3.260	3%	0.813	1%	4.931	2%
<b>TOD</b>	4.900	4%	0.150	0%	5.050	2%
<b>Transit</b>	36.870	32%	33.500	32%	70.370	32%
<b>Non-Freeway Subtotal</b>	<b>\$116.780</b>	<b>100%</b>	<b>\$103.580</b>	<b>100%</b>	<b>\$221.218</b>	<b>100%</b>
<b>Freeway</b>	160.896		72.112		233.008	
<b>GRAND TOTAL</b>	<b>\$277.676</b>		<b>\$175.692</b>		<b>\$453.368</b>	

# PRIORITIES 2000 DRAFT 150 PERCENT CUT LIST

Freeway	Amount	
<b>Committed</b>		
I-5/217\Kruse Way	14.57	
I-5/217\Kruse Way	<u>7.00</u>	TEA-21
<b>SUBTOTAL I-5/217\Kruse Way</b>	<b>21.57</b>	
I-205/Sunnybrook Intrchn	22.27	
I-205/Sunnybrook Intrchn	<u>6.00</u>	TEA-21
<b>SUBTOTAL I-205/Sunnybrook Intrchn</b>	<b>28.27</b>	
Tualatin/Sherwood Bypass	0.38	
US 26: Camelot/Sylvan Interchn	<u>21.90</u>	
<b>FY 00-03 Committed Total</b>	<b>\$ 72.112</b>	
<b>Proposed</b>		
US 26: Sylvan Interchange Ph. 3	<u>\$ 26.513</u>	ODOT
<b>Proposed Total:</b>	<b>\$ 26.513</b>	

3/30/99

# PRIORITIES 2000 DRAFT 150 PERCENT CUT LIST

A. Planning		B. Road Modernization		C. Road Reconstruction		D. Bridge		E. Freight		F. Boulevard	
Rank	Amount	Rank	Amount	Rank	Amount	Rank	Amount	Rank	Amount	Rank	Amount
<b>Committed</b>		<b>Committed</b>		<b>Committed</b>		<b>Committed</b>		<b>Committed</b>		<b>Committed</b>	
Metro Core Program <u>\$0.659</u>		Murray O'Xing - TEA-21 <u>\$3.750</u> Sunnyside Road <u>6.400</u> Sunnybrook Rd Extens'n - TEA-21 <u>13.000</u> Lovejoy Ramp Reconstruction <u>5.050</u>		Johnson Crk Blvd Ph. II <u>\$0.800</u> Front Ave. Reconstruction <u>1.870</u>		Broadway Bridge - TEA-21 <u>\$10.000</u>		So. Rivergate O'Xing - TEA-21 <u>\$13.000</u>		Ped to MAX (Stark St) - TEA-21 <u>\$1.000</u>	
FY 00-03 Committed Total <b>\$0.659</b>		FY 00-03 Committed Total <b>\$28.200</b>		FY 00-03 Committed Total <b>\$2.670</b>		FY 00-03 Committed Total <b>\$10.000</b>		FY 00-03 Committed Total <b>\$13.000</b>		FY 00-03 Committed Total <b>\$1.000</b>	
<b>Proposed</b>		<b>Proposed</b>		<b>Proposed</b>		<b>Proposed</b>		<b>Proposed</b>		<b>Proposed</b>	
1	Core Reg. Planning Program <u>\$2.083</u>	1	MLK/Interstate ITS <u>\$0.550</u>	1	Naito Parkway: Davis/Market <u>\$1.500</u>	1	Burnside Electrical <u>\$0.500</u>	1	N. Marine Dr. Reconstruction <u>\$1.795</u>	1	MBL1 Division: Cleveland/Birdsdales <u>\$2.789</u>
NA	Green Streets Handbook <u>0.090</u>	3	Murray O'Xing: Millikan/Terman <u>1.000</u>	2	NW 23rd: Burnside/Lovejoy <u>0.825</u>	2	Broadway Brdg Deck Rehab <u>3.651</u>	2	Marine Dr. BNSF O'Xing (PE) <u>1.794</u>	2	CBL3 McLoughlin: Harrison/SPRR X'ing <u>1.800</u>
NA	I-5 Trade Corridor Study <u>0.500</u>	4	Gresham/Mult. Co. ITS <u>2.000</u>	3	SE Holgate: 42nd/52nd <u>0.797</u>	3	Morrison Electrical <u>0.800</u>	4	Lower Albina Overcrossing <u>4.000</u>	3	MBL2 Stark St <u>0.800</u>
NA	OPB Pilot <u>0.100</u>	5	Clack Co. ITS/ATMS <u>1.425</u>	4	Johnson Crk Blvd: 36th/45th <u>1.076</u>					4	PBL3 W. Burnside: Brdg/NW 23rd <u>0.269</u>
NA	Regional Freight Program Analysis <u>0.150</u>	7	Wash. Co. ATMS <u>0.370</u>							5	PBL2 Gateway Reg. Cntr <u>1.000</u>
		8	Portland Arterial/Fwy. ITS <u>0.750</u>							6	PBL1 Hawthorne: 20th/55th <u>1.500</u>
		11	SW Greenburg Rd: Wash Sq/Tieder <u>2.243</u>							7	CBL1 Harmony Rd: 82nd/Fuller <u>1.750</u>
		12	223rd O'Xing (PE/ROW) <u>0.400</u>							9	WBL1 Cornell: Trail Av/Saltman Rd <u>1.800</u>
		13	Harmony/Linwood/Railroad Av PE <u>0.449</u>							10	CBL4 A Ave Improvement (L.O.) <u>2.700</u>
		14	Com. Pass Rd: US 26/Pickering <u>0.290</u>							12	CBL2 Willamette Dr. - "A" St/McKillican <u>1.100</u>
		16	I-5/Nyberg Interchange <u>3.612</u>							14	WBL8 Half Blvd: Cedar Hills/Hocken <u>2.000</u>
		20	207th Connector: Halsey/Glisan <u>1.345</u>							15	WBL2 Main St: 10th/20th (Cornelius) <u>2.000</u>
		26	Sunnyside Rd/ML Scott Creek <u>1.400</u>								
		28	Hwy 213/Beavercreek Rd. <u>3.000</u>								
		34	SE Foster Rd/Kelly Creek <u>0.600</u>								
	Proposed Total: <b>\$2.923</b>		Proposed Total: <b>\$19.434</b>		Proposed Total: <b>\$4.198</b>		Proposed Total: <b>\$4.951</b>		Proposed Total: <b>\$7.589</b>		Proposed Total: <b>\$19.508</b>

G. Pedestrian		H. Bike/Trail		I. TDM		J. TOD		K. Transit		L. 100% of ODOT Transportation Enhancement Projects	
Rank	Amount	Rank	Amount	Rank	Amount	Rank	Amount	Rank	Amount	Rank	Amount
<b>Committed</b>		<b>Committed</b>		<b>Committed</b>		<b>Committed</b>		<b>Committed</b>		<b>Committed</b>	
Portland Ped. to Transit <u>\$2.400</u> Reg. Ped to MAX/Transit <u>0.150</u> Woodstock District <u>0.200</u> Lovejoy Ramp Reconstruction - TEA-21 <u>5.000</u>		Steel Bridge <u>\$1.360</u> Halsey Bike Lane <u>0.808</u> Eastbank Esplanade <u>1.590</u> Cedar Hills Blvd.: Walker/Butner <u>0.590</u> Half Blvd.: SPRR/Ridgecrest <u>0.340</u> Fanno Creek Trail <u>0.300</u> Cedar Creek Trail <u>0.080</u> Front: Harrison/Everett <u>0.500</u> Rock Creek Trail <u>0.270</u>		Regional TDM Program <u>\$0.813</u>		TOD Reserve <u>\$0.150</u>		S/N STP Commitment <u>\$25.500</u> Tri-Met Buses - TEA-21 <u>3.500</u> Pld Transit Signal Priority - TEA-21 <u>4.500</u>		No currently committed projects	
FY 00-03 Committed Total <b>\$7.750</b>		FY 00-03 Committed Total <b>\$5.838</b>		FY 00-03 Committed Total <b>\$0.813</b>		FY 00-03 Committed Total <b>\$0.150</b>		FY 00-03 Committed Total <b>\$33.500</b>		FY 00-03 Committed Total <b>\$0.000</b>	
<b>Proposed</b>		<b>Proposed</b>		<b>Proposed</b>		<b>Proposed</b>		<b>Proposed</b>		<b>Proposed</b>	
1	Millikan Way: Murray/Hocken <u>\$0.224</u>	1	Morrison Br. Ped/Bike Access. <u>\$1.570</u>	1	Regional TDM Program <u>\$1.987</u>	1	Metro TOD Program <u>\$7.500</u>	1	Reg. Contrib'n for PDX LRT <u>\$18.000</u>	1	Pioneer Crk House Renovation <u>\$0.500</u>
2	SW 170th: Merlo/Elmonical LRT Statn <u>0.270</u>	2	Phillip Creek Greenway Trail <u>0.468</u>	2	SMART TDM Program <u>0.220</u>	2	N. Macadam Dist Streets <u>1.500</u>	2	Wash. Co. Bus Stop Enhancements <u>0.675</u>	2	Will Shoreline RR Improvements-Ph 2 <u>0.898</u>
3	Cedar Hills: Walker/Butner <u>0.085</u>	3	E. Bank Trail: OMSI/Springwater <u>1.160</u>	3	ECO Information Clearinghouse <u>0.188</u>			3	Service Increase for Reg/T.C. TCL <u>12.325</u>	3	I-5 Corridor Enhancement <u>0.200</u>
4	Sentinel Plaza: Cornell/Cedar Hills/113th <u>0.180</u>	4	Greeley/Interstate <u>0.144</u>	4	Portland Area Telecommuting <u>0.200</u>			4	Will. Shoreline Trestle/Track Repair <u>0.897</u>	4	Tryon Crk Bike Trail Renovation <u>0.244</u>
5	Scott Crk Lane Pedestrian Path <u>0.080</u>	5	Cornell Rd: Elam Young/Ray <u>0.540</u>	5	TMA Assistance Program <u>1.168</u>			5	WTR1 Wash. Co. Commuter Rail <u>1.000</u>	5	Union Station Improvement <u>0.350</u>
7	E. Bank Riverfront Access <u>0.340</u>	6	Fuller Rd: Harmony/King <u>0.592</u>	6	Region 2040 Initiatives <u>1.168</u>			6	SMART (WilsonV) Transit Cntr/P&R <u>1.172</u>	6	Rocky Butte Restoration <u>0.411</u>
14	Capitol Hwy: Bertha/BH Hwy <u>0.400</u>	7	Hall Blvd: 12th/Allen <u>1.438</u>								NE 47th Environmental Renovation <u>0.250</u>
		8	Fanno Crk: Allen/Denny <u>0.075</u>								Portland Bikeway Network Signage <u>0.129</u>
		9	Parkway Cntr Dr: Ellingsen/Burns <u>0.040</u>								Kenton Hist. District Revitalization <u>2.197</u>
		10	Parkway/Town Center Prkwy Loop <u>0.200</u>								Springwater Trl: Boring/Palmblad/D SL <u>0.590</u>
		11	Clack Reg. Ctr. Trail <u>0.278</u>								Simon Benson House <u>0.200</u>
		12	Marine Dr. Multi-use Trail Segment <u>0.500</u>								I-405 Landscape: 23rd/Vaughn to Clay <u>1.327</u>
		15	Gresham/Fairview Trail <u>1.077</u>								I-405 Landscape: Fremont/Marquam B <u>1.000</u>
		16	Peninsula Crossing Trail- Ph. 2 <u>0.359</u>								
		18	Will. Shoreline Bike Study <u>0.150</u>								
		25	Red Electric Line: Will Prk/Oleson <u>0.135</u>								
		27	E. Bank Trail - Phase 2 (ROW only) <u>0.300</u>								
	Proposed Total: <b>\$1.579</b>		Proposed Total: <b>\$9.026</b>		Proposed Total: <b>\$4.931</b>		Proposed Total: <b>\$9.000</b>		Proposed Total: <b>\$34.069</b>		Proposed Total: <b>\$8.296</b>

