

A G E N D A

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**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
DATE: March 27, 1997  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Council Chamber

<u>Approx. Time*</u>		<u>Presenter</u>
2:00 PM	<b>CALL TO ORDER AND ROLL CALL</b>	
(5 min.)	1. <b>INTRODUCTIONS</b>	
(5 min.)	2. <b>CITIZEN COMMUNICATIONS</b>	
(5 min.)	3. <b>EXECUTIVE OFFICER COMMUNICATIONS</b>	
(10 min.)	4. <b>POTENTIAL ISSUES REGARDING STATE LEGISLATION</b>	Naito
(10 min.)	5. <b>REVIEW OF PROPOSED AMENDMENT TO SOUTH/NORTH DEIS ALTERNATIVES</b>	Brandman
	6. <b>CONSENT AGENDA</b>	
2:35 PM (5 min.)	6.1 Consideration of Minutes for the March 20, 1997 Metro Council Regular Meeting.	
	7. <b>ORDINANCES - FIRST READING</b>	
2:40 PM (5 min.)	7.1 <b>Ordinance No. 97-683</b> , For the Purpose of Granting a Franchise to Pride Recycling Company for the Purpose of Operating A Solid Waste Reload Facility.	
2:45 PM (5 min.)	7.2 <b>Ordinance No. 97-684</b> , An Ordinance Amending and Readopting Metro Code 2.06 (Investment Policy); and Declaring an Emergency.	

**8. ORDINANCES - SECOND READING**

- 2:50 PM  
(5 min.)
- 8.1 **Ordinance No. 97-680**, For the Purpose of Granting a Metro Franchise to American Compost and Recycling Inc. to Operate a Commercial Food Waste Processing Facility and Yard Debris Composting Facility. - PUBLIC HEARING Washington
- 2:55 PM  
(5 min.)
- 8.2 **Ordinance No. 97-681B**, For the Purpose of Amending Metro Code 5.02; Reducing Disposal Fees Charged at Regional Solid Waste Facilities and Making Certain Form and Style Changes to Stations. - PUBLIC HEARING McLain

**9. CONTRACT REVIEW BOARD**

- 3:00 PM  
(5 min.)
- 9.1 **Resolution No. <sup>96</sup>97-2320**, For the Purpose of Amending the South/North Intergovernmental Agreement (Contract No. 903678) With the Tri-County Metropolitan Transportation District of Oregon. Washington

**10. RESOLUTIONS**

- 3:05 PM  
(5 min.)
- 10.1 **Resolution No. 97-2458**, For the Purpose of Establishing Principles Regarding Implementation of LRT to the Portland International Airport. McLain
- 3:10 PM  
(5 min.)
- 10.2 **Resolution No. 97-2464**, For the Purpose of Adopting the FY 1998 Unified Work Program. McLain
- 3:15 PM  
(5 min.)
- 10.3 **Resolution No. 97-2467**, For the Purpose of Amending the MTIP and Adopting a Joint Metro/ODOT Region 1 Recommendation to the Oregon Transportation Commission to Allocate Anticipated FY 1998-2001 State Modernization and Regional Flexible Funds. Washington
- 3:20 PM  
(5 min.)
- 10.4 **Resolution No. 97-2470**, For the Purpose of Authorizing the Executive Officer to Enter into Two Multi-Year Intergovernmental Agreements, One with Clackamas County and One with Portland Public Schools. Washington
- 3:25 PM  
(5 min.)
- 10.5 **Resolution No. 97-2472**, For the Purpose of Approving Change Order No. 1 of the Public Contract with Peoplesoft Inc. for the Provision Consulting Services. Finance  
*(Action Requested: Council adoption pending Finance Committee Approval at its 3/26/97 meeting.)*
- 3:30 PM  
(5 min.)
- 10.6 **Resolution No. 97-2473**, For the Purpose of Approving the Installment/Purchase Financing Whereby Sawy Leasing Corp. Leases/Purchases Certain Equipment to Metro Pursuant to an Installment Purchase Agreement; And Authorizing the Chief Financial Officer or Her Designee to Execute the Installment Purchase Agreement and Such other Documents and Certificates as May be Necessary to Carry Out the Transactions Contemplated by the Aforementioned Agreement. McCaig

3:35 PM  
(5 min.)

- 10.7 **Resolution No. 97-2474**, For the Purpose of Approving the Lease/Purchase Financing Whereby Sawy Leasing Corp. Lease/Purchases Certain Equipment to Metro Pursuant to a Lease/Purchase Agreement; and Authorizing the CFO or Her Designee to Execute the Lease/Purchase Agreement and Such Other Documents and Certificates as May be Necessary to Carry Out the Transactions Contemplated by the Aforementioned Agreement. *(Action Requested: Council adoption pending Finance Committee Approval at its 3/26/97 meeting.)*

Finance

3:40 PM  
(10 min.)

11. **COUNCILOR COMMUNICATION**

**ADJOURN**

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**Consideration of the March 20, 1997 Metro Council Meeting Minutes**

**Metro Council Meeting  
Thursday March 27, 1997  
Council Chamber**

# MINUTES OF THE METRO COUNCIL MEETING

March 20, 1997

Council Chamber

Councilors Present: Jon Kvistad (Presiding Officer), Don Morissette, Susan McLain, Ruth McFarland, Ed Washington, Lisa Naito

Councilors Absent: Patricia McCaig

**Presiding Officer Jon Kvistad** called the meeting to order at 2:00 p.m.

## 1. INTRODUCTIONS

None.

## 2. POTENTIAL ISSUES REGARDING STATE LEGISLATION

**Councilor Naito** briefed the Council on several State legislative issues. She noted the resolution on this week's agenda dealing with some of this legislation. On Measure 47, the Conference Committee would be meeting this evening and there had been an agreement to delete the Senate amendments on the timber tax and some of the PERS issues. The understanding was that it would be passed out of both chambers tomorrow and would meet the deadline for the May ballot.

**Presiding Officer Kvistad** asked if there was agreement to pass them out.

**Councilor Naito** responded that her understanding was that there was an agreement. She continued with the transportation funding issue and package. Wednesday morning, Representative Bob Montgomery House Transportation Committee began hearings on the transportation proposal of the Governor and other transportation issues. Local governments were there to testify. She and a group of the JPACT had been meeting to resolve some of the local differences in the county package that was proposed.. She would be testifying before the Transportation Committee tomorrow on some of the linkages of growth and transportation. Her understanding was that it would go through Representative Montgomery's committee prior to going to Revenue. They reached some resolve with local government issues, there was still some unresolved more with the wording than substance of what they were trying to get to.

**Councilor Washington** added that Councilor Naito, Presiding Officer Kvistad and he had been meetings for the last several weeks trying to get some issues relative to the Governor's transportation package, trying to get cities, counties on the same page so that this Council could have a position. As the result of the meeting and the support of Andy Cotugno and his staff, he felt they were close to getting some language that he would be bringing to the Council. He felt that Councilor Naito's testimony before the State legislature on growth and transportation was

essential, particularly with her background and experience in the legislature. Her testimony was critical at this time, she had been working very closely with him on transportation issues.

**Councilor Naito** said that she would be representing the Council on the general principles that had been adopted by the Council. Senator Baker had filed a bill which would clean up the differences between the charter and the statute relating to Metro. There were some unintended consequences to the language of the bill but she believed the sponsor of the bill would be working with Metro Legal Counsel to substitute a proposal that Metro had submitted in 1983 and hadn't been successful in getting through. It was important to have something in place to merge the charter with the statute.

**Mr. Dan Cooper**, Legal Counsel, said that he would be meeting with Mr. Eky who was the person who had asked that this bill be introduced. He believed that Mr. Eky sincerely did not intend to abolish the Urban Growth Boundary. There was inadvertent confusion as to the way the bill was originally drafted, Mr. Cooper was hopeful to have a package worked out shortly that would maintain the Council's current authority to do exactly what the charter mandated for them to do, consistent with state law which ought to be supported in the legislature.

**Councilor Naito** reviewed the boundary commission bill, SB 947. There was some discussion at the last Council meeting about this bill. She noted the memo from Dan Cooper concerning this bill (a copy of this bill may be found in the Permanent Record of this meeting in the Council Office).

**Mr. Cooper** referred to his memo indicating that there was one area where the bill, as drafted by legislative counsel, varied from the draft that Metro submitted to them, in section 10 which dealt with what Metro would do in exercising authority over boundary changes. He included in the memo what he believed would be a much more artful way of saying what he thought the Council and MPAC had intended.

**Councilor Washington** said one of the difficulties for any government in dealing with very complex issues and Transportation was extremely complex, was a lack of history of all of the pieces that had occurred prior. So he had asked the Transportation department to put together a seminar which he called Transportation 101, a historical perspective of transportation. He urged everyone's attendance to be familiar with all that had gone on and a better understanding of the city, county, state and Metro positions. This would be happening in the near future.

**Presiding Officer Kvistad** said he had met with Tom Bryan and that he may be meeting with him on transportation this weekend. He would bring this back to Council at first opportunity.

### 3. CITIZEN COMMUNICATION

None.

### 4. EXECUTIVE OFFICER COMMUNICATIONS

**Mike Burton**, Executive Officer, reviewed issues that would be coming out 30 to 60 days down the road on regional environmental management. Metro had received proposal from four firms on the transfer station operations, KV Recycling, Waste Management Oregon, USA Waste Services and Browning Ferris Industries in Oregon. KV Recycling proposed to operate Metro

South Transfer Station only, while the other three proposed to operate either or both Metro South and Central. An evaluation committee had been established to review and rank the proposals. The Committee would report its findings in early May and then negotiations would proceed with the highest ranking firm or firms. The award of the contract was expected to be before the REM Committee sometime in June of 1997 with the contract starting in October of 1997.

**Councilor McFarland** asked Mr. Burton, of those people who gave bids on either or both, did they give a specific bid for each one and then a combined bid also?

**Mr. Burton** responded, yes so there were lots of varied options. He continued that there was a Rate Review Committee on the AC Trucking rates as forwarded to him a rate for the transfer operations at Forest Grove. The Committee's recommendation was a rate of \$23.03 per ton which was less by about \$4.80 from the last one. He would expect to have to the Council a rate ordinance by the end of the month based on that. There were indication from AC Trucking that they would contest that rate. If this were the case he would hold his options open for coming back with a different rate proposal.

In Growth Management, the Regional Framework Plan would be ready to begin public comment and discussion in April. There would be a thorough briefing on this soon, with the biggest concern being in the area of transportation aspect. This had the biggest hole because of funding. He noted that this ordinance would have to be adopted by the Council by December 31, 1997.

He also noted that the operation of Bell at the Zoo was successful.

**Mr. Burton** introduced Nancy Goss Duran who was new the Executive Office, her position was as an Executive Analyst.

**Councilor McFarland** noted the companies who contributed to the Bell's successful operation were Hoffman Construction, Kamer Gahlen, the Structural Engineer, Columbia Wire and Iron, and Allied Electric. All four of these companies gave all the expertise and the materials that were necessary to do the operation. They contributed their services free.

**Councilor Naito** thanked the Executive Officer for the proactive effort, helping each other as they moved forward on issues in the future.

**Councilor Morissette** acknowledged Mr. Burton efforts on the budget. He felt that Mr. Burton had done a good job on the budget proposal.

**Mr. Burton** encouraged the Council to have informal times for discussion with him, this would be helpful to all.

## 5. CONSENT AGENDA

### 5.1 Consideration of the Minutes of March 13, 1997 Metro Council Regular Meeting Minutes.

**Motion:** **Councilor McFarland** moved the adoption of the minutes of March 13, 1996 Metro Council Regular Meeting.

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

**Discussion:** None.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed of those present.

## 6. ORDINANCES - FIRST READING

6.1 **Ordinance No. 97-682**, An Ordinance Amending the FY 1996-97 budget and appropriations schedule in the Parks and Expo Fund to increase capital outlay for Expo, and Declaring an Emergency.

**Presiding Officer Kvistad** assigned Ordinance No. 97-682 to Regional Facilities Committee.

## 7. ORDINANCES - SECOND READING

7.1 **Ordinance No. 97-681**, For the Purpose of Amending Metro Code 5.02; Reducing Disposal Fees Charged at Regional Solid Waste Facilities and Making Certain Form and Style Changes to Stations.

**Presiding Officer Kvistad** noted that this motion was already before the Council and was set for public hearings at this meeting and next week's Council meeting.

**Motion:** **Councilor McFarland** moved to amend Ordinance No. 97-681 changing section 10 and 11 to make it compatible, charging a 1% tax on the solid waste public enterprise and setting it to begin July 1, 1997.

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

**Discussion:** **Councilor McFarland** said that she would be happy to respond to questions.

**Councilor Washington** said that he wanted some verification and information which he had received.

**Councilor Morissette** verified that this was a 1% excise tax increase on the solid waste and the proposal was to couple that with the tipping fee reduction proposal?

**Presiding Officer Kvistad** said that was correct.

**Presiding Officer Kvistad** opened a public hearing at 2:23 p.m. on Ordinance No. 97-681.

**Mike Burton**, Executive Officer, said that when he submitted the FY 1997-98 budget, it was a bear bones budget as indicated in his comments to the Council. They worked on the assumption from indications he had from members of the Council that it was clear that there was an established rate in excise tax of 7.25 with a roll back of 7.5 and he had told his departments to base their budgets on the assumption that this would be the excise available to them.



He was surprised and pleased that the Council would have some interest to change their views on this and be willing to look at an increase that would be available for other Metro needs. Specifically as he understood it, the Council was proposing to increase the excise tax in solid waste by 1% to sever the funding issue between Expo and Parks and increase funding for parks and openspaces programs. The needs inside of Parks were tremendous both in openspace needs to land bank those properties that Metro had over a period of time, with the current facilities. Oxbow Park, with the requirement for operations funds there as well as capital needs, were great. There were also other needs inside of the agency, additional requests from local governments asking for assistance with implementation of the Functional and Framework Plans. Metro also had reductions in the Zoo, he had sent the Council some unanticipated revenues from excise tax that Metro had received from over collection in the solid waste during this current year of \$160,000. He would recommend that Metro restore the positions to the Zoo with security being the first line of interest. There were needs that existed and he appreciated the Council taking a look at some of the possibilities. As he understood the proposal it would allow Expo to retain \$325,000 which would be put into a fund at Metro for their needs. The recommendation there would be to pay off the Intel debt that Metro had because of the balloon payment which was coming up. Ultimately, as he understood the proposal, it would allow additional annual funding to the Parks of \$308,000. There may be some differences of opinions on what those moneys were budgeted for because there were a lot of needs. The idea of making that severance and trading the opportunity to deal with the Parks this way was something he was supportive of and he appreciated the willingness of this Council to take a look at this question. He added that there were obviously people who had a stake in this, the solid waste industry, and they would want to be heard. He looked forward to continued discussion with the Council on this matter to see how this could be implemented for the benefit of the public.

**Presiding Officer Kvistad** thanked Mr. Burton and closed the public hearing at 2:28 p.m..

**Discussion:** **Councilor Morissette** felt that Mr. Burton had done a good job on the upcoming budget. He said there was no doubt that there were needs out there. This did not mean that the budget was not a good effort to try and hold the line in the tough financial times that Metro found itself in. He found himself in a unique situation by coupling this with the proposal that he and others had worked hard on to bring a tipping fee reduction before the Council in a difficult position of probably not being able to support it. He did not agree with the tax increase, it was clear that the Parks and Greenspaces needed the resources to properly manage what they were doing. He did not believe that solid waste was the way to do this. Having worked very hard both on the AC Trucking tipping fee with staff and other Councilors and on the tipping fee reduction for solid waste, he now found himself in the crazy position of having to say he wholeheartedly supported and hoped he could bring more as Chair of the REM Committee tipping fee reductions, but he could not vote for it because of this tax increase. He was very disappointed that they could not have created this as a stand alone item.

**Councilor Naito** spoke in favor of the amendment to the ordinance. She felt it resolved some of the unmet needs and capital needs for some of the facilities as well as a sense of commitment that, with all due respect to the voters and she did understand the property tax problem faced by many and their response with Measure 47, Oregon was in an economic strong time. This was the time that we took to make an investment in facilities and in the parks and in the things that would make a difference to the livability in the community in the long term. She enthusiastically supported the proposal and looked forward to resolving meeting some of the needs of Parks and Greenspaces.

**Councilor McLain** spoke in favor of this motion. She did sit in on the Rate Review Committee with Councilor Morissette and agreed with Councilor Morissette that the \$5.00 deduction in the solid waste rate was an extremely important part of this review of the solid waste functions in this agency. She would continue to try and support reductions that made sense as it related to recycling in that area. Metro was in a unique situation where Metro had very limited resources and those resources were tied to particular functions. Because of those functions Metro some times was not able to have the flexibility that some of the other local governments had in trying to show efficiencies and be able to continue on with their variety of responsibilities. She thought that this particular amendment to this item helped Metro have the flexibility that they needed to do that same efficient job with those efficiencies in the different areas from facilities like the Zoo to Expo, because it would now be taken into consideration for capital needs. It was also a situation where Metro was still dealing with the fact that the solid waste excise tax was dealing with a utility that every single person in this region had a need to use and a situation where Metro was trying to diligently make sure it was a fair situation so that everyone was helping pay for those other resources like facilities and parks. It was a situation where Councilors did not take this lightly, she thought it was an important situation to review and this was the time to review it during the budget process. As the Executive pointed out, Metro was giving themselves some opportunity to have more of a chance in the budget process to look at those priorities and see where those needs were today. They wanted to be thorough, fair and make sure there was an opportunity to take care of all of Metro's functions including the facilities, parks, and solid waste and recycling issues. She thanked the Executive, the Presiding Office and Councilor McFarland for their efforts.

**Councilor Morissette** said that his comments were not designed around the appropriateness for parks, it was whether solid waste should be the vehicle with which Metro paid for the parks. He was not sure that people understood that when they had garbage hauled out of their house, they were paying for different items. The problem he had was one of the reasons he did not vote for the transfer of the Multnomah County parks was that there was a deep hole there in infrastructure and operating costs. He did not believe it was appropriate for the Washington County and Clackamas County people to support some of the facilities of Multnomah County. As Metro went through the process, Multnomah County sent with it a revenue generator, the Expo, \$325,000 per year. Now what would be done was splitting the revenue generator to help balance or get closer to balancing the parks issue out and they were splitting it off and using it for other things, all valid needs. But as the revenue source was split off to find additional resources, they were asking the garbage payers to pick up the tab on this. He believed this was wrong, it had no bearing on the fact as to whether the parks or MERC needed money. He suggested going to the people indicating that Metro needed money for MERC and asking for their support, not doing a tax that Metro had a vehicle within their means to tax the people without going through the voting process. He felt many would be frustrated and he felt that this vehicle for funding was wrong.

**Councilor Washington** said that the fact of the matter was the Metro had the parks, that belonged to Metro and Metro needed to take care of them particularly when one looked at what was happening with Measure 47. At the state level they were closing down state parks and libraries. He felt that this was action was not irresponsible, it was a small step. There was still a long way to go, when he abstained in the Finance Committee meeting, he did not abstain because he was against this, he wanted to find out some additional details, he got those. He supported this amendment. He felt that at some point, you had to step up to the plate and take care of what

Metro had. The option would be to close the parks down or get rid of them. He had not heard of anyone suggesting doing this nor was he in favor of doing this. He felt that this was a very responsible step and he applauded the Council and the Executive for taking that step.

**Councilor Morissette** said that there was \$325,000 currently to maintain these facilities. It was not about closing the parks down, it was about transferring that money to another entity and asking for another resource to help backfill that entity for resources. Under this proposal, they were not talking about opening or closing parks, what they were talking about was shifting the money that Multnomah County sent with it, the \$325,000 and moving it into another category. He felt that this was wrong, that money was sent with it to maintain those facilities and it should stay there to do that properly. This was not an open and close deal, what it was was that Metro was now finding another use for that \$325,000, however legitimate that may be, and backfilling the underfunded portion of this need with solid waste revenue.