TOTAL COMMITTED FOR ALL MODES \$103.580

TOTAL PROPOSED FOR ALL MODES \$125.504

# **PRIORITIES 2000**

## **SUMMARY DESCRIPTION OF NOMINATED PROJECTS**

**Metro**

March 30, 1999



## **KEY to project Coding:**

### **Jurisdictions:**

- C = Clackamas County
- M = Multnomah County
- P = City of Portland
- W = Washington County
- R = Regional (Metro and Tri-Met. Note: Port of Portland proposals are listed under City of Portland)

### **Modes:**

- M = Road Modernization (e.g., "CM1" is Clackamas Co. Road Modernization Project No. 1) See page 1.
- R = Road Reconstruction (e.g., "PR5" is City of Portland Road Reconstruction project No. 5) See page 9.
- F = Freight See page 11.
- B = Bridge See page 13.
- Bi = Bicycle See page 15.
- P = Pedestrian See page 19.
- BL = Boulevards See page 21.
- Tr = Transit See page 25.
- TOD = Transit Oriented Development See page 27.
- TDM = Transportation Demand Management (TDM proposals have no jurisdictional code, all are regional) See page 29.
- Plng = Planning See page 31.

**Priorities 2000  
Projects Nominations Summary**

**Road Modernization**

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<b>CM1</b> West Linn	<b>Highway 43: "A" Street/Pimlico Drive</b> Widen to three lanes with landscaped median with turn pockets, two 5 foot bike lanes and two 8 foot sidewalks	<b>\$990,810</b>
<b>CM2</b> Clack Co	<b>Harmony/Linwood Railroad Avenue Intersection</b> Request for PE to construct grade separation of the intersection from the UP/SP RR tracks and improve access to future Linwood LRT station	<b>\$448,500</b>
<b>CM3</b> Clack Co	<b>Sunnyside Road: 132<sup>nd</sup>/172<sup>nd</sup></b> Request for final design funds for widening of Sunnyside Road to five lanes	<b>\$2,691,000</b>
<b>CM4</b> Clack Co	<b>Sunnyside Road: 122<sup>nd</sup>/132<sup>nd</sup></b> Final Design and widening of Sunnyside from two to five lanes	<b>\$4,000,000</b>
<b>CM5</b> Clack Co	<b>Sunnyside Road/Mt. Scott Creek Bridge</b> Request to supplement \$6.4 million of previously committed regional funds to construct bridge and environmental remediation associated with programmed widening of Sunnyside Rd. from I-205 to 122 <sup>nd</sup> .	<b>\$1,400,000</b>
<b>CM6</b> Clack Co	<b>Johnson Creek/I-205 Ramps</b> PE funds for upgrade of SB ramps	<b>\$448,500</b>
<b>CM7</b> Clack Co	<b>Clackamas County ITS/ATMS Plan &amp; Program</b> Funding to develop a transportation technology system plan for County and city facilities (\$100,000) and \$1.325 million to begin implementing plan recommendations for signal interconnection and timing optimization, communication and computer processing needs, and traffic control and incident management strategies.	<b>\$1,425,000</b>
<b>CM13</b> Oregon City	<b>Beavercreek Road: Highway 213/Mollalla</b> Widen 3,600 feet of Beavercreek Road from two to five lanes with enhanced median, bike and pedestrian facilities	<b>\$1,500,000</b>

<b>CM14</b> Oregon City	<b>Beavercreek Road/Highway 213 Intersection</b> Right of way purchase and Phase 1 modernization of the intersection to provide new signal equipment, dual left turn lanes, better sight distance/geometrics, bike and pedestrian facilities, some ramp construction and phase 2 right of way purchase.	<b>\$3,000,000</b>
<b>MM1</b> Mult Co	<b>207<sup>th</sup> Avenue Connector: Halsey/Glisan/223<sup>rd</sup></b> Request for additional funds to cover cost overrun on this recently built project.	<b>\$1,345,000</b>
<b>MM2</b> Mult Co	<b>Halsey Street: 223<sup>rd</sup>/238<sup>th</sup></b> Widen approximately 4,000 feet of Halsey to three lane minor arterial, including sidewalks and bike lanes	<b>\$1,090,000</b> <i>Also being ranked as a bike project.</i>
<b>MM3</b> Mult Co	<b>223<sup>rd</sup> Avenue RR Overcrossing</b> Reconstruct substandard overcrossing to widen from 20 feet to Collector of Regional Significance standards, including bike connections to 40 mile loop and regional recreations and freight facilities	<b>3,402,900</b>
<b>MM4</b> Mult Co/ Gresham	<b>Stark Street: 257<sup>th</sup>/Troutdale Road</b> Widen 3,000 feet of Stark to three lanes with bike lanes and sidewalks	<b>\$2,690,400</b>
<b>MM5</b> Mult Co	<b>242<sup>nd</sup> Avenue: I-84/Stark</b> Conduct PE for construction of Mt. Hood Parkway first phase	<b>\$3,268,000</b>
<b>MM6</b> Gresham	<b>257<sup>th</sup> Avenue: Division/Powell Valley Road</b> Widen 5,600 feet of 257 <sup>th</sup> to five lane major arterial with bike lanes, sidewalks, traffic signals, landscaping, lighting and drainage to match current dimensions at Division	<b>\$4,596,000</b>
<b>MM7</b> Gresham/ Mult Co	<b>Gresham/Multnomah County ATMS Program, Phase 3</b> Install 12 CCTV cameras, 12 variable message signs and five highway advisory radio emitters throughout City/County facilities for detection and management of arterial incidents, especially in proximity to freeway facilities.	<b>\$2,000,000</b>

<b>PM1</b> Portland	<b>Portland Arterial/Freeway System Integration</b> Enhancement of city-wide ATMS system to integrate management of significant corridors, establish transit priority and adaptive signal control capabilities and enable sharing of operations information between jurisdictions	<b>\$750,000</b>
<b>PM2</b> Portland	<b>Broadway/Weidler: Larrabee/Sandy</b> Implement comprehensive traffic management equipment on corridor including traffic count stations, enhanced signalization, message signs, CCTV, fiber optic interconnection and communication to City's central management computer	<b>\$590,000</b>
<b>PM3</b> Portland	<b>Barbur Boulevard: I-405/South City Limits</b> Implement comprehensive traffic management equipment on corridor including traffic count stations, enhanced signalization, message signs, CCTV, fiber optic interconnection and communication to City's central management computer	<b>\$550,000</b>
<b>PM4</b> Portland	<b>Sandy Boulevard: E. Burnside/82<sup>nd</sup> Avenue</b> Implement comprehensive traffic management equipment on corridor including traffic count stations, enhanced signalization, message signs, CCTV, fiber optic interconnection and communication to City's central management computer	<b>\$340,000</b>
<b>PM5</b> Portland	<b>82<sup>nd</sup> Avenue: PDX/Flavel</b> Implement comprehensive traffic management equipment on corridor including traffic count stations, enhanced signalization, message signs, CCTV, fiber optic interconnection and communication to City's central management computer	<b>\$350,000</b>
<b>PM6</b> Portland	<b>MLK/Interstate Avenue: N. Denver/SE Clay</b> Implement comprehensive traffic management equipment on corridor including traffic count stations, enhanced signalization, message signs, CCTV, fiber optic interconnection and communication to City's central management computer	<b>\$550,000</b>

<b>PM7</b> Portland	<b>SW BH Highway: Terwilliger/Shattuck</b> Implement comprehensive traffic management equipment on corridor including traffic count stations, enhanced signalization, message signs, CCTV, fiber optic interconnection and communication to City's central management computer	<b>\$100,000</b>
<b>PM8</b> Portland	<b>SE Foster Road: 136<sup>th</sup>/Barbara Welch Road</b> Extend urban improvement of Foster to Barbara Welch Road; signalize intersection, reconstruct bridge crossings, illuminate and enhance bike/ped facilities	<b>\$3,836,813</b>
<b>PM10</b> Metro Parks & Greenspaces &Portland	<b>SE Foster Road/Kelly Creek Bridge</b> One-quarter of funds needed to convert culvert to bridge, enabling fish passage and riparian corridor enhancement.	<b>\$600,000</b>
<b>PM11</b> Port of Portland	<b>PDX ITS</b> Deploy a Traffic Management and Traveler Information system at PDX with regional connectivity to provide traffic management, incident detection and response, remote traveler information and parking management capabilities.	<b>\$2,420,000</b>
<b>WM1</b> Beaverton	<b>Farmington Rd: Hocken/Murray</b> Widen Farmington Rd to five lanes w/ bike lanes and sidewalks. Provide double left as Farmington/Murray "Boulevard" intersection.	<b>\$8,350,000</b>
<b>WM2</b> Beaverton	<b>Murray Blvd: Scholls Ferry/Barrows</b> Construct new six-lane "Boulevard" intersection at Murrans/Scholls Ferry; extend Murray as four lane major arterial to Barrows	<b>\$6,442,254</b>
<b>WM3</b> Hillsboro	<b>Cornelius Pass Road: US 26/Pickering Drive</b> 1,000 feet extension of the SB auxiliary lane on the Cornelius Pass overcrossing of US 26 to Pickering Drive intersection	<b>\$290,000</b>
<b>WM4</b> Wash Co	<b>Washington County ATMS Program</b> Funding to develop a system plan for County and city needs and to begin implementation of traffic monitoring and regulation system on the County's major road network, including signal timing plans, CCTV cameras, message boards, and computer equipment purchase.	<b>\$370,000</b>

WM5 Wash Co	<p><b>Murray Blvd Overcrossing: Millikan/Terman</b>  This project would widen the existing crossing of Murray Blvd. over Terman Rd. and the Westside LRT tracks by building a new two lane bridge structure parallel to the existing two lane bridge. New sections would provide minimum lane widths of 12' with 6' bike lanes; 6' sidewalks and 5' landscape strips on the surface street approach sections; and 8' sidewalks only on the bridge structures. The bridge would be 321' long and includes a 302' retaining wall. Requested funds supplement a \$3.75M TEA-21 "high priority" allocation.</p>	\$2,000,000
WM6 Wash Co	<p><b>Hall Boulevard: Cedar Hills/Hocken</b>  Build 750 feet, three lane extension of Hall with two 12 foot travel lanes; a continuous left-turn lane, sidewalks and bike lanes</p>	\$4,171,000
WM7 Wash Co	<p><b>231<sup>st</sup> Avenue: Borwick Road/Baseline</b>  Construct 650 foot, three-lane viaduct over Rock Creek as part of extension of 231<sup>st</sup> to TV Highway. Includes eight foot sidewalks, six foot bike lanes and new signal at Baseline</p>	\$10,700,000
WM8 Wash Co	<p><b>Cornell Road Signal Intercon'ct: Brookwood/Stucki</b>  Interconnect 11 signals from Amberglen Parkway/Stucki Avenue to Brookwood</p>	\$225,000
WM9 Wash Co	<p><b>BH Hwy/Oleson Rd/Scholls Ferry Rd Intersection</b>  Preliminary engineering for estimated \$12 million project to reconstruct/modernize this Regional "Boulevard" intersection.</p>	\$1,080,000
WM10 Wash Co	<p><b>Cedar Hills Boulevard/Barnes Road Intersection</b>  Reconstruct intersection and approaches (new NB/EB travel lanes, added NB/SB/EB left turn refuge, new EB/WB right turn lanes), upgrade Cedar Hills/ Barnes signal, install new signal at US 26 off-ramp to Cedar Hills, interconnect four signals between Barnes and Butner.</p>	\$1,800,000
WM11 Wash Co	<p><b>Bethany Boulevard: West Union/Bronson</b>  Widen to three lanes (14-foot median) with 5.5-foot sidewalks, six-foot bike lanes, sound walls, etc.</p>	\$4,640,000

<b>WM12</b> Hillsboro	<b>Cherry Lane/Cornelius Pass Road</b> Reconstruct Cherry Lane as public component of new, mostly privately financed east/west collector from 185 <sup>th</sup> to 231 <sup>st</sup>	<b>\$1,080,000</b>
<b>WM13</b> Hillsboro	<b>SE 10<sup>th</sup> Avenue: E. Main/SE Baseline</b> Construct new 12 foot wide, 900 foot long turn lane and new 13 foot sidewalk in station area	<b>\$1,350,000</b>
<b>WM14</b> Hillsboro	<b>Aloclek Dr: NW Amberwood/ Cornelius Pass Rd</b> Purchase 70 foot of right of way for new three lane road.	<b>\$315,000</b>
<b>WM16</b> Hillsboro	<b>NE 28<sup>th</sup> Avenue: NE Grant/E. Main Street</b> Cost for bike and pedestrian components of planned widening of 28 <sup>th</sup> to three lane minor arterial. New facility would intersect Fair Complex LRT Station and provide new north/south access to Hillsboro and improve circulation within the regional center	<b>\$1,755,000</b>
<b>WM17</b> Tualatin	<b>I-5/Nyberg Interchange Widening</b> Cooperate with ODOT to widen Nyberg overcrossing with two new travel lanes and sidewalks and widen SB off-ramp from I-5 to Nyberg	<b>\$3,611,540</b>
<b>WM18</b> Tigard	<b>SW 72<sup>nd</sup>: 99W/Hunziker Street</b> Widen approximately ¾ mile of 72 <sup>nd</sup> Avenue from three to five travel lanes of 11 foot width with 12 foot median, 13 foot sidewalks with planter strips and bike lanes (total right of way of 92 feet)	<b>\$2,691,000</b>
<b>WM19</b> Tigard	<b>SW Greenburg Road: Washington Square/Tiedeman Avenue</b> Widen 3,100 feet of Greenburg from three to five lanes. Improve pavement from Washington Square Drive to Highway 217; provide transitions on Tiedeman to Greenburg intersection and on Greenburg past intersection with Tiedeman	<b>\$2,242,500</b>
<b>WM20</b> Forest Grove	<b>Bonnie Lane Extension: Brooke/Gales Creek Road</b> Construct extension of Bonnie Lane from just west of Brooke to Gales Creek Road between Thatcher Rd and Willamina Ave. Provide curbs, gutters, traffic control, pedestrian crossings and other streetscape amenities.	<b>\$313,260</b>

**WM21**      **Bonnie Lane Extension: "B" St./Main St.**      **\$415,800**  
Forest Grove      Extend Bonnie Lane across gap from its dead end at "B"  
St. east, to its continuation from Main St. Provide curbs,  
gutters, traffic control, pedestrian crossings and other  
streetscape amenities.

**WM22**      **Main Street Extension: Beal/Bonnie Lane**      **\$331,410**  
Forest Grove      Construct a link of Main Street that closes the existing  
gap from south of Beal to Bonnie Lane. Provide curbs,  
gutters, traffic control, pedestrian crossings and other  
streetscape amenities.

**SUBTOTAL:      \$100,998,000**



**Priorities 2000  
Projects Nominations Summary**

**Roadway Reconstruction**

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<b>CR1</b> West Linn	<b>Willamette Falls Dr: 10th/Sunset</b> Reconstruct badly deteriorated roadway to enable transit vehicle use and improve bike/pedestrian accessibility.	<b>\$3,313,890</b>
<b>CR2</b> Clack Co	<b>Johnson Creek Blvd: 36<sup>th</sup>/45<sup>th</sup></b> Reconstruct pavement and provide two 11' travel lanes w/ 6' bike lanes, 5' sidewalks and landscaping on the south side only.	<b>\$1,076,400</b>
<b>CR3</b> Milwaukie	<b>Lake Road: Oatfield/Hwy 224</b> Reconstruct 4,350'; narrow lanes to 11' w/ new 10' left and right turn lanes at Oatfield and 5' sidewalks on both sides of street. Provide raised medians, bus pullouts and widened sidewalks at bus stops.	<b>\$1,524,900</b>
<b>PR1</b> Portland	<b>Bybee Boulevard Overcrossings</b> Replace the existing structure over SE McLoughlin Boulevard	<b>\$5,234,892</b>
<b>PR2</b> Portland	<b>SE Stark Street Overlay: 122<sup>nd</sup>/146<sup>th</sup></b> Reconstruct 1.2 miles with overlay and new stormwater drainage facilities	<b>\$1,351,523</b>
<b>PR3</b> Portland	<b>NW 23rd Ave: Burnside/Lovejoy Street</b> Reconstruct NW 23 <sup>rd</sup> Ave pavement and restripe facility to accommodate one lane of traffic in each direction, on-street parking and accommodate bicyclists on street	<b>\$825,262</b>
<b>PR4</b> Portland	<b>SE 39<sup>th</sup> Ave: Powell/Holgate</b> Reconstruct SE 39 <sup>th</sup> Avenue pavement and restripe facility to accommodate two lanes of traffic in each direction, left turn bays at major intersections, provide corner curb ramps compliant with ADA standards. Upgrade and retime signals within corridor and centralize signal management to aid efficient movement of goods and services.	<b>\$1,340,067</b>