**Councilor McFarland** said she disagreed with Councilor Morissette. She did not see how Councilor Morissette justified taking \$325,000 from one of the other facilities to support parks as any different from taking it from a tax on region wide based utility. There was no real justification for taking funds that she was closing. The logic of taking from one of the facilities to support parks did not make one single bit of sense. When they sent this funding over, they told Metro that they needed to find a permanent region wide funding. This represented a lot more region wide evenly distributed subsidy for the parks than taking it from one of Metro's facilities. She also pointed out that while Metro was taking an excise tax from solid waste, they were not changing their \$5.00 reduction fee in the tipping fee. Metro was still reducing the tipping fee, \$5.00. This constituted no additional cost to the rate payers for solid waste. The Portland Solid Waste people indicated that this would be directly transferred, some others may not be. This was not because Metro was cutting into this at all.

**Councilor Morissette** said when you negotiate an agreement and you have a pool of resources, you have some pluses and some minuses, there was a plus in the Expo Center when it transferred over to offset some of the minuses in the parks facilities. That plus and minus still existed. Whether it was appropriate to do the balance sheet or not, this was what the program was when it was transferred to Metro. As Metro was now faced with the situation, Metro was pulling that resources away whether justifiable or not and asking to re-backfill with a different tax on the solid waste process. This had nothing to do with the tipping fee reduction although it did increase the cost of the process as Metro used its solid waste system over and above what Metro currently had been paying at 7.25 as an excise tax fee on the solid waste program. He said that it fell to a situation not whether or not that the parks needed more resources or the Performing Arts Facilities needed more resources, it was just the way that Metro was taxing this which was inappropriate.

**Councilor McLain** commented that the situation was that the charter and other responsible agencies that helped create the Metro government gave responsibilities to this government and this government's responsibilities were not one fold. They did not just take in solid waste or just planning or just the facilities or just the parks. Metro had four major responsibilities and the Council could debate which was the highest priority, however, she did not think that was what was important. What was important was to know that on Metro's plate right now there were four responsibilities and what this budget process should do was make sure that Metro did an adequate job on all four responsibilities until Metro made a policy to give one of these up. She said what the Council was trying to do was to make sure that all four were adequately funded. At

the present time they were not. Metro had to take the only funding sources Metro had and make some sense of it. Now capital needs for Expo were not covered. They would do this with the possibilities that were being presented before Council today with the 1% increase in excise tax. At the present time there was not adequate funding for the parks, planning or the Zoo, there could be the potential funding with this action today. Did the Council want to do a superior job or a substandard job? She supported this action.

**Presiding Officer Kvistad** said this was one of the most difficult things he had done since he had served on the Council. He listened to Councilor Morissette, he had given that same speech four years in a row. He looked at the needs that were out there, the Expo needs, facility needs. Metro did make a commitment to find a regional sources of funding for those facilities, he didn't believe that Metro had lived up to that until this point. There had been some tremendous needs in terms of capital maintenance on the parks. With the greenspace's bond measure and the commitment to openspaces considering the growth coming into the region and so many partners on greenspaces and openspaces, greenspaces staff and citizens who voted in supported the bond measure it would not be possible and the future generation that were coming were going to need these facilities to be there. This was only one small step but very difficult step for him to do because he had never yet voted for Metro budget because of excise taxes. He had never voted for an increase in excise tax his entire tenure at Metro. He felt that this was compelling enough for him to bring this forward and it was important enough to the region and to him as a regional citizen that he wanted to do this. He appreciated Councilor Morissette's opinion on this issue, he shared many of those opinions. He was the only member of the Council to vote against taking over the Multnomah County Parks when the first vote occurred. He did change his vote for this action after he was out voted 12 to 1 to make it unanimous. While this was difficult for the Presiding Officer to do he felt that this was the right thing to do. He thanked the Executive Officer and the members of the Council for their consideration of this amendment.

**Councilor McFarland** noted that this close was for the amendment being attached to Ordinance 97-681. One, it was not going to add to the cost of the consumer at the garbage can because the tipping fee would be reduced \$5.00 whether this action was taken or not. Second, the agreement that Metro had when they brought Expo and the parks under Metro's wing was a temporary one that would end July 1st. If this action was not taken, Metro would have to do something else, there would have to be some action taken. She urged the support of the Council.

**Vote:** The vote was 6 aye/ 1 nay/ 0 abstain. The amendment passed with Councilor Morissette voting nay.

**Presiding Officer Kvistad** announced that Ordinance No. 97-681 as amended would move forward for a public hearing and final action at next week's Council meeting.

## 8. RESOLUTIONS

8.1 **Resolution No. 97-2478, For the Purpose of Identifying Metro's Position on State of Oregon Legislation.**

**Councilor Naito** said that this resolution incorporated some additional bills to be monitored and a few of them the Governmental Affairs Committee was recommending that Metro take positions on. She noted that most of the bills they were proposing to monitor and she would be happy to answer any questions Councilors had on specifics of the bill. There was one bill that

was recommended to Metro's lobbyist, HB 2643, limiting costs of who may appeal land use decisions. Her understanding of what this did was at the permitting stage, not the planning stage, when a land use decision was made to grant or deny a permit, it would limit those who could appeal that decision to those that were adversely effected. The recommendation that came to the committee was to either oppose or support. This was one where arguments could be made on either side. She recommended that the Council support the bill, on the one hand you want to include as many people as possible in land use planning and in the system. She believed that was appropriately done at the planning stage. This was why she suggested that the Metro support this bill, in light of the fact that, once those planning stages were completed and citizens had been involved when actual permits were given on the ground to the builder, they should be able to go forward.

**Motion:** Councilor Naito moved approval of Resolution No. 97-2478 with a monitor of HB 2643.

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

**Discussion:** Councilor Naito reviewed the resolution.

**Mr. Shaw** reviewed HB 2643 applied to any land use decision not just the issuance of a building permit, anyone who came before a local government for a map change, conditional use or some other action that required a decision by a governing body. The effect of the new language that the bill would do would require anyone before they could appeal that decision to LUBA to make a showing that they had some financial or other interest in the outcome of the proceeding rather than just the present rule which simply allowed anyone who appeared to testify to be an appellant and request review of it. The bill did not define what it took to be adversely effected, that would be something that had to be worked out in the process. This was a proposal that had been in front of the legislature many times.

**Councilor McLain** asked if it only applied to singular citizens, not groups?

**Mr. Shaw** responded that it applied to anybody, to any persons. If it were a group they would have to show what their interest was.

**Councilor Morissette** said there was a lot of good stuff in the legislation but he had some concerns over some of the takings so he probably would not support the package at this point. He believed HB 2643 was one of those good things. He noted an article in the paper (a copy of this may be found in the Permanent Record of these minutes in the Council Office) talking about some of the challenges that Metro had in accomplishing the very densities that Metro had in their plan. He did not think that this proposal stopped people that were involved in land use processes from having an honest opinion and value in the process. He felt that having some kind of standing limitation was reasonable especially if densities were going to dramatically increase.

**Vote:** The vote was 4 aye/ 2 nay/ 0 abstain. The motion passed with Councilor Morissette and Presiding Officer Kvistad voting nay.

**Councilor Morissette** said he would like his no vote registered at any lobby efforts that were put forward for Metro on legislation that he disagreed with.

**Councilor Naito** asked that Councilor Morissette list the bills the he would vote no on. She would not want his no vote to reflect on every single bill that was included in the package. She would be happy to notify the lobbyist on bills that Councilor Morissette did not support.

**Councilor Morissette** said that he would do this.

**9. Executive Session Held Pursuant to ORS 192.660(1)(e). Deliberations with Persons Designated to Negotiate Real Property Transactions.**

**9.1 Resolution No. 97-2476, For the Purpose of Authorizing the Executive Officer to Purchase Property in the Multnomah Channel Target Area.**

**Motion:** Councilor Washington moved approval of Resolution No. 97-2476.

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

**Discussion:** Councilor Washington

**Presiding Officer Kvistad** opened a public hearing at 3:04.

**Russ Pinto**, Nature Conservancy, 821 NE 14th Ave., Portland, OR 97231 reaffirmed his support of the acquisition of that target area. This target area was remarkable because of its size. Access and flooding have led it to being undeveloped. It had connectivity with wildlife. This parcel was key, at the lowest of flood stage, water drained through the property. The development of this property could cause problems down the road. He support the purchase for openspaces.

**Susan Beilke**, Oregon Department of Fish and Wildlife, 17330 SE Evelyn St, Clackamas, OR 97015 also supported the purchase, reiterating Mr. Pinto's remarks.

**Vote:** The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed unanimously of those present.

**10. COUNCILOR COMMUNICATIONS**

**Councilor Naito** said that she and Councilor Washington were bringing forward a resolution on transportation.

(A portion of the tape was bad, Councilors McLain, Naito and Washington's remarks were unintelligible.)

**Councilor McFarland** talked about Bell's operation and said they had planned for many contingencies, none occurred, they took the time, had a very cooperative patient, and within 15 minutes of the operation, the elephant had walked on her own.

**Councilor Morissette** handed out an article from the Oregonian South. (A copy of this may be found in the Permanent Record of the Council minutes in the Council Office). He also noted for Councilor Naito which state bills he would not support.

**Presiding Officer Kvistad** asked Mr. Stone to give an update on the Smithsonian Exhibit.

**Jeff Stone**, Assistant to the Presiding Officer, encouraged the Council's attendance of the April 3rd event. He thanked Councilor Washington for his assistance. The gala was on April 2nd. He had asked for additional shuttle service from the west side. He would be going over the opening day gala and agenda. Site tours of the exhibit were available for any Councilor who was interested.

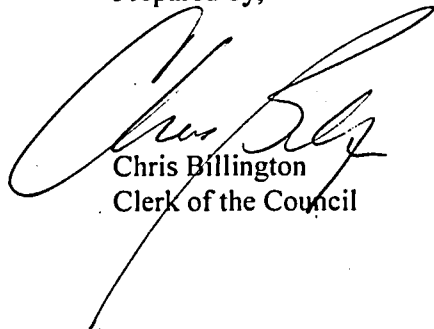
**Councilor Washington** complimented Jeff Stone for the good effort that he has done on the Smithsonian event.

**Councilor Naito** thanked Jeff as well.

**11. ADJOURN**

There being no further business to come before the Metro Council, Presiding Officer Kvistad adjourned the meeting at 3:23 p.m.