<b>PR5</b> Portland	<b>SE Holgate Blvd: SE 42<sup>nd</sup> Ave/SE 52<sup>nd</sup> Ave</b> Reconstruct SE Holgate Blvd pavement structure and stormwater drainage facilities. Reconstruct corner curb ramps to ADA standards	<b>\$797,341</b>
<b>PR6</b> Portland	<b>SW Market/Clay Couplet: Naito Prkwy/SW 12<sup>th</sup></b> Reconstruct both streets, which are state facilities in Downtown, curb to curb with full-depth base pavement. Rebuild corner curb ramps to ADA requirements. Renovate traffic signal loops to moderate traffic flow through Central City.	<b>\$3,663,128</b>
<b>PR 7</b> Portland	<b>SE Washington St: 82<sup>nd</sup>/109<sup>th</sup></b> Reconstruct SE Washington Street pavement and structure and restripe the facility to accommodate EB traffic in the Stark/Washington couplet. Reconstruct corner curb ramps to ADA standards. Reconstruct signal at the SE 102 <sup>nd</sup> /103 <sup>rd</sup> Ave. intersection	<b>\$1,087,353</b>
<b>PR8</b> Portland	<b>NE Cully Blvd: Prescott/Killingsworth</b> Reconstruct parts of the roadway and overlay the entire length of the project. The road will remain in its two-lane configuration. Future phase will widen the roadway , add bike lanes and curb/sidewalks and signalize the Cully/Prescott intersection	<b>\$402,978</b>
<b>PR9</b> Portland	<b>Hayden Island Dr: N. Center Ave/N. Farr St.</b> Reconstructs North Hayden Island Drive in vicinity of the retail center and restripes it to accommodate four travel lanes and a continuous left turn lane	<b>\$1,440,391</b>
<b>PR10</b> Portland	<b>SW/NW Naito Parkway: NW Davis/SW Market</b> Supplement previous allocation to reconstruct Naito Parkway and restripe to accommodate two lanes of traffic in each direction, left turn bays, median islands, and on-street bicycle facilities (rather than a multi-use path in the park as previously approved). Replace many badly deteriorated brick crosswalks with architectural concepts. Rebuild corner curb ramps to ADA standards	<b>\$1,500,000</b>
	<b>SUBTOTAL:</b>	<b>\$25,558,000</b>

**Priorities 2000  
Projects Nominations Summary**

**Freight Improvement**

PF1 Portland	<b>Lower Albina Overcrossing</b> Construct overcrossing of rail facilities to eliminate freight vehicle delay experienced when trains block multiple local street intersections.	<b>\$4,000,000</b>
PF2 Portland	<b>North Marine Drive Reconstruction 4R</b> Current two-lane road is 25 years old, has poor drainage and is badly deteriorated. Widen 2.5 miles to five lanes w/ bike lanes and sidewalks and vegetation buffer of adjacent trail and natural resource area beginning at the Columbia Slough to North Marine Drive Overpass.	<b>\$1,795,000</b>
PF3 Portland	<b>SE 7<sup>th</sup>/SE 8<sup>th</sup> Avenue Connector</b> Improve freight and vehicular access to SE Industrial District from Ross Island Bridge by realignment of SE 7 <sup>th</sup> to provide a continuous street connection with SE 8 <sup>th</sup> Avenue.	<b>\$2,511,600</b>
PF4	<b>Duplicate of PF5</b>	
PF5  ODOT (Port and City of Portland)	<b>E. Columbia to Lombard Connection NE 82<sup>nd</sup>/I-205 Interchange (Webster/Holman)</b> Improve access to and from I-205 along the Columbia Blvd corridor for businesses and freight through movements. Expand railroad overcrossings, and provide interchange and intersection modifications at 82 <sup>nd</sup> Avenue, I-205 and Columbia and Lombard.	<b>\$29,500,000</b>
PF6 Portland	<b>Powell/SE 8<sup>th</sup> Signalization</b> New traffic signal and left turn pocket at SE Powell/SE 8 <sup>th</sup> to limit freight infiltration to SE residential neighborhoods.	<b>\$224,250</b>
PF7 Port of Portland	<b>Marine Dr: BNSF O'Xing/Kelly Point Park</b> PE for second phase of widening. Design 1,400 rail O'xing; construct 64' wide curb-to-curb pavement w/ four 12' travel lanes, two 6' bike lanes, 4' median; add sidewalks.	<b>\$1,794,000</b>

**SUBTOTAL: \$40,325,000**

**PF8**

**Rivergate ITS Project**

**\$448,500**

Deploy highway/rail intersection management system within the Rivergate Industrial District and surrounding street system (mostly N. Marine Dr. and Columbia Blvd. including I-5 and I-205 ramps) to reduce intermodal conflicts, streamline freight movement and optimize existing capacity of key freight routes.

**Priorities 2000  
Projects Nominations Summary**

**Bridge Improvements**

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<b>PBr1</b> Mult Co/Portland	<b>Broadway Bridge Painting</b> Partial funding of a \$17 million project to strip and repaint the main truss of spans above the deck.	<b>\$7,960,875</b>
<b>PBr2a</b> Mult Co/Portland	<b>Morrison Bridge Electrical Upgrade</b> Replace and upgrade electrical control systems for traffic control gates, signals and lighting on the Morrison and Burnside Bridges	<b>\$800,000</b>
<b>PBr2b</b> Mult Co/Portland	<b>Burnside Bridge Electrical Upgrade</b> Replace and upgrade electrical control systems for traffic control gates, signals and lighting on the Morrison and Burnside Bridges	<b>\$500,000</b>
<b>PBr3</b> Mult Co/ Portland	<b>Broadway Bridge/Approaches Rehabilitation Phase 5</b> Partial funding of a \$20 million project to replace deck grating on the main span of the bridge and paint the lower structural members.	<b>\$3,650,790</b>

March 25, 1999

**Priorities 2000  
Projects Nominations Summary**

**Bicycle Improvements**

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<b>CBi1</b> Clack Co	<b>Roethe Road: River Road/McLoughlin</b> Widen 0.38 miles to accommodate joint, striped, shared bike/pedestrian path in both directions. Install curbs and drainage. This project falls within the McLoughlin Corridor Study area just northwest of Gladstone. Full sidewalks in follow-up project.	<b>\$430,704</b>
<b>CBi2</b> Clack Co	<b>SE Fuller Road: Harmony/King</b> Widen west side of road. Stripe 6' bikelanes, construct new sidewalk, curbs/drainage on west side, infill east side sidewalks.	<b>\$592,218</b>
<b>CBi3</b> Clack Co	<b>Phillip Creek Greenway Trail: Causey Ave/Mt. Scott Greenway Trail</b> Construction of 1.1 mile trail mostly within Clackamas Regional Center boundaries.	<b>\$468,391</b>
<b>CBi4</b> Clack Co	<b>Portland Traction Company Trail: Park/Glen Echo</b> Construct 3.6 miles of mixed 10'- 12' multi-use trail and 6'- 10' on-street segments along historic street car ROW.	<b>\$1,076,760</b>
<b>CBi5</b> Clack Co	<b>Hill/Thiessen Roads Bike Infill</b> Widen sections of Hill/Thiessen Roads between Oatfield and Webster to construct cumulative 5,700' of missing bike lanes. Completes bike connections between McLoughlin and Linwood corridors.	<b>\$601,191</b>
<b>Cbi6</b> Clack Co.	<b>Linwood Ave: King Rd/Johnson Creek Blvd.</b> Provide 6-foot bike lanes on both sides of Linwood Ave. Project completes the final gap in the Linwood-Webster transit corridor, providing multi-modal travel movements to the Springwater Corridor.	<b>448,650</b>
<b>CBi7</b> Clack Co	<b>Clackamas Regional Center District Park Multipurpose Trail: Harmony Road/82<sup>nd</sup> Avenue</b> Park Trail would run from 82 <sup>nd</sup> Avenue to Lake Road primarily within the Clackamas Town Center Regional Park, south of Harmony Road, west of 82 <sup>nd</sup> and north of the Union Pacific Railroad main line.	<b>\$278,163</b>
<b>CBi8</b> ClackCo	<b>Jennifer Street: 106<sup>th</sup>/120<sup>th</sup></b> Construct an 8' shared bike/pedestrian path along 3,500' of Jennifer (south side only) in a largely industrial area . Topography precludes a more complete solution.	<b>\$444,164</b>

<b>CBi9</b> Wilsonville	<b>Town Center Park Bike/Ped Connections</b> Strip and sign 5'-6' bike lanes from Parkway Avenue in Wilsonville, east to the proposed Town Center Park access off Town Center Loop east. Acquire 700 feet of 12' ROW and construct eastern access to the park	<b>\$200,000</b>
<b>CBi10</b> Wilsonville	<b>Parkway Avenue/Town Center Loop Bikeway</b> Sign and re-stripe Parkway Avenue in Wilsonville from Boeckman Road to Town Center Loop, creating two 15 foot shared bike/vehicle lanes and one 12 foot center turn lane; sign and re-stripe Boeckman Road and Town Center Loop creating bike lanes that will connect with an existing 12 foot pedestrian bike pathway that leads into Town Center Park	<b>\$40,000</b>
<b>CBi11</b> Wilsonville	<b>Parkway Center Dr: Ellingsen Rd/Burns Way</b> Stripe and sign 1,200' of on-street bike lanes 5 to 6 feet in width. Erect appropriate bike lane and safety signage for a larger adjacent area	<b>\$20,000</b>
<b>CBi12</b> Portland	<b>Willamette Shoreline Rail: Lake Oswego/Sellwood Bridge</b> Feasibility Study for Multi-Use trail	<b>\$150,000</b>
<b>CP2</b> Clack Co	<b>Washington St: Abernethy Rd/7<sup>th</sup> St</b> Reduce from 4-lanes to 2-lanes w/ median and "boulevard-like" improvements.	<b>\$400,000</b> <i>Moved from Pedestrian</i>
<b>MBi1</b> Gresham	<b>Gresham Fairview Trail: Springwater Trail/Marine Drive</b> 5.2 mile multi-use path designed for bike and pedestrian use	<b>\$1,076,760</b>
<b>MM2</b> Mult Co	<b>Halsey Street: 223<sup>rd</sup>/238<sup>th</sup></b> Widen approximately 4,000 feet of Halsey to three lane minor arterial, including sidewalks and bike lanes	<b>\$1,090,000</b> <i>Also being ranked as a Road Mod Project.</i>
<b>PBi1</b> Portland	<b>Morrison Bridge Pedestrian Bike Accessibility</b> Permanent bike, pedestrian and disabled access across main span of the Morrison Bridge. Reduce number of lanes from 6 to 5 lanes (3 westbound and 2 lanes eastbound)	<b>\$1,569,750</b>
<b>PBi2</b> Metro	<b>Peninsula Crossing Trail, North Portland Road Improvements</b> Complete second phase of Peninsula Crossing trail project from present terminus on N. Portland Rd. at the Treatment Plant, north to Marine Dr.	<b>\$358,800</b>
<b>PBi3</b> Portland	<b>Marine Drive Multi-Use Trail Segments: Bridgeton Road/13<sup>th</sup> Avenue; 28<sup>th</sup>/33<sup>rd</sup> Ave; and 112<sup>th</sup>/122<sup>nd</sup> Ave.</b> Construct two-way bike path along the south side of Marine Drive	<b>\$738,200</b>

PBi4 Portland	<b>SE 111<sup>th</sup>/112<sup>th</sup> Avenue: Market/Holgate</b> Widen some road segments on 112 <sup>th</sup> (Holgate/Mt. Scott Blvd) build some retaining wall and drainage improvements to provide continuous 6' bike lanes on both sides of roadway	\$1,553,000
PBi5 Portland	<b>Springwater Corridor: Rugg Rd. to Boring</b> Construct multi-use path.	\$538,000
PBi6 Portland	<b>Eastbank Trail: OMSI/Springwater Trail Completion</b> <i>PBi6a:</i> North end of Water Avenue from Caruthers Street south to the Oregon Pacific right of way will be paved with bicycle and pedestrian improvements. <i>PBi6b:</i> Convert Umatilla and Spokane Streets to bicycle boulevards; or Develop off street trail (Umatilla St. to Springwater) and construct three bridges.	\$3,139,507
PBi8 Portland	<b>Willamette Greenway Trail: Willamette Cove Segment</b> This project is on the banks of the Willamette River. It will involve development of a multi-use trail along the North Edgewater Street up to Willamette Boulevard	\$448,500
PBi9 Portland	<b>Greeley/Interstate: Killingsworth/Russell</b> Provide bike lanes along N. Greeley St from Killingsworth to Interstate Ave, and then along Interstate Ave to existing lanes at N. Russell St. Raised medians along Greeley and Interstate will have to be replaced at narrower width to provide sufficient ROW for bike lanes.	\$143,600
PP5 Clack Co	<b>Red Electric Line: Willamette Park/Oleson Road</b> Conversion of an abandoned rail corridor into a bicycle/pedestrian corridor. Feasibility study.	\$134,500
WBi1 Beaverton	<b>Fanno Creek Bike Path: Allen/Denny</b> Supplemental funds for programmed multi-use path.	\$74,451
WBi2 Beaverton	<b>Hall Boulevard Bikeway: 12<sup>th</sup> /Allen</b> Complete regional bike system from Farmington to Hwy 217 by constructing 1,500' of bike lanes on Hall Boulevard from 12 <sup>th</sup> to 700' south of Allen	\$944,541
WBi3	<i>Project was removed from the process by Washington County.</i>	
WBi4 Wash Co	<b>Cedar Mill Multi-Use Path (Cornell Road: 119<sup>th</sup>/113<sup>th</sup>)</b> Provide a combination bike/ped path that would help fill the gap between existing bike and ped facilities at Cedar Hills Blvd/113 <sup>th</sup> and 119 <sup>th</sup> Avenue	\$900,000



<b>WBi5</b>	<b>Cornell Road Bikeway: Elam Young Parkway to Ray Circle</b>	<b>\$540,000</b>
Wash Co	Retrofit Cornell Road to add a 6-foot wide bike lanes. This entails about ½ mile segment of Cornell Road that will connect two existing bike lanes segments to form a continuous 3 mile bikeway.	
<b>WBi7</b>	<b>Rock Creek Trail: Evergreen Prkwy/Amberwood Dr.</b>	<b>\$448,250</b>
Hillsboro	Third phase of 4 phase project. Improve 1,800' of existing 8' trail to 10'; construct 2,000' of new trail pathway, and an 800' connection to Amberwood Dr.; build bridge over Rock Creek and safety improvements at trail crossing of Cornell Rd.	
<b>WBi8</b>	<b>Beaverton Powerline Multi-Use Path</b>	<b>\$1,794,000</b>
THPRD	Provide a continuous multi-use access way from Scholls Ferry Rd. to Farmington Rd. along the powerline corridor west of 155 <sup>th</sup> Ave.	
<b>WBi9</b>	<b>Rock Creek Powerline Multi-Use Path</b>	<b>\$627,900</b>
THPRD	Locate and construct trail in the powerline easement from NW 185 <sup>th</sup> to NW Kaiser Rd.	
<b>WBi10</b>	<b>Fanno Creek Multi-Use Path: East to Allen/Scholls Ferry.</b>	<b>\$1,435,200</b>
THPRD	Construct a 10-foot wide path with boardwalks and bridge structures.	
	<b>SUBTOTAL:</b>	<b>\$22,707,000</b>

**Priorities 2000  
Projects Nominations Summary**

**Pedestrian Improvements**

<b>CP1</b>	<b>Scott Creek Lane Pedestrian Path 129<sup>th</sup> Avenue to West/Mt. Gate Road to East</b>	<b>\$80,100</b>
Clack Co	Construct 10' wide asphalt pedestrian path approximately 1,250 feet long, including a bridge crossing of Scott Creek	
<b>CM16</b>	<b>Linwood Ave: Monroe/Cedarcrest</b>	<b>\$783,000</b>
Milwaukie	Construct 6' sidewalk/5' landscape strip on both sides of street with widened bus stop pads and 1,450' of stormwater improvements; restripe to provide 6' bikelanes and two 11' travel lanes (replacing previous 12' lanes).	<i>Moved from Road Mod projects.</i>
<b>MP1</b>	<b>257<sup>th</sup> Ave: Cherry Park Rd/Stark</b>	<b>\$1,345,500</b>
Mult Co	Widen 8,500' of sidewalks from 5' to 9', underground 5,350' of overhead utilities and install raised median, 2 signal, streetscaping, lighting and other amenities.	
<b>PP1</b>	<b>Capitol Hwy: SW Taylors Ferry/36<sup>th</sup> Ave</b>	<b>\$923,910</b>
Portland	Addition of 6' sidewalk on east side w/ 6' landscape/utility buffer strip; 5' bike lanes; bus stop pads/inbound shelters, stormwater drainage; reorientation of intersections and street crossings.	
<b>PP2</b>	<b>Capitol Hwy: Bertha/BH Hwy</b>	<b>\$400,000</b>
Portland	Intersection improvements. Realign 400' in each direction	
<b>PP3</b>	<b>West Burnside: Wildwood Trail O'Xing</b>	<b>\$448,500</b>
Portland	Pedestrian bridge over West Burnside at the location where the Wildwood Trail crosses Burnside	
<b>PP4</b>	<b>River District Pedestrian Improvements</b>	<b>\$1,614,600</b>
Portland	Improve pedestrian corridors and a segment of the Greenway Trail (NW 10 <sup>th</sup> and 11 <sup>th</sup> Avenues) 1 <sup>st</sup> Corridor (Hoyt St. connection to Riverfront Park) 2 <sup>nd</sup> corridor	
<b>PP6</b>	<b>Springwater Trailheads at 82<sup>nd</sup>, 136<sup>th</sup> and 174<sup>th</sup> Ave.</b>	<b>\$1,253,000</b>
Portland	Construct three trailheads along the Springwater Corridor.	<i>Split from Bike Project Pbi5</i>

PBi7	<b>Eastbank Riverfront Access and Neighborhood Connections</b>	\$1,345,500
Portland	Implement streetscape improvements to enhance the pedestrian experience along the designated routes through the Central Eastside Industrial area	<i>Moved from Bike projects.</i>
WP1	<b>Hillsboro Regional Center Ped Program</b>	\$1,350,000
Hillsboro	On 18 <sup>th</sup> Avenue, 21 <sup>st</sup> Avenue, Maple Street, Oak Street and Walnut Street improve sidewalks, lighting, pedestrian crossings, bus shelters and benches. Add curbs and storm drainage where needed	
WP2	<b>Milikan Way: Murray/Hocken</b>	\$224,500
Wash Co.	Construct 5' sidewalk with street lights for 3,000' along south side of Milikan Way	
WP3	<b>Saltzman Road: Marshall Rd/Dogwood Rd</b>	\$436,500
Wash Co	Construct sidewalks on the west side of Saltzman Road	
WP4	<b>Sentinel Plaza: Cornell Rd/Cedar Hills Blvd/113<sup>th</sup> Ave</b>	\$180,000
Wash Co	Multi-use path for pedestrians and bicyclists that connects to an existing path on Cedar Hills Boulevard	
WP5	<b>SW 170<sup>th</sup> Ave: Merlo Rd/Elmonica LRT Station</b>	\$270,000
Wash Co	Replace deteriorating asphalt path with 9'-foot sidewalk along 1,100' of the east side of SW 170 <sup>th</sup> Avenue	
WP6	<b>131<sup>st</sup>/Fischer Rd: Beef Bend/99W</b>	\$315,000
Wash Co	Purchase ROW and in-fill curbs/sidewalks on one side of 131 <sup>st</sup> between Beef Bend and Fischer Rd and on Fisher Road between 131 <sup>st</sup> and 99W.	
WBi6	<b>Tualatin River Pedestrian Bridge</b>	\$897,000
City of Tualatin Park/ Rec Dept.	Project would connect to existing pathways in Tigard Cook's Park and Durham City Park. Would run across the Tualatin River and include safety fencing and connecting ramps within Tualatin Community Park	<i>Moved from Bike projects</i>
WP7	<b>Cedar Hills Blvd: Walker/Butner Rd.</b>	\$85,000
Wash. Co.	Construct 5-foot wide bike lanes and 6-foot wide sidewalks on both sides of Cedar Hills Blvd. Construct 6-foot wide sidewalks on the west side of Cedar Hills Blvd. from Berkshire Street to just north of Walker Rd.	