Prepared by,



Chris Billington  
Clerk of the Council

*Agenda Item Number 7.1*

**Ordinance No. 97-683, For the Purpose of Franchise to Pride Recycling Company for the Purpose of Operating Solid Waste Reload Facility..**

***First Reading***

**Metro Council Meeting  
Thursday, March 27, 1997  
Council Chamber**



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING A	)	ORDINANCE NO. 97-683
FRANCHISE TO PRIDE RECYCLING COMPANY	)	
FOR THE PURPOSE OF OPERATING A	)	Introduced by Mike Burton,
SOLID WASTE RELOAD FACILITY	)	Executive Officer

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

WHEREAS, Pride Recycling Company has applied for a non-exclusive franchise to own and operate a solid waste reload facility located at 13980 S.W. Tualatin-Sherwood Road (Edy Road), Sherwood, Oregon for the purpose of consolidating solid waste from the franchisee's collection vehicles for transport to the Metro South Station and other Metro Designated Facilities, or by use of a Non-System License; and

WHEREAS, Pride Recycling Company has submitted a franchise application in compliance with Metro Code Section 5.01.060; and

WHEREAS issuance of a franchise to Pride Recycling Company is consistent with the policies set forth in the Regional Solid Waste Management Plan adopted November 1995 for solid waste reload facilities; and

WHEREAS, because Pride Recycling Company will not accept any solid wastes at the facility from other commercial haulers or the general public; no charges will be made for the use of the facility; no fee will be collected at the facility and Metro User Fees will be collected at time of disposal at the Metro South Station or other Metro Designated Facilities; regulation of rates setting requirements and collection of Metro User Fees pursuant to Section 5.01.150 is unnecessary; and

WHEREAS, the Executive Officer recommends that the Council grant the attached franchise to Pride Recycling Company; and

WHEREAS, the Council finds that it is necessary for the health, safety and welfare of the Metro area that this ordinance take effect immediately, because the franchise site consists of an

existing solid waste reload operation at which the Franchisee will continue operation of the solid waste reload facility; now therefore,

**THE METRO COUNCIL ORDAINS AS FOLLOWS:**

1. The Council authorizes the Executive Officer to enter into the attached Franchise Agreement (Exhibit A) within ten days of the effective date of this ordinance.
2. Pride Recycling Company's operation of the franchised solid waste reload facility shall be exempt from Metro rate regulation and collection of User Fees at the facility because commercial haulers not owned by Pride will be prohibited from use of the facility and disposal of solid waste at the facility by members of the general public will be prohibited, and no rates or other charges will be made at the facility.
3. An emergency having been declared for the reasons stated above, this ordinance shall take effect immediately, pursuant to Section 39(1) of the 1992 Metro Charter.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1997:

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form

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

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

EXHIBIT A

**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: \_\_\_\_\_ PRIDE RECYCLING COMPANY \_\_\_\_\_

NAME OF FACILITY: \_\_\_\_\_ PRIDE RECYCLING COMPANY SOLID WASTE RELOAD FACILITY \_\_\_\_\_

ADDRESS: \_\_\_\_\_ 13980 S.W. TUALATIN -SHERWOOD ROAD \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_ SHERWOOD, OREGON 97140 \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_ (see application) \_\_\_\_\_

NAME OF OPERATOR: \_\_\_\_\_ PRIDE RECYCLING COMPANY \_\_\_\_\_

PERSON IN CHARGE: \_\_\_\_\_ MICHAEL L. LEICHNER, SR. \_\_\_\_\_

ADDRESS: \_\_\_\_\_ P.O. BOX 820 \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_ SHERWOOD, OR 97140 \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_ (503) 625-6177 \_\_\_\_\_

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## FRANCHISE AGREEMENT

This Franchise is issued by Metro, a municipal corporation organized under ORS chapter 268 and the 1992 Metro Charter, referred to herein as "Metro," to Pride Recycling Company 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 5.2 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 Recyclables 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.

**“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 (1) conducted at a Solid Waste Reload Facility, and (2) are specifically authorized under the Franchise Agreement’s Operating Procedures Plan.

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

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

**“Operating Procedures Plan”** means the description of the Facility activities and procedures used at the Franchised facility and 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 Processing Solid Wastes that separates materials for purposes of recycling or recovery.

**“Solid Waste Reload Facility”** means a facility franchised by Metro to conduct Solid Waste Reloading to serve areas distant from Metro Transfer Stations, and authorized to receive specific categories of Solid Waste only from the Franchisee. A Solid Waste Reload Facility conducts, as its primary operation, Solid Waste Reloading and may also conduct (1) Source Separated Recyclables Processing, (2) Low Level Solid Waste Material Recovery; and (3) Yard Debris Reloading.

**“Solid Waste Reloading”** means the primary activity of consolidating Solid Waste from the Franchisee’s 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 by use of a non-system license, excepting that all material requiring disposal at a General Purpose Landfill must be transported to a Metro Transfer Station.

**“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 Source-Separated 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, Processing 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.

**"Yard Debris Reloading"** means the activity of consolidating yard debris -- with or without compaction, chipping or grinding -- for transport to a Transfer Station, Processing Facility or Resource Recovery Facility. Reloading of yard debris specifically excludes Composting.

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

- 2.1 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.

## **3. LOCATION OF FACILITY**

- 3.1 The franchised Facility is located at 13980 S.W. Tualatin-Sherwood Road, Sherwood, Oregon. Tax Lots 101 and 103, Section 28, Township 2 South, Range 1 West, W.M.; Washington County.

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

- 4.1 The owner of the Facility is Cynthia Leichner and Michael L. Leichner. 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 Lorry Leichner and Iva Leichner. 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 Pride Recycling Company. 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 Solid Waste Reload Facility and to conduct the following activities: (a) Solid Waste Reloading ; (b) Low Level Solid Waste Materials Recovery as described in Section 5.2. and in accordance with Section 7.3; (c) Source Separated Recyclables Processing.
- 5.1.1 The Franchisee shall accept only Authorized Wastes. Franchisee is prohibited from receiving, Processing or disposing of any Solid Waste not authorized in this Franchise.
- 5.1.2 No Solid Waste shall be received at the Facility from any commercial collection vehicles not operated by the Franchisee or hauling or disposing of Solid Waste from any area not included in the boundaries of a solid waste collection franchise granted to the Franchisee. Solid wastes may not be received at the Facility from members of the general public.



- 5.1.3 This Franchise authorizes the amount and types of Solid Waste that may be received each year at the Facility as listed in Section 5.2.1 of this Franchise. Upon written request from the Franchisee, the Executive Officer may increase the amount and add types of waste Franchisee is authorized to receive for activities authorized at the Facility. 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 governmental or regulatory entities.

5.2 Authorized Activities, Waste Types and Waste Quantities

- 5.2.1 Franchisee is authorized to conduct the following activities and receive the following categories of wastes according to the tonnage limits specified below:

- 5.2.1.1 Solid Waste Reloading and Low Level Recovery of Commercial, Industrial, Construction and Demolition and Residential Wastes, including Yard Debris, up to a combined total of 25,000 tons per year.
- 5.2.1.2 Low Level Recovery from Commercial and Industrial Wastes containing Putrescible Waste or Residential Wastes shall be limited to the removal of easily recoverable materials from those wastes such as manual "dump and sort" and other low-technology methods (consistent with RSWMP provisions for reload facilities). These activities shall be consistent with the approved Operating Procedures Plan submitted under Section 7.3.2.
- 5.2.1.3 Loads of Solid Waste from customers or routes known to contain substantial proportions of Putrescible Waste shall either be reloaded without processing and transported to Metro South Station or hauled directly to Metro South Station.
- 5.2.1.4 All Solid Waste and Residuals leaving the Facility must be delivered to a Metro Designated Facility, excepting that all material requiring disposal at a General Purpose Landfill must be transported to the Metro South Station.
- 5.2.1.5 Source-Separated Recyclables Processing of the following categories of Solid Waste with no limit on the tonnage allowed per year:
- 5.2.1.5.a Used oil collected as a Source-Separated Material from residential curbside programs operated by the Franchisee.
- 5.2.1.5.b Source-Separated Recyclables excluding Yard Debris.

5.3 Prohibited Wastes

- 5.3.1 Franchisee shall not knowingly accept or retain any material amounts of the following types of Solid Waste, unless specifically authorized in Sections 5 or 7 of this Franchise
- 5.3.1.1 Materials contaminated with or containing Friable Asbestos;
- 5.3.1.2 Batteries
- 5.3.1.3 Liquid waste;
- 5.3.1.4 Oil, other than as specified in 5.2.1.2.a.

- 5.3.1.5 Sludge;
  - 5.3.1.6 Vehicles;
  - 5.3.1.7 Infectious Waste;
  - 5.3.1.8 Special Waste or any sub-stream of Special Waste unless authorized elsewhere within this Franchise;
  - 5.3.1.9 Hazardous Waste;
  - 5.3.1.10 Conditionally Exempt Generator Waste;
  - 5.3.1.11 Household Hazardous Waste;
- 5.3.2 Prohibited Wastes received at the Facility shall be: (1) isolated from other materials at the Facility or (2) removed from the Facility. Franchisee shall transport any Prohibited Waste other than Hazardous Waste to a Disposal Site authorized to accept such waste, unless an alternate Disposal Site or method has been approved by DEQ. Non-hazardous Prohibited Wastes shall be managed pursuant to Section 7.3.2.3 of this Franchise. In the event that Franchisee determines or suspects that discovered waste constitutes Hazardous Waste, Franchisee shall immediately initiate procedures to identify the waste and the generator (see Section 7.3.2 herein) and shall, within 48 hours of receipt of the waste initiate procedures to remove the waste. Hazardous Waste must be removed from the Facility within 90 days after receipt unless an alternate disposal method and additional storage period has been approved by DEQ. Franchisee shall implement and conduct temporary storage and transportation procedures in accordance with DEQ, OSHA and DOT rules. Franchisee shall record receipt of Prohibited Wastes on Metro's Unacceptable Waste Incident Tracking Form (Attached as 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 commercial collection vehicles - monthly total
  - 6.1.3 Outgoing tons of solid waste destined for disposal at other than Metro South Station - monthly total.
  - 6.1.4 Outgoing tons of solid waste destined for disposal at Metro South Transfer Station - monthly total.
  - 6.1.5 Receipt of any materials encompassed by Section 5.3.2 of this Franchise, utilizing Metro's Unacceptable Waste Incident Tracking Form.
- 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 which 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 above-listed topics. 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; changes to site equipment, hours of operation and/or staffing; and other significant changes in the Facility's operations that occurred during the previous year; and
- 6.3.2 Any modifications under Section 18 of this Franchise.
- 6.4 Franchisee shall provide 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, within two business days of providing such information to DEQ. 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 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 for 120 days or more, or proposes to close the Facility permanently, Franchisee shall provide Metro with written notice, at least 90 days prior to closure, of the proposed closure schedule and procedures.
- 7.2.2 If Franchisee contemplates or proposes a closure of the Facility for more than two business days but less than 120 days, Franchisee shall notify Metro and local government Solid Waste authorities of the closure and its expected duration at least 24 hours before the closure.
- 7.2.3 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:
  - 7.2.3.1 Immediately act to correct the unauthorized condition or operation;