**SUBTOTAL: \$11,953,000**

**Priorities 2000  
Projects Nominations Summary**

**Boulevard Improvements**

<b>CBL1</b> Clack Co	<b>Harmony Road: 82<sup>nd</sup>/Fuller Road</b> Provide a center median/turn lane, narrowed travel lanes, standard width bicycle lanes, boulevard sidewalks, pedestrian crossings and median refuges, bus pullouts and corner curbing	<b>\$2,500,000</b>
<b>CBL2</b> West Linn	<b>Willamette Drive: "A" St/McKillican</b> Provide median/turn lane, narrowed travel lanes, standard bicycle lanes, boulevard sidewalks, pedestrian crossings and median refuges, bus pullouts	<b>\$1,081,500</b>
<b>CBL3</b> ODOT	<b>McLoughlin Blvd: Harrison /SPRR X'ing</b> Widen existing sidewalks, install landscaping and higher quality lighting	<b>\$1,800,000</b>
<b>CBL4</b> Lake Oswego	<b>"A" Avenue Improvement</b> Extend Phase 1 "A" Ave improvements to Hwy 43	<b>\$2,700,000</b>
<b>CBL5</b> Lake Oswego	<b>Boones Ferry Rd: Mercantile//Kruse Way Pl</b> Widen Boones Ferry 12' between Mercantile and Kruse Way Pl. and add NB lane through segment	<b>\$265,500</b>
<b>CBL6</b> Lake Oswego	<b>Boones Ferry Rd: Washington Crt/Madrona St</b> Construct new boulevard intersection at Boones Ferry Rd/Sunset Dr. and provide Regional Blvd enhancement of 1400' (total) of Boones Ferry north/south of intersection	<b>\$1,350,000</b>
<b>MBL1</b> Gresham	<b>Division St: Cleveland/Birdsdale</b> Implement Boulevard design along 1.5 mile street section through the Gresham Regional Center	<b>\$3,589,200</b>
<b>MBL2</b> Gresham	<b>Stark St: 181<sup>st</sup>/197<sup>th</sup></b> Expand on pedestrian friendly treatments currently under construction in the Rockwood Transit Center renovation at 188 <sup>th</sup> and Stark Street	<b>\$1,538,871</b>

<b>PBL1</b> Portland	<b>Hawthorne Blvd: SE 20<sup>th</sup>/SE 55<sup>th</sup></b> Enhance bike, pedestrian and transit amenities w/in corridor, signalize new intersections and progress vehicle platoons similar to downtown pedestrian environment on appropriate stretches.	<b>\$2,692,500</b>
<b>PBL2</b> Portland	<b>Gateway Regional Center</b> Begin implementation of concepts identified in the Gateway Regional Center Transportation Study	<b>\$2,261,000</b>
<b>PBL3</b> Portland	<b>W. Burnside Blvd: Bridge/NW 23<sup>rd</sup> Avenue</b> Develop a concept plan for preliminary engineering to balance vehicular with alternative mode function of the corridor.	<b>\$2,691,000</b>
<b>PBL4</b> Portland	<b>Barbur Blvd: Naito Parkway/65<sup>th</sup></b> Complete and enhance the existing pedestrian system by providing sidewalk connections to the surrounding neighborhoods. This project will enhance the existing transit system by improving access to bus stops	<b>\$882,400</b>
<b>PBL5</b> Portland	<b>So. Portland Circulation: I-405/Wil. River/Hamilton/Barbur</b> Reconstruct SW Front between Arthur and Barbur as neighborhood collector street with a three lane cross section, boulevard-type treatment: street trees, wider sidewalks, left turn pockets with planted medians, signalized intersections with ped crossings and high amenity transit stops	<b>\$5,382,000</b>
<b>WBL1</b> Wash Co	<b>Cornell Rd: Trail Ave/Saltzman Rd</b> Wider sidewalks, curb extensions, bus stop enhancements, raised medians, pedestrian scale lighting, street furniture, enhanced landscaping and "gateway features" at entry points to town center	<b>\$1,800,000</b>
<b>WBL2</b> Cornelius	<b>Main St: 10<sup>th</sup>/20<sup>th</sup> Blvd</b> Funding for reconstruction of TV Hwy/20 <sup>th</sup> intersection and enhancement of the Cornelius Main Street Couplet.	<b>\$4,541,000</b>
<b>WBL3</b> Beaverton	<b>Murray Blvd: Scholls Ferry/Barrows</b>	<b>\$6,442,254</b>

**WBL4**                    **Forest Grove Downtown Area Improvements**                    **\$1,211,000**  
Forest Grove            Widen sidewalks and provide other street amenities  
along five key downtown streets including: Pacific Ave:  
Cedar/College Way; College Way: 19<sup>th</sup>/21<sup>st</sup> and  
adjacent local streets.

**WBL5**                    **BH Hwy/Oleson Rd/Scholls Ferry Rad Intersection**                    **\$1,080,000**  
Wash Co                Reconstruct/modernize this Regional "Boulevard"  
intersection

**WBL6**                    **Hall Boulevard: Cedar Hills/Hocken**                    **\$1,345,500**  
Wash Co                Build 750 feet, three lane extension of Hall with two 12  
foot travel lanes; a continuous left-turn lane, sidewalks  
and bike lanes.

**SUBTOTAL:            \$45,931,000**

**Priorities 2000  
Project Nominations Summary**

**Public Transit Projects**

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<b>WTr1</b> Wash Co	<b>Wash Co Commuter Rail: Wilsonville/BV</b> Environmental work and design for trackwork improvements, stations, park and ride facilities, signals, switches and crossing protection for a Commuter Rail Project from Wilsonville to Beaverton.	<b>\$4,460,000</b>
<b>WTr2</b> Wash Co	<b>Washington County Bus Stop Enhancement Project</b> Package of bus stop improvements including provision of bus shelters at high use stops, bus benches at stops with a medium level of boarding activities, lighting enhancements, landing pad improvements, pedestrian links and bicycle racks.	<b>\$670,000</b>
<b>CTr1</b> Wilsonville (SMART)	<b>S.M.A.R.T. Transit Center and Park &amp; Ride Lot</b> Purchase of 2.5 acres of land on the corner of Elligsen and Parkway Center Drive in Wilsonville in order for SMART to build a transit center and 250 space Park & Ride lot.	<b>\$1,172,200</b>
<b>CTr2</b> Lake Oswego	<b>Willamette Shore Line Trestle and Related Track Repairs</b> Trestle repair work on the Willamette Shore Line Trolley.	<b>\$897,000</b>
<b>RTr1</b> Tri Met	<b>Regional Contribution for Airport LRT</b> Funds to supplement Tri-Met's capital program, thereby allowing them the financial capacity to contribute Tri-Met General Funds to construction of light rail to the Portland International Airport and to the Portland International Center Mixed used development.	<b>\$18,000,000</b>
<b>RTr2</b> Tri Met	<b>Service Increase for Regional/Town Center TCL</b> Purchase 56 new/replacement buses for Tri-Met in order to establish new Transit Choices for Livability (TCL) services focused on Regional and Town Centers throughout the region. At the conclusion of its service plan update in late spring, Tri-Met would present its base service plan (which is funded through their existing resources) for review by JPACT and the Metro Council and seek concurrence for planned service expansion proposed to be funded through these regional funds. This four-year, \$4 million per year regional allocation would provide funds to Tri-Met's capital program, thereby allowing them to increase service by \$4 million.	<b>\$16,000,000</b>

**SUBTOTAL: \$41,199,200**

**Priorities 2000  
Projects Nominations Summary**

**Transit-Oriented Design**

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<b>RTOD1</b> Metro	<b>TOD Program</b> Region-wide program to stimulate market for transit-oriented development along eastside MAX and the Westside extension. Funding will be used either to provide infrastructure needed to support transit-oriented development or to buy land for subsequent sale for development. Specific projects and/or developers will be selected through a competitive solicitation process. The funding request of \$2.5 million per year will allow for approximately six projects per year based on project to date requiring \$50,000 to \$1,000,000 each.	<b>\$10,000,000</b>
<b>PTOD2</b> Portland	<b>N Macadam District Streets and Connections</b> Improvements in this request will be spread through the district, which is bounded by the Marquam Bridge to the north, the Willamette River to the east, SW Hamilton Court to the south and I-5 to the west. Connections into and out of the district to the regional system will also be included.	<b>\$ 2,692,500</b>
	<b>SUBTOTAL:</b>	<b>\$12,692,500</b>



**Priorities 2000  
Projects Nominations Summary**

**Transportation Demand Management**

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<b>TDM1</b> Tri Met/Region	<b>Regional TDM Program</b> Funding needed by Tri Met to continue provision of its core services to the Regional Transportation Demand Management (TDM) program.	<b>\$2,800,000</b>
<b>TDM2</b> OOE/Region	<b>Portland Area Telecommuting Project</b> Four-year funding needed by the Oregon Office of Energy to continue provision of its core Telecommute marketing element to the Regional TDM program.	<b>\$400,000</b>
<b>TDM3</b> DEQ/Region	<b>Employee Commute Options</b> Four-year funding needed by DEQ to continue provision of ECO information clearing house services which compliments the Regional TDM Program housed at Tri-Met.	<b>\$420,000</b>
<b>TDM4</b> Tri Met/Region	<b>Region 2040 Initiatives</b> Request to reserve up to \$500,000 per year for a 4-year program to implement innovative transit solutions in and around the Central City, Regional Centers and other locations. Focus would be to serve locations of high regional significance, or to address such criteria as may be recommended by the TDM Subcommittee for TPAC approval.	<b>\$2,000,000</b>
<b>TDM5</b> Tri Met/Region	<b>TMA Assistance Program</b> Request for up to \$500,000 per year for a 4-year program to competitively award funding of preliminary feasibility analyses and to provide 3-years of phased-down assistance per adopted regional procedures for Transportation Management Associations (TMAs). Requests will be evaluated by the TPAC TDM Subcommittee.	<b>\$2,000,000</b>
<b>TDM6</b> Wilsonville	<b>SMART TDM Program</b> Four year funding to expand So. Metro Area Rapid Transit TDM outreach.	<b>\$303,360</b>
	<b>SUBTOTAL:</b>	<b>\$7,923,360</b>

**Priorities 2000  
Projects Nominations Summary**

**Planning Project Nominations**

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<b>RPIng1</b> Metro	<b>Core Regional Transportation Planning Program</b> FY 01-03 (3 years) funding to support staff, staff support and public involvement activities for Metro efforts in the areas of Transportation Planning, Travel Forecasting and Technical Assistance. These funds would support routine elements of Metro's planning functions, as opposed to major new initiatives. This includes conducting corridor studies, development of the regional transportation plan and MTIP, maintenance and incremental enhancement of the regional travel forecasting model, monitoring of regional transportation trends and statistics, communication of travel forecasting efforts and provision of technical services to Metro's regional partners.	<b>\$2,083,000</b>
<b>RPIng2</b> Metro	<b>Green Steets Handbook</b> Funding for Metro staff/consultant project to prepare handbook providing guidance for addressing environmental design features in regional transportation facilities, especially concerning fish passage, road runoff, wildlife corridors and adjacency to sensitive habitats, with a focus on urban reserve facility planning.	<b>\$89,700</b>
<b>PPIng3</b> Metro	<b>Regional Freight Program Analysis/Communication Tools</b> Funding for Metro staff to develop methodology for routine update of Commodity Flow Study data (e.g., truck counts, model refinement, etc.) and procedures for dissemination of data to users. Need is comparable to update and distribution of population/employment statistics maintained by Metro.	<b>\$150,000</b>
<b>RPIng4</b> Metro	<b>Bicycle Travel Demand Forecasting Enhancement</b> Funding for Metro staff/consultants to conduct focus group/stated preference surveys of bicycle use factors and integrate data into calibrated model outputs that predict anticipated bicycle travel demand and distribution in the Metro's regional model and GIS system.	<b>\$62,800</b>

**RPIng5**  
Metro **OPB Pilot: Building Community Through Media** **\$100,000**  
Funding for Metro staff/consultants to prepare hour-long pilot episode of an educational documentary regarding relationships between transportation, land use and environmental planning. Multi-jurisdiction, public/private funding.

**RPIng6**  
Metro **I-5 Trade Corridor Study:** **\$500,000**  
Matches \$1.1 million of local funds to study and recommend improvement of I-5 corridor to enhance freight access to air, marine and rail terminals on both sides of the Columbia River. Study recommendation will leverage TEA 21 Trade Corridor implementation funds

**SUBTOTAL: \$2,986,000**

**JPACT REVISIONS  
OF  
TPAC'S PRIORITIES 2000 "150%" SHORT LIST**

Code	Rank	Project Title	TPAC Funding Recom'dtn	JPACT Approval	Net Increase	Approved Phases
<b>Short List Additions:</b>						
WBi10	14 of 33 Bike	Fanno Creek Trail, Ph 2	\$0.000	\$1.085	\$1.085	PE/ROW/CON
WBL2	15 of 19 Blvd	Main St: 10th/20th (Cornelius)	\$2.000	\$2.300	\$0.300	PE/ROW/CON
WM13	19 of 48 Mod	SE 10th: E Main/SE Baseline	\$0.000	\$0.585	\$0.585	PE/ROW
WM1	10 of 48 Mod	Farmington Rd: Hocken/Murray	\$0.000	\$0.932	\$0.932	PE
WM2	43 of 48 Mod	Murray Blvd Ext: Scholls Ferry/Walnut	\$0.000	\$1.707	\$1.707	PE/ROW
<b>Additions Subtotal:</b>			<b>\$0.000</b>	<b>\$3.224</b>	<b>\$4.609</b>	
<b>Short List Reductions:</b>						
WM17	16 of 48 Mod	I-5/Nyberg Interchange	\$3.160	\$1.125	<b>-\$2.035</b>	PE/ROW/Reduce Constr.
WM19	11 of 48 Mod	Greenburg Road: Wash Sq/Tiedeman	\$2.243	\$1.044	<b>-\$1.199</b>	PE/ROW/Reduce Constr.
WM3	12 of 48 Mod	Corn. Pass Rd: US 26/Pickering	\$0.290	\$0.000	<b>-\$0.290</b>	Drop Project
<b>Reductions Subtotal:</b>			<b>\$5.693</b>	<b>\$2.169</b>	<b>-\$3.524</b>	
<b>JPACT APPROVED NET INCREASE:</b>					<b>\$1.085</b>	

040899c-01

**REQUESTS TO REVISE THE TPAC RECOMMENDED 150% SHORT LIST  
RECEIVED AT THE 4/6/99 PRIORITIES 2000 PUBLIC HEARING**

**REQUESTS TO ADD PROJECTS OR FUNDING**

Code	Rank	Project	TPAC Funding Recom'dtn	Hearing Funding Request	Net Increase Requested	Hearing Requested Phases
PF5	4 of 7 Freight	E. Columbia - Lombard Connector*	\$0.000	\$2.000	\$2.000	PE
WBI10	14 of 33 Bike	Fanno Creek Trail, Ph 2	\$0.000	\$1.085	\$1.085	PE/ROW/CON
WBL2	15 of 19 Blvd	Main St: 10th/20th (Cornelius)	\$2.000	\$2.300	\$0.300	PE/ROW/CON
PBL4	8 of 19 Blvd	Barbur Blvd: Naito/65th	\$0.000	\$0.882	\$0.882	PE/ROW/CON
CM4	41 of 48 Mod	Sunnyside Rd: 122nd/132nd	\$0.000	\$4.000	\$4.000	Final Design/ROW/CON
CM3	44 of 48 Mod	Sunnyside Rd: 132nd/172nd	\$0.000	\$2.691	\$2.691	Final Design
*TPAC's recommendation is that PE for this project should be made a priority in ODOT's Development Program.			\$2.000	\$12.958	\$10.958	

**Washington County Requested Additions:**

WM13	19 of 48 Mod	SE 10th: E Main/SE Baseline	\$0.000	\$0.585	\$0.585	PE/ROW
WM1	10 of 48 Mod	Farmington Rd: Hocken/Murray	\$0.000	\$0.932	\$0.932	PE
WM2	43 of 48 Mod	Murray Blvd Ext: Scholls Ferry/Walnut	\$0.000	\$1.707	\$1.707	PE/ROW
			\$0.000	\$3.224	\$3.224	

**Washington County Requested Reductions:**

WM17	16 of 48 Mod	I-5/Nyberg Interchange	\$3.160	\$0.500	-\$2.660	PE/ROW/Drop Constr.
WM19	11 of 48 Mod	Greenburg Road: Wash Sq/Tiedeman	\$2.243	\$0.420	-\$1.823	PE/ROW/Drop Constr.
WM3	12 of 48 Mod	Corn. Pass Rd: US 26/Pickering	\$0.290	\$0.000	-\$0.290	Drop Project
			\$5.693	\$0.920	-\$4.773	

Washington County Requests Subtotal: **-\$1.549**

**Total Increase Requested at Hearing: \$9.409**

**OTHER REQUESTS OF SIGNIFICANCE**

PBL2	5 of 19 Blvd	Gateway Regional Center Boulevard	A request was submitted by a citizen group to use the \$1 million recommended by TPAC for a preliminary phase of the Gateway Boulevard project for a Gateway Traffic Management Plan, instead.			
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**JPACT APPROVED PRIORITIES 2000 150 PERCENT SHORT LIST**