- 7.2.3.2 Immediately notify Metro; and
- 7.2.3.3 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 Reload and Low Level Recovery of wastes 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 for accepting, managing, Solid Waste Reloading and Low Level Recovery of loads of Solid Waste received at the Facility. These procedures shall demonstrate compliance with the Franchise, and shall be submitted to Metro in writing for review and approval within 30 calendar days of the effective date of this Franchise. All proposed modifications to the Facility 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 Methods of notifying generators not to place Hazardous Wastes, or other Prohibited Wastes in drop boxes or other collection containers destined for the Facility;
  - 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 Emergency plans and procedures designed to minimize hazards to human health and the environment due to:
    - 7.3.2.4.a Fires
    - 7.3.2.4.b Explosions
    - 7.3.2.4.c Release of hazardous substances
    - 7.3.2.4.d Discovery of Unacceptable Waste
    - 7.3.2.4.e Power outages
    - 7.3.2.4.f Flooding
  - 7.3.2.5 Safety and emergency response training programs and procedures. Including but not limited to employee training in:
    - 7.3.2.5.a Methods of detecting Unacceptable Waste
    - 7.3.2.5.b Responding to incidents involving Unacceptable Waste
    - 7.3.2.5.c Documenting the generators of such waste
    - 7.3.2.5.d Facility safety program and emergency contingency plan
    - 7.3.2.5.e Hazard communication

7.3.2.5.f Basic personal safety instruction

- 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 Odor management methods that includes (but not limited to): (1) methods that will be used to minimize, manage, and monitor all odors of any derivation including malodorous loads received at the Facility; (2) procedures for receiving and recording odor complaints; and (3) procedures for immediately investigating any odor complaints in order to determine the cause of odor emissions, and promptly remedying any odor problem 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 Upon discovery, all Prohibited Wastes shall be removed or managed in accordance with Section 7.3.2.3 of this Franchise.
- 7.3.5 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.
- 7.3.6 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.
- 7.3.7 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.
- 7.3.8 The Franchisee shall reuse or recycle all uncontaminated Source-Separated Recyclable Materials brought to the Facility.
- 7.3.9 Franchisee shall take reasonable steps to notify and remind haulers that all loaded trucks coming to or leaving the Facility must be covered to prevent any material from blowing off the load during transit.
- 7.3.10 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.
- 7.3.11 Contaminated water and sanitary sewage generated on-site shall be disposed of in a manner complying with local, state and federal laws and regulations.
- 7.3.12 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 citizen 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 and all vehicle access roads within a 1/4 mile of the site free of litter and debris;
  - 7.4.2.2 Patrol the Facility and all vehicle access roads within a 1/4 mile of the site daily;
- 7.4.3 To control odor, dust and noise, the Franchisee shall:
- 7.4.3.1 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.
  - 7.4.3.2 Take specific measures to control odors in order to avoid or prevent any violation of this Franchise, which measures include (but are not limited to) adherence to the odor management methods required in Section 7.3.2.7 of this Franchise.
- 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, and bear all the costs thereof.
- 7.4.5 The Franchisee shall operate and maintain the Facility to prevent contact of Solid Wastes with stormwater runoff and precipitation.

### 8. ANNUAL FRANCHISE FEES

- 8.1 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

- 10.1 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

- 11.1 Before this Franchise shall become effective, Franchisee shall provide a surety bond or letter of credit in the amount of One Hundred Thousand Dollars (\$100,000), 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

- 12.1 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 franchise audits to assess compliance with operating requirements in this Franchise; (3) conduct an annual audit of Franchisee's inventory and billing records; (4) analyze monthly transaction data; (5) invoice Franchisee for any fees or penalties arising under this Franchise; (6) perform noncompliance investigations; (7) inspect and visually characterize incoming and outgoing loads for the purpose of assessing Prohibited Waste; (8) maintain regular contact with the Franchisee; and (9) review the Franchisee's operating plan and amendments to the plan. 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 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, excepting that all material requiring disposal at a General Purpose Landfill must be transported to the Metro South Station.
- 14.2 Franchisee shall charge no rates or collect any fees for the use of the facility. In accordance with Metro Code, this facility shall be exempt from Metro rate setting.

### **15. GENERAL CONDITIONS**

- 15.1 Franchisee shall be responsible 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, or their subsidiaries nor any other Solid Waste facilities under their 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:

Michael L. Leichner Sr.  
President  
Pride Recycling Company  
P.O. Box 820  
Sherwood, OR 97140

- 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 5.1.2 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.
  
- 18.2.7 Community requests for mitigation of impacts to adjacent property resulting from Facility operations.

PRIDE RECYCLING COMPANY

METRO

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Mike Burton, Metro Executive Officer

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Date

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Date

WM:clk  
SASHAREMETZMRFPRIDEVPRIDE02.CLN



**METRO**

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

# 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



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June 1996

## **STAFF REPORT**

### **IN CONSIDERATION OF ORDINANCE NO. 97-683 FOR THE PURPOSE OF GRANTING A FRANCHISE TO PRIDE RECYCLING COMPANY FOR THE PURPOSE OF OPERATING A SOLID WASTE RELOAD FACILITY**

Date: March 3, 1997

Presented by: Bill Metzler  
Doug Anderson

## **INTRODUCTION**

The purpose of this report is to provide the information necessary for the Metro Council to act on the recommendation that Pride Recycling Company be awarded a new solid waste franchise to continue to operate a reload facility located in Sherwood, Oregon. The proposed franchise agreement is attached to Ordinance No. 97-683 as Exhibit A.

Pride Recycling Company (Pride) is requesting a new Metro franchise for its existing solid waste reload facility. Pride is franchised by the City of Sherwood to collect solid waste and source-separated recyclables. It also is franchised to collect in King City, a portion of Tigard and a portion of unincorporated Washington County. The facility conducts reloading of solid waste from the company's collection vehicles into 40 yard drop boxes for disposal at the Metro South Transfer Station or other Metro Designated Facilities. In addition to reloading solid waste, the facility processes mixed solid waste for the purposes of recovering recyclable materials and dry waste diversion. The facility is also used to store recyclables from Pride's collection programs.

This report is divided into three main parts: (a) a description of the facility, its operations and other relevant applicant information, including requests for variances to the franchise code; (b) staff analysis of the application and whether the facility meets the criteria as specified in Metro Code in order to be awarded a franchise; and (c) staff's recommendations and specific conditions to be contained in the franchise agreement.

### **Key Findings and Recommendations Include:**

- The operations and activities conducted at the Pride reload facility have evolved since the original franchise was granted in 1991 - from a simple dump-and-pick operation (sorting out recyclables from dry waste on the tipping floor), to a more sophisticated system that processes mixed solid waste over a mechanized conveyor system, with material recovery sorting stations.
- In order to ensure that the facility will continue to operate in accordance with the purpose of Metro's franchise system to protect public health and safety and maintain consistency with the RSWMP, staff has recommended terms and conditions related to the processing of wastes containing putrescibles.
- The facility would be authorized to receive and process up to 25,000 tons per year of mixed solid waste.
- Under the terms and conditions of the franchise, the facility will continue to assist the region in accomplishing the goals and objectives of the Regional Solid Waste Management Plan.

## **I. FACILITY AND APPLICANT INFORMATION**

Resolution No. 91-1348, dated January 10, 1991, granted a franchise (No. 8) to Pride to operate a reload facility for the purpose of consolidating solid waste from the franchisee's collection vehicles into transfer vehicles for transport to Metro South Station.

On June 30, 1995, Pride Disposal submitted a franchise renewal application to Metro for a solid waste reload facility. The facility's franchise expired on January 10, 1996.

### ***Location:***

13980 S.W. Tualatin-Sherwood Road (Edy Road), Sherwood, Oregon 97140  
Tax Lots 101 and 103, Section 28, Township 2 South, Range 1 West, W.M.; Washington County

### ***Zoning and Permitting:***

The site is zoned Light Industrial (LI). A conditional use permit (CUP 89-2) was issued by the City of Sherwood on July 18, 1989 for a reload and recycling facility. On August 6, 1996 the Planning Commission of the City of Sherwood, approved an application (Case No. SP 96-5) by Pride to expand the existing building.

The applicant was issued a DEQ Solid Waste Disposal Permit #422 on March 16, 1993.

### ***Customers and Area Served:***

The facility accepts loads of commercial and residential solid waste only from its own hauling company. Pride is franchised by the City of Sherwood to collect solid waste and source-separated recyclables. It also is franchised to collect in King City and a portion of Tigard and unincorporated Washington County.

### ***General Facility Description:***

The site is approximately 8.85 acres in size. The reload operations are currently conducted in an enclosed 12,000 square foot building (120'x100'). The City of Sherwood recently approved a 12,800 square foot expansion of the existing building, which will also include a 608 square foot expansion of the employee lunch room. The expansion is scheduled for completion in February/March 1997. The plant addition will bring the total reload facility building area to approximately 25,408 square feet.

Mixed solid waste is brought to the reload facility by Pride's collection vehicles. In addition to the primary activities as a reload facility, manual and mechanical separation of recyclable materials from solid wastes also takes place at the facility. The material recovery activities include processing dry mixed solid waste and the processing of other wastes containing some amounts of putrescible waste to extract recyclable materials.

The mixed solid waste is either reloaded into 40 cubic yard drop boxes and hauled to the Metro South Transfer Station, or processed over a conveyor belt for the sorting of recyclables. Dry solid waste is also removed from the putrescible fraction and is disposed at a Metro Designated Facility (Lakeside Reclamation Landfill). The balance of the solid wastes are disposed at the Metro South Transfer Station.

The receiving area for the recovery line consists of a small bunker into which the collection vehicles directly dump mixed solid waste. The solid waste is transported up and across a mechanized conveyor where loads of mixed solid waste are processed in the sequence that they are delivered (commercial and residential). Currently both putrescible solid waste and dry

mixed waste are being passed across the same conveyor for processing. Typically, loads containing large amounts of putrescible waste are reloaded directly and not processed across the conveyor picking line. Pride also sends collection vehicles directly to Metro South Station, Lakeside Reclamation Landfill or Hillsboro Landfill depending on the characteristics of the solid waste collected.

When loads are targeted for processing, the mixed solid waste travels up an incline conveyor, where plastic garbage bags containing mixed solid waste (residential and commercial) are manually broken open in order to expose any potentially recoverable material. The mixed solid waste is then moved across a shaker screen where both one-inch minus and four-inch minus fines are extracted for use as inert landfill cover or disposed, depending on levels of contamination.

The mixed waste is then moved along a 35 foot long sorting conveyor (picking line). Recyclables are manually pulled off the conveyor and dropped down into large containers. When full, these containers are shipped to markets. In addition, Pride conducts dry waste diversion, where dry mixed solid waste is segregated from waste containing putrescibles and disposed at a Metro Designated Facility (Lakeside Reclamation Landfill). The remainder of the solid waste drops off the end of the conveyor into a compactor for transport to Metro South Station.

#### Facility Expansion:

The proposed 12,800 square foot addition to the reload and processing building is scheduled for completion in February/March 1997. The addition will create considerably more floorspace, providing the opportunity to remove materials from the putrescible wastestream - before the solid waste is directed for consolidation and reload. In addition, the facility operator will be able to better select and direct only the dry mixed loads to the conveyor in-feed for processing. As soon as the facility expansion is complete, Pride will be required to provide Metro with a detailed facility layout site plan illustrating the interior operations.

#### ***Facility Activities:***

The applicant requests authorization to perform the following activities:

#### Primary Operation:

- Solid waste reloading. Reloading of commercial and residential solid waste from collection vehicles and dropboxes into consolidated dropbox loads for transfer to Metro South Station.

#### Secondary Operations/Activities:

- Materials recovery from mixed solid waste. Recyclable materials are separated out of the mixed solid waste loads. Requested activities include processing of loads that contain putrescible waste and tearing open garbage bags to access materials that are either recyclable or qualify for dry waste diversion.
- Dry waste diversion. Dry mixed solid waste is mechanically and/or manually separated out of the loads of mixed solid waste, and diverted to a Metro Designated Facility for disposal (typically Lakeside Reclamation Landfill).
- Processing of source-separated recyclables from Pride's residential, commercial and industrial customers.

***Variances from the Metro Code or other specific conditions requested by the applicant:***

- The applicant has not requested any variances from the Metro Code. However, under the original franchise agreement, Metro Council granted the applicant an exemption from User Fees at the facility. It is expected that this facility will continue to qualify for this exemption, since all solid waste from this facility that is disposed will go to Metro Designated Facilities, where User Fees are collected.

**II. ANALYSIS OF FRANCHISE APPLICATION**

Completeness and Sufficiency of Application

Applicants for franchises are required to complete the application form and provide additional information as requested. The applicant submitted a franchise renewal request on June 30, 1995. At Metro's request, and as provided by Metro Code, Pride submitted updated application material necessary to construct a new franchise agreement. The additional information was required because of facility changes (operational activities and facility expansion) that have been implemented by Pride since the original 1991 franchise agreement was granted. Pride will be required to submit a facility operating procedures plan for Metro review and approval within 30 days of the effective date of the franchise agreement (reference the franchise agreement section 7.3.2).

Compliance with Code Requirements

In determining whether to recommend award of a franchise, Metro Code Section 5.01.070(b) requires the Executive Officer to formulate recommendations regarding:

- Whether the applicant is qualified,
- Whether the proposed franchise complies with the district's solid waste management plan,
- Whether the proposed franchise is needed considering the location and number of existing and planned disposal sites, transfer stations, processing facilities and resource recovery facilities and their remaining capacities, and
- Whether or not the applicant has complied or can comply with all other applicable regulatory requirements.

**Applicant Qualifications**

Pride Recycling Company, has been active in the solid waste industry in the Metro region for over 30 years. Michael L. Leichner, Sr., President of Pride has operated the franchised facility since 1991.

The applicant and its staff have an established record of operation. This, coupled with the applicant's experience in recycling, solid waste hauling, and disposal provides a reasonable level of assurance that the facility will be operated and managed competently and efficiently.

## **Compliance with the Regional Solid Waste Management Plan**

In determining whether the applicant's facility is in compliance with the Regional Solid Waste Management Plan (RSWMP), staff asked the following questions:

- Is the facility and its current operations consistent with the RSWMP goals and objectives or recommended practices?
- Is the facility and its current operations in conflict with any RSWMP goals and objectives or recommended practices?

### Consistency with the RSWMP

In assessing the facility for consistency with the Plan, staff determined that the continued operation of this facility is broadly consistent with the following RSWMP provisions:

- System-Wide Goals
  - Goal 4 - Adaptability.** A flexible solid waste system exists that can respond to rapidly changing technologies, fluctuating market conditions, major natural disasters and local conditions and needs.
- Waste Reduction Goals and Objectives
  - Goal 7 - Regional Waste Reduction Goal.** The regional waste reduction goal is to achieve at least a 53 percent recycling rate by the year 2005.
  - Goal 8 - Opportunity to Reduce Waste.** Participation in waste prevention and recycling is convenient for all households and businesses in the urban portions of the region.
  - Goal 9 - Sustainability.** Objective 9.3. Support an environment that fosters development and growth of reuse, recycling and recovery enterprises.
- Facilities and Services Goals
  - Goal 11 -- Accessibility.** There is reasonable access to solid waste transfer and disposal services for all residents and businesses of the region.
  - Goal 12 - Recovery Capacity.** A regionally balanced system of cost-effective solid waste recovery facilities provides adequate service to all waste generators in the region.
  - Goal 15 -- Facility Regulation.** Metro's methods for regulatory control of solid waste facilities will include a system of franchising, contracting, owning and/or licensing to ensure that disposal and processing facilities are provided and operated in an acceptable manner.

### Recommended Practices:

Solid Waste Facilities and Services - Transfer and Disposal System

**Practice No. 4: *Allow reload facilities sited, owned and operated by haulers for consolidation of loads for hauling to Metro transfer stations to serve areas distant from transfer stations.***



### Key Elements of the Recommended Practice:

- a) Addition of reload capacity to existing private processing facilities to serve areas distant from existing transfer stations or to address capacity problems at existing facilities.
- b) Reload options to be evaluated on a case-by-case basis depending on future tonnage and costs.
- c) New reload facility ownership and operation determined on a case-by-case basis.
- d) Low-level recovery activities ("manual dump and sort" activities and other low technology methods) at reload facilities.

### Analysis of conflicts with the RSWMP

In assessing whether granting a franchise for the facility would be inconsistent with any provisions in the Plan, staff addressed the following:

#### **Ensure that the facility operates as a solid waste reload facility, consistent with applicable RSWMP provisions.**

The RSWMP contains provisions for reload facilities in the Recommended Practices for the Transfer and Disposal System. Under the Recommended Practices, the primary purpose is to allow reload facilities sited, owned and operated by haulers for consolidation of loads for hauling to Metro transfer stations to serve areas distant from transfer stations. Some material recovery is allowed. However, these activities are limited to "low level" recovery activities which are further defined as "manual dump and sort" and other low technology methods (reference: Element (d) - Key Elements of the Recommended Practice). This Element appears to limit the kind of recovery activities that may occur at reload facilities.

Pride was originally Franchised in 1991 to conduct solid waste reloading, recyclables storage, and recovery of cardboard and tin from commercial loads. Since then, facility operations have evolved considerably to include installation of a mechanized conveyor system with manual sorting stations to conduct materials recovery from commercial and residential mixed solid waste containing putrescibles. These activities include the practice of opening up garbage bags to access their contents for possible recovery or alternative disposal rather than reload to Metro South Station.

### System Management Issues

There are a number of issues that must be addressed when a facility conducts post-collection material recovery from commercial and residential mixed solid waste containing putrescibles. Concerns about Pride's operation are primarily centered around whether or not recovery activities are in conflict with Key Element d) of the Recommended Practice. These concerns include: 1) health and safety, and 2) consistency with RSWMP provisions including potential for adverse impacts on the solid waste management hierarchy and source-separation programs.

1. Health & Safety. Mixed municipal solid waste is effectively a hazardous material, since the processor can never be certain what is in it.
  - There are significant health and safety risks associated with hazardous materials that are hidden in some loads of garbage. Intercepting this waste sometimes

leads to exposure to radiation, chemical leaks and/or reactions and other unhealthy, if not deadly, surprises.

- Some of the most prominent health risks can come from the organic and putrescible fraction of solid waste. Pathogenic bacteria, endotoxins, and human coliforms are always present (e.g. disposable diapers, medical waste).
2. Solid Waste Management Hierarchy. The RSWMP places a lower emphasis on post-collection recovery than on other solid waste management practices (e.g. source separation).
- Post-collection recovery is typically limited to recovering recyclables from mixed dry wastes. Mixed dry waste processing is primarily associated with business waste and construction materials.
  - Key Element d) of the Recommended Practice for reload facilities is intended to provide certain safeguards for the region's investment in waste prevention and reduction practices.

The Plan provisions described in Key Element d) may not have anticipated that recovery activities conducted at reload facilities would not necessarily cause negative impacts on source-separated recycling programs. Franchise agreements can be constructed in a manner that allows additional material recovery and recycling while protecting 1) health, safety and welfare, and 2) the solid waste management hierarchy and the regions investment in source separation programs.

Since mixed solid waste can be dangerous to handle, it is important to have a well-defined approach to solid waste management practices conducted at reload facilities. Staff recommends a flexible approach, authorizing the franchisee to conduct low-level recovery activities from mixed solid waste with certain conditions designed to prevent adverse impacts attributable to #1 and #2 above.

The authorization to conduct these activities is contingent upon the following key provisions in the franchise agreement:

#### Health & Safety

- Establish and follow an Operating Procedures Plan for accepting, managing, reloading, and conducting recovery from solid waste received at the facility. The plan will include procedures designed to minimize hazards to human health and the environment associated with manually and mechanically sorting through mixed solid waste (reference Section 7.3 of the franchise agreement).

#### RSWMP Consistency

- Low-level recovery from mixed solid waste containing putrescibles will be limited to removing easily recoverable materials. Low-level recovery activities are further defined and authorized in the Operating Procedures Plan to be submitted by Pride for Metro review and approval (reference Section 5.2.1.2 of the Franchise Agreement).
- Participating in an annual review of the facility's performance (reference Section 6.3 of the franchise agreement as well as provisions in paragraph 13.4 and Section 18).

## Conclusion

Staff believes that the terms and conditions of the franchise agreement will effectively ensure that the facility will operate as a reload facility with adequate provisions to safeguard human health and safety, while allowing the applicant to conduct an appropriate level of recovery, consistent with the goals, objectives and recommended practices in the RSWMP.

## **Need for Facility**

The RSWMP provision for reload facilities is to allow them to be owned and operated by haulers for consolidation of loads for hauling to Metro transfer stations to serve areas distant from transfer stations. Moreover, reload facilities are to be evaluated by Metro on a case-by-case basis and Metro will review service levels to determine need.

The facility assists in maintaining and improving existing service levels at the Metro South Transfer Station (*i.e.*, time spent waiting in line and time required to drive to a facility). By conducting reload services, the facility will help reduce the number of commercial packer trucks traveling to Metro South Transfer Station. Pride currently makes seven to eight trips per day to Metro South or to Lakeside Reclamation Landfill. Without this facility, approximately 12 trips per day would be made by its compactor trucks.

## **Compliance with Regulatory Requirements**

The applicant has land use approval from the City of Sherwood and has a DEQ Solid Waste Disposal Permit (No. 422).

## **Variance Requests**

- The applicant has not requested any variances. However, since the franchisee will not provide services to outside or third party haulers, this facility is exempt from Metro rate setting under Section 5.01.170 of the Metro Code.
- Additionally, in the original franchise agreement, Metro Council granted the facility an exemption from collection of User Fees at the facility because commercial haulers not owned by Pride will be prohibited from use of the facility. Moreover, no rates or other charges are made at the facility and disposal of solid waste at the facility by members of the public is prohibited. This exemption will be extended to the new franchise.

## **III. CONDITIONS OF THE FRANCHISE**

The proposed franchise agreement ensures that the facility will continue to operate in accordance with the purpose of Metro's franchise system to protect public health and safety and maintain consistency with the RSWMP.

The franchise document was drafted to be generally consistent with Pride's previous franchise agreement, granted in 1991. However, since Pride's operations have evolved considerably over time, the franchise contains specific provisions for reload facilities that process mixed solid waste containing putrescibles. The franchise also incorporates new RSWMP provisions for reload facilities and the clarifications and improvements made in other recent franchises that make for better administration and enforcement of the agreement.

Specific conditions unique to this particular franchise include the following:

- Provide Metro with an Operating Procedures Plan that describe how procedures for accepting, managing, reloading and conducting recovery from loads of mixed solid

waste that contains putrescibles. The plan will describe procedures designed to minimize hazards to human health and will include employee safety training programs and procedures.

- Processing mixed solid waste containing putrescibles will be limited to removing easily recoverable materials (low-level recovery) from those wastes, such as manual dump and sort and other low-tech methods consistent with the RSWMP provisions for reload facilities.
- Loads of solid waste from customers or routes known to contain substantial proportions of putrescible wastes shall either be reloaded without processing and transported to Metro Transfer Stations or hauled directly to Metro Transfer Stations.
- All solid waste and residuals leaving the facility must be delivered to a Metro Designated Facility, with the exception that all waste requiring disposal at a general purpose landfill must be transported to the Metro South Station.

#### **IV. BUDGET IMPACTS**

##### Projected Quantity of Solid Waste to be Received

Pride estimates that they may increase the amount of waste they receive at the facility to 25,000 tons per year. It is expected that the recovery rate will remain relatively constant at about 10 percent, thereby recovering about 2,500 tons per year. These recovered/recyclable materials are not subject to Metro User Fees. If these materials were not recovered for recycling, it is likely that they would be diverted to a limited purpose landfill (Lakeside) and Metro would receive \$17.50 per ton. Therefore, the gross revenues that Metro might forgo could as much as:

Solid Waste:	2, 500 tons	X	\$24.12	=	\$60,300
Excise Tax:	2, 500 tons	X	\$4.96	=	\$12,400

The \$24.12 is the sum of the Tier I and Tier II (fixed-cost) portions of the \$75 Metro Tip Fee, net of excise tax. The \$4.96 is the excise tax portion of the Metro Tip Fee.

In reality, Metro would probably not feel the full impact of the amounts above, because the Metro rate model adjusts rate components for changes in tonnage (due to any cause) from year to year. The gross impacts above could be made up by an incremental increase in the rate on the tonnage that continues to be disposed.

#### **V. STAFF RECOMMENDATIONS**

Based on the forgoing analysis it is the opinion of staff that Pride Recycling Company should be granted a non-exclusive franchise in accord with the provisions of the draft franchise attached to Ordinance No. 97-683.

#### **VI. EXECUTIVE OFFICER RECOMMENDATION**

The Executive Officer recommends approval of Ordinance No. 97-683.

*Agenda Item Number 7.2*

**Ordinance No. 97-684, Consideration of Amending and Readopting Metro Code 2.06 (Investment Policy); and Declaring an Emergency.**

***First Reading.***

**Metro Council Meeting  
Thursday March 27, 1997  
Council Chamber**

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING AND )  
READOPTING METRO CODE 2.06 )  
(INVESTMENT POLICY); AND DECLARING )  
AN EMERGENCY )

ORDINANCE NO. 97-684  
  
Introduced by Mike Burton,  
Executive Officer

WHEREAS, The Metro Code, Section 2.06, contains the investment policy which applies to all cash-related assets held directly by Metro; and

WHEREAS, The Oregon Revised Statutes relating to the investment of public funds have been amended, therefore it is appropriate to amend Metro Code for conformity; and

WHEREAS, The Investment Advisory Board has recommended additional changes to the investment policy; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS:

1. That Metro Code Chapter 2.06 is amended and readopted as written in Exhibit A.
2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Revised Statutes, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

Approved as to Form:

ATTEST:

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

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

# Exhibit A

(Inserted text - bold, deleted text - strikethrough, revised lines - | on left border)

## CHAPTER 2.06

### INVESTMENT POLICY

SECTIONS	TITLE
2.06.010	Scope
2.06.020	Objectives
2.06.030	Responsibility
2.06.040	Prudence
2.06.050	Investment Diversification
2.06.060	Competitive Selection of Investment Instruments
2.06.065	<b>Monitoring the Portfolio</b>
2.06.070	Qualifying Institutions
<del>2.06.080</del>	<del>Banking Services</del>
2.06.090	Safekeeping and Collateralization
2.06.100	Indemnity Clause
2.06.110	Controls
2.06.120	Accounting Method
2.06.130	Reporting Requirements
2.06.140	Performance Evaluation
2.06.150	Policy Adoption
2.06.160	Policy Readoption

#### 2.06.010 Scope

These investment policies apply to all cash-related assets included within the scope of the ~~Metropolitan Service District's (Metro)~~ audited financial statements and held directly by Metro.

**Other than bond proceeds or other segregated revenues, the total of funds pooled for investments ranges from \$60 million to \$100 million with an average of \$80 million.** Funds held and invested by trustees or fiscal agents are excluded from these policies; however, such funds are subject to the regulations established by the State of Oregon.

Funds of Metro will be invested in compliance with the provisions of ORS 294.035 through 294.048; ORS 294.125 through 294.155; ORS 294.810; and other applicable statutes. Investments will be in accordance with these policies and written administrative

procedures. Investment of any tax exempt borrowing proceeds and of any debt service funds will comply with the 1986 Tax Reform Act Bill provisions and any subsequent amendments thereto.

#### 2.06.020 Objectives

(a) Safety. Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall portfolio and security of funds and investments. For securities not backed by the full faith and credit of the federal government, diversification is required in order that potential losses on individual securities would not exceed the income generated from the remainder of the portfolio.

(b) Liquidity. The investment officer shall assure that funds are constantly available to meet immediate payment requirements including payroll, accounts payable and debt service.

(c) Yield. The investment portfolio shall be designed with the objective of regularly exceeding the average return on 90-day U.S. Treasury Bills. The investment program shall seek to augment returns above this level, consistent with risk limitations described in this policy and prudent investment principles.

Due to Metro's fiduciary responsibility, safety of capital and availability of funds to meet payment requirements are the overriding objectives of the investment program. Investment yield targets are secondary.

(d) Legality. Funds will be deposited and invested in accordance with statutes, ordinances and policies governing Metro.

#### 2.06.030 Responsibility

(a) Investment Officer. The executive officer is the investment officer of the district. The authority for investing Metro funds is vested with the investment officer, who, in turn, may designate the investment manager staff to manage the day-to-day operations of Metro's investment portfolio, place purchase orders and sell orders with dealers and financial institutions, and prepare reports as required.



(b) Investment Advisory Board (IAB). There shall be an investment advisory board composed of five members.

- (1) Terms of Service. The term of service for citizens appointed to the IAB shall be three calendar years. The term of appointment shall be staggered so that not more than two members' terms expire in any calendar year.
- (2) Appointment. The investment officer shall recommend to the council for confirmation, the names of persons for appointment to the IAB.
- (3) Duties. The IAB shall meet at least quarterly. The IAB will serve as a forum for discussion and act in an advisory capacity for investment strategies, banking relationships, the legality and probity of investment activities and the establishment of written procedures for the investment operations.

(c) Quarterly Reports. At each quarterly meeting, a report reflecting the status of the portfolio will be submitted for review and comment by at least 3 members of the IAB. Discussion and comment on the report will be noted in minutes of the meeting. If concurrence is not obtained, notification will be given to the investment officer including comments by the IAB. ~~shall review investment reports submitted by the investment officer reflecting investment activity for each of the immediately preceding three months. Acceptance of the report must be by at least two members of the IAB. Should the reports not be accepted, the reports shall be revised accordingly by the investment officer and resubmitted to the IAB at its next regularly scheduled meeting or sooner if requested.~~

#### 2.06.040 Prudence

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio.

2.06.050 Investment Diversification

(Definitions of terms and applicable authorizing statutes are listed in the "Summary of Investments Available to Municipalities" provided by the state treasurer.) The investment officer will diversify the portfolio to avoid incurring unreasonable risks inherent in over investing in specific instruments, individual financial institutions, or maturities.

(a) Diversification by Investment

	Percent of Portfolio (Maximum)
(1) U.S. Treasury Bills, Notes, Bonds, Strips and/or State and Local Government Series (SLGS)	100%
(2) Securities of U.S. Government Agencies and U.S. Government Sponsored Enterprises <del>Securities and Instrumentalities of Government Sponsored Corporations</del>	100%
(3) Certificates of Deposit (CD) Commercial Banks in Oregon insured by FDIC	100%
<del>(4) Certificates of Deposit Savings and Loan Associations in Oregon which meet Federal capital requirements and are insured by the FDIC</del>	<del>25%</del>
(45) Repurchase Agreements (Repo's) Maximum 90-day maturity	50%
(56) Banker's Acceptances (BA)	100%
(67) Commercial Paper (CP) Issued by a financial institution, commercial, industrial or utility business enterprise. <del>holding company or business enterprise</del>	3525%

For a corporation headquartered in Oregon; A-1 and P-1 only, maximum 90-day

maturity; A-2 and P-2, A-1/P-2, or A-2/P-1 only, maximum 60-day maturity.

For a corporation ~~Publicly held U.S. corporation, financial institution, holding company or business enterprise~~ headquartered outside Oregon; A-1 and P-1 only; maximum 90-day maturity -10%

(78) State of Oregon and Local Government Securities with A ratings or better 10025%

(89) State of Oregon Investment Pool 100%

~~(10) State of Oregon Arbitrage Pool Bond Proceeds Subject to Arbitrage~~

(91) Market Interest Accounts and Checking Accounts Minimum necessary for daily cash management efficiency

(b) Diversification by Financial Institution

(1) Qualified Institutions. The investment officer shall maintain a listing of financial institutions and securities dealers recommended by the IAB. Any financial institution and/or securities dealers is eligible to make an application to the investment officer and upon due consideration and approval hold available funds.

A listing of the eligible institutions shall be held by the investment officer and provided any fiduciary agent or trustee.

(2) Diversification Requirements. The combination of investments in Certificates of Deposit and Banker's Acceptances as outlined individually at 2.06.050(b)(2)(A), ~~(B)~~ and ~~(C)~~ invested with any one institution shall not exceed ~~2530~~ percent of the total available funds or 15 percent of the equity of the institution.

(A) Certificates of Deposit - Commercial Banks

No more than the lesser of ~~2530~~ percent of the total available funds or 15 percent of

the equity of the financial institution may be invested with any one institution.

~~(B) Certificates of Deposit - Savings and Loan Association~~

~~No more than the lesser of 25 percent of the total available funds or 15 percent of the equity of the financial institution may be invested with any one institution.~~

(BC) Repurchase Agreements

May be purchased from any qualified institution provided the master repurchase agreement is effective and the safekeeping requirements are met. All repurchase agreements will be fully collateralized by general obligations of the U.S. Government, the agencies and instrumentalities of the United States or enterprises sponsored by the United States government, and U.S. Agency obligations marked to market.

The investment officer shall not enter into any reverse repurchase agreements.

(CD) Banker's Acceptances

Must be guaranteed by, and carried on the books of, a qualified financial institution whose short-term letter of credit rating is rated in the highest category by one or more nationally recognized statistical rating organizations.

Qualified institution means:

- i. A financial institution that is located and licensed to do banking business in the State of Oregon; or
- ii. A financial institution located in the States of California, Idaho, or Washington that is wholly owned by a bank holding company that owns a financial institution that is located

and licensed to do banking business in the State of Oregon.

No more than the lesser of 25~~30~~ percent of the total available funds or 15 percent of the equity of the financial institution may be invested with any one institution.—All banker's acceptances will be purchased from an ORS 294.035(11) qualified Oregon financial institution.

(DE) Commercial Paper

~~Business in Oregon~~—No more than 510 percent of the total portfolio with any one corporate entity.

~~Publicly held corporation not in Oregon~~—No more than 5 percent of the total portfolio with any one corporate entity.

(EF) State and Local Government Securities

No more than 15 percent of the total portfolio in any one local entity.

(FG) State of Oregon Investment Pool

Not to exceed the maximum amount established \$20 million in accordance with ORS 294.810, (~~\$10 million maximum per account~~) with the exception of pass-through funds (in and out within 10 days).

~~(H) State of Oregon Arbitrage Pool~~

~~Any bond proceeds subject to arbitrage.~~

(GI) U.S. Government Agencies

Securities of U.S. Government Agencies and U.S. Government Sponsored Enterprises Limited to obligations of government sponsored corporations which are eligible as collateral for treasury tax and loan as determined by the Board of Governors of the Federal Reserve System and also appear on the Oregon State Treasury list of U.S. Government and Agency

~~Securities for Local Government Investment~~ as defined under ORS 294.035 and/or 294.040. No more than 40 percent of the total portfolio in any one agency.

(H) U.S. Government Treasuries

No limitations

(c) Diversification by Maturity. Only investments which can be held to maturity shall be purchased. Investments shall not be planned or made predicated upon selling the security prior to maturity. This restriction does not prohibit the use of repurchase agreements under ORS 294.135(2). This policy shall not preclude the sale of securities prior to their maturity in order to improve the quality, net yield, or maturity characteristic of the portfolio.

Maturity limitations shall depend upon whether the funds being invested are considered short-term or long-term funds. All funds shall be considered short-term except those reserved for capital projects (e.g., bond sale proceeds).

(1) Short-Term Funds

(A) Investment maturities for operating funds and bond reserves shall be scheduled to meet ~~coincide with~~ projected cash flow needs. Funds considered short-term will be invested to coincide with projected cash needs or with the following serial maturity:

25% minimum to mature under three months

75% minimum to mature under 18 months

100% minimum to mature under five years

(B) ~~Except for special situations, as identified by the IAB and directed by the investment officer, investments shall be limited to maturities not exceeding 18 months.~~ Investments may not exceed five years. Investment maturities beyond 18 months may be made when supported by cash flow projections which reasonably demonstrate that liquidity requirements will be met. Maturities beyond 18 months will be limited to direct U.S. Treasury obligations.

~~(C) Generally, bond reserve funds shall be limited to investment in securities up to 18 months. The maturity of the investment may extend to 18 months, or more, only if the debt service account is properly funded and provision has been made in amount and maturity for the first possible draw upon the reserve account. In any event, the investment maturity must not exceed the expected draws upon the reserve funds.~~

(2) Long-Term Funds

(A) Maturity scheduling shall be timed according to anticipated need. ORS 294.135 permits investment beyond 18 months for any bond proceeds or funds accumulated for any purpose which the district is permitted by state law to accumulate and hold funds for a period exceeding one year. The maturities should be made to coincide as nearly as practicable with the expected use of the funds.

(B) Investment of capital project funds shall be timed to meet projected contractor payments. The drawdown schedule used to guide the investment of the funds shall evidence the approval of the investment officer and review of the ~~Chief Financial Officer-director of finance and administration.~~

~~(d) Politico/Socio Limitations. The investment officer may not purchase any banker's acceptances which involve goods which derive from South Africa. A certificate warranting this shall be obtained from the financial institution from which the banker's Acceptance was purchased.~~

(de) Total Prohibitions. The investment officer may not make a commitment to invest funds or sell securities more than 14 business days prior to the anticipated date of settlement of the purchase or sale transaction, and may not agree to invest funds or sell securities for a fee other than interest. Purchase of standby or forward commitments of any sort are specifically prohibited.

#### 2.06.060 Competitive Selection of Investment Instruments

Before the investment officer invests any surplus funds, a competitive offering solicitation shall be conducted orally. Offerings will be requested from financial institutions for various options with regards to term and instrument. The investment officer will accept the offering which provides the highest rate of return within the maturity required and within the prudent investor rule. Records will be kept of offerings and the basis for making the investment decision ~~the offerings which are accepted.~~

#### 2.06.065 Monitoring the Portfolio

The investment manager will routinely monitor the contents of the portfolio comparing the holdings to the markets, relative values of competing instruments, changes in credit quality, and benchmarks. If there are advantageous transactions, the portfolio may be adjusted accordingly.

#### 2.06.070 Qualifying Institutions

The investment officer shall maintain a listing of all authorized dealers and financial institutions which are approved for investment purposes. Written procedures and criteria for selection of financial institutions will be established by the investment officer. Financial institutions must have a branch in Oregon. Any firm is eligible to apply to provide investment services to Metro and will be added to the list if the selection criteria are met. Additions or deletions to the list will be made by the investment officer and reviewed by the IAB. At the request of the investment officer, the firms performing investment services for Metro shall provide their most recent financial statements or Consolidated Report of Condition (call report) for review. Further, there should be in place, proof as to all the necessary credentials and licenses held by employees of the broker/dealers who will have contact with Metro as specified by but not necessarily limited to the National Association of Securities Dealers (NASD), Securities and Exchange Commission (SEC), etc. At minimum, the investment officer and the IAB shall conduct an annual evaluation of each firm's qualifications to determine whether it should be on the authorized list.

~~Securities dealers not affiliated with a bank shall be required to have an office located in Oregon and be classified as reporting dealers affiliated with the New York Federal Reserve~~



Bank as primary dealers, or meet the criteria for financial institutions.

2.06.080 Banking Services

~~Every three years the investment officer will solicit competitive bids from commercial banks operating in the district to provide Metro's banking services. The investment officer may select a trustee bank to perform activities related to investments. In this case, the activities of the trustee shall be set forth in a trustee agreement consistent with this Code. Trustee services for a bond issue need not be rebid during the life of the issue.~~

2.06.090 Safekeeping and Collateralization

All securities purchased pursuant to this investment policy will be delivered by either book entry or physical delivery