040899c-02

Rank	A. Planning	Amount	Rank	B. Road Modernization	Amount	Rank	C. Road Reconstruction	Amount	Rank	D. Bridge	Amount	Rank	E. Freight	Amount	Rank	F. Boulevard	Amount
	<b>Committed</b>			<b>Committed</b>			<b>Committed</b>			<b>Committed</b>			<b>Committed</b>			<b>Committed</b>	
	Metro Core Program	\$0.659		Murray O'Xing - TEA-21	\$3.750		Johnson Crk Blvd Ph. II	\$0.800		Broadway Bridge - TEA-21	\$10.000		So. Rivergate O'Xing - TEA-21	\$13.000		Ped to MAX (Stark St) - TEA-21	\$1.000
				Sunnyside Road	6.400		Front Ave. Reconstruction	1.870									
				Sunnybrook Rd Extens'n - TEA-21	13.000												
				Lovejoy Ramp Reconstruction	5.050												
	<b>FY 00-03 Committed Total</b>	<b>\$0.659</b>		<b>FY 00-03 Committed Total</b>	<b>\$28.200</b>		<b>FY 00-03 Committed Total</b>	<b>\$2.670</b>		<b>FY 00-03 Committed Total</b>	<b>\$10.000</b>		<b>FY 00-03 Committed Total</b>	<b>\$13.000</b>		<b>FY 00-03 Committed Total</b>	<b>\$1.000</b>
	<b>Proposed</b>			<b>Proposed</b>			<b>Proposed</b>			<b>Proposed</b>			<b>Proposed</b>			<b>Proposed</b>	
1	Core Reg. Planning Program	\$2.083	1	PM6 MLK/Interstate ITS	\$0.550	1	PR1 Naito Parkway: Davis/Market	\$1.500	1	PBR2b Burnside Electrical	\$0.500	1	PF2 N. Marine Dr. Reconstruction	\$1.795	1	MBL1 Division: Cleveland/Birdsdale	\$2.789
NA	Green Streets Handbook	0.090	3	WM5 Murray O'Xing: Milikan/Terman	1.000	2	PR3 NW 23rd: Burnside/Lovejoy	0.825	2	PBR3 Broadway Brdg Deck Rehab	3.651	2	PF7 Marine Dr. BNSF O'Xing (PE)	1.794	2	CBL3 McLoughlin: Harrison/SPRR X'ing	1.800
NA	I-5 Trade Corridor Study	0.500	4	MM7 Gresham/Mult. Co. ITS	2.000	3	PR5 SE Holgate: 42nd/52nd	0.797	3	PBR2a Morrison Electrical	0.800	3	PF1 Lower Albina Overcrossing	4.000	3	MBL2 Stark St	0.800
NA	OPB Pilot	0.100	5	CM7 Clack. Co. ITS/ATMS	1.425	8	CR2 Johnson Crk Blvd: 36th/45th	1.076							4	PBL3 W. Burnside: Brdg/NW 23rd	0.269
NA	Regional Freight Program Analysis	0.150	7	WM4 Wash. Co. ATMS	0.370									5	PBL2 Gateway Reg. Cntr	1.000	
			8	PM10 Portland Arterial/Frwy. ITS	0.750									6	PBL1 Hawthorne: 20th/55th	1.500	
			11	WM19 SW Greenburg Rd: Wash Sq/Tiedema	1.044									7	CBL1 Harmony Rd: 82nd/Fuller	1.750	
			12	MM3 223rd O'Xing (PE/ROW)	0.400									9	WBL1 Cornell: Trail Av/Saltman Rd	1.800	
			13	CM2 Harmony/Linwood/Railroad Av PE	0.449									10	CBL4 A Ave Improvement (L.O.)	2.700	
			44	WM2 Corn. Pass Rd: US 26/Pickering	0.290									12	CBL2 Willamette Dr. - "A" St/McKillican	1.100	
			16	WM17 I-5/Nyberg Interchange (PE/ROW)	1.125									14	WBL6 Hall Blvd: Cedar Hills/Hocken	2.000	
			20	MM1 207th Connector: Halsey/Glisan	1.345									15	WBL2 Main St: 10th/20th (Cornelius)	2.300	
			26	CM5 Sunnyside Rd/Mt. Scott Creek	1.400												
			28	CM14 Hwy 213/Beavercreek Rd.	3.000												
			34	PM10 SE Foster Rd/Kelly Creek	0.600												
			10	WM1 Farmington Rd: Hocken/Murray	0.932												
			19	WM13 SE 10th: E Main/SE Baseline	0.585												
			43	WM2 Murray Ext: Scholls/Walnut	1.707												
	<b>Proposed Total:</b>	<b>\$2.923</b>		<b>Proposed Total:</b>	<b>\$18.682</b>		<b>Proposed Total:</b>	<b>\$4.198</b>		<b>Proposed Total:</b>	<b>\$4.951</b>		<b>Proposed Total:</b>	<b>\$7.589</b>		<b>Proposed Total:</b>	<b>\$19.808</b>
				<i>All changes are cost neutral</i>													<i>Increased funding by \$300,000</i>

Rank	G. Pedestrian	Amount	Rank	H. Bike/Trail	Amount	Rank	I. TDM	Amount	Rank	J. TOD	Amount	Rank	K. Transit	Amount	Rank	L. 100% of ODOT Transportation Enhancement Projects	Amount
	<b>Committed</b>			<b>Committed</b>			<b>Committed</b>			<b>Committed</b>			<b>Committed</b>			<b>Committed</b>	
	Portland Ped. to Transit	\$2.400		Steel Bridge	\$1.360		Regional TDM Program	\$0.813		TOD Reserve	\$0.150		S/N STP Commitment	\$25.500		No currently committed projects	\$0.000
	Req. Ped to MAX/Transit	0.150		Halsey Bike Lane	0.808							Tri-Met Buses - TEA-21	3.500				
	Woodstock District	0.200		Eastbank Esplanade	1.590							Ptd Transit Signal Priority - TEA-21	4.500				
	Lovejoy Ramp Reconstruction - TEA-21	5.000		Cedar Hills Blvd.: Walker/Butner	0.590												
	<b>FY 00-03 Committed Total</b>	<b>\$7.750</b>		Hall Blvd.: SPRR/Ridgecrest	0.340												
	<b>Proposed</b>			<b>Proposed</b>			<b>Proposed</b>			<b>Proposed</b>			<b>Proposed</b>			<b>Proposed</b>	
1	WP2 Millikan Way: Murray/Hocken	\$0.224	1	PBI1 Morrison Br. Ped/Bike Access	\$1.570	1	TDM1 Regional TDM Program	\$1.987	1	RTOD1 Metro TOD Program	\$7.500	1	RT1 Reg. Contrib'n for PDX LRT	\$18.000		Pioneer Crk House Renovation	\$0.500
2	WP5 SW 170th: Merlo/Elmonical LRT Stat'n	0.270	2	CBi3 Phillip Creek Greenway Trail	0.468	2	TDM6 SMART TDM Program	0.220	2	PTOD2 N. Macadam Dist Streets	1.500	2	WT2 Wash. Co. Bus Stop Enhancements	0.675		Will Shoreline RR Improvements-Ph 2	0.898
3	WP7 Cedar Hills: Walker/Butner	0.085	3	PBI6a E. Bank Trail: OMSI/Springwater	1.160	3	TDM3 ECO Information Clearinghouse	0.188				3	RT2 Service Increase for Reg/T.C. TCL	12.325		I-5 Corridor Enhancement	0.200
4	WP4 Sentinel Plaza: Cornell/Cedar Hills/113th	0.180	4	PBI9 Greeley/Interstate	0.144	4	TDM2 Portland Area Telecommuting	0.200				4	CT2 Will. Shoreline Trestle/Track Repair	0.897		Tryon Crk Bike Trail Renovation	0.244
5	CP1 Scott Crk Lane Pedestrian Path	0.080	5	WBI5 Cornell Rd: Elam Young/Ray	0.540	5	TDM5 TMA Assistance Program	1.168				5	WTR1 Wash. Co. Commuter Rail	1.000		Union Station Improvement	0.350
7	PBI7 E. Bank Riverfront Access	0.340	6	CBi2 Fuller Rd: Harmony/King	0.592	6	TDM4 Region 2040 Initiatives	1.168				6	CTR1 SMART (Wilsonv'l) Transit Cntr/P&R	1.172		Rocky Butte Restoration	0.411
14	PP2 Capitol Hwy: Bertha/BH Hwy	0.400	7	WBI2 Hall Blvd: 12th/Allen	1.438											NE 47th Environmental Renovation	0.250
			8	WBI1 Fanno Crk: Allen/Denny	0.075											Portland Bikeway Network Signage	0.129
			9	CBi11 Parkway Cntr Dr: Ellingsen/Burns	0.040											Kenton Hist. District Revitalization	2.197
			10	CBi10 Parkway/Town Center Prkwy Loop	0.200											Springwater Trl: Boring/Palmblad/D SL	0.590
			11	CBi7 Clack. Reg. Ctr. Trail	0.278											Simon Benson House	0.200
			12	PBI3 Marine Dr. Multi-use Trail Segments	0.500											I-405 Landscape: 23rd/Vaughn to Clay	0.500
			15	MBI1 Gresham/Fairview Trail	1.077											I-405 Landscape: Fremont/Marquam B	1.000
			16	PBI2 Peninsula Crossing Trail- Ph. 2	0.359												
			18	CBi12 Will. Shoreline Bike Study	0.150												
			25	PP5 Red Electric Line: Will Prk/Oleson	0.135												
			27	PBI6b E. Bank Trail - Phase 2 (ROW only)	0.300												
			14	WBI10 Fanno Crk Trail Phase 2	1.085												
	<b>Proposed Total:</b>	<b>\$1.579</b>		<b>Proposed Total:</b>	<b>\$10.111</b>		<b>Proposed Total:</b>	<b>\$4.931</b>		<b>Proposed Total:</b>	<b>\$9.000</b>		<b>Proposed Total:</b>	<b>\$34.069</b>		<b>Proposed Total:</b>	<b>\$7.469</b>
				<i>Increase</i>													<i>TOTAL PROPOSED FOR ALL MODES</i>

TOTAL COMMITTED FOR ALL MODES  
\$103.580

TOTAL PROPOSED FOR ALL MODES  
\$125.762

# JPACT APPROVED PRIORITIES 2000 150 PERCENT SHORT LIST

Freeway	Amount
<b>Committed</b>	
I-5/217\Kruse Way	14.57
I-5/217\Kruse Way	7.00 TEA-21
<b>SUBTOTAL I-5/217\Kruse Way</b>	<b>21.57</b>
I-205/Sunnybrook Intrchn	22.27
I-205/Sunnybrook Intrchn	6.00 TEA-21
<b>SUBTOTAL I-205/Sunnybrook Intrchr</b>	<b>28.27</b>
Tualatin/Sherwood Bypass	0.38
US 26: Camelot/Sylvan Interchn	21.90
<b>FY 00-03 Committed Total \$</b>	<b>72.112</b>
<b>Proposed</b>	
US 26: Sylvan Interchange Ph. 3	\$ 26.513 ODOT
<b>Proposed Total: \$</b>	<b>26.513</b>

**Draft  
JPACT Resolution**

In response to limited funding for Modernization projects, the OTC eliminated the "Development" section of the STIP in 1998 and ceased development work on most Modernization projects. The Columbia-Killingsworth Connection project (Eastend Connector) was included in the "Development" program endorsed by JPACT.

In response, the Port of Portland and the City of Portland assumed responsibility for \$2 million toward PE and environmental analysis for the Columbia-Killingsworth Connection project (Eastend Connector). This project is an existing problem, was identified as a priority in the Columbia Blvd. Corridor Study and ranked fourth in the MTIP Transportation Priorities 2000 freight category.

Tight financial constraints for MTIP funding preclude a regional contribution to this project for the 2000-2003 period. Nevertheless, JPACT supports ODOT's intention to implement the Columbia-Killingsworth Connector project upon fulfillment of its commitment to complete the Sunset Highway and I-5/Hwy. 217 improvements.

4/8/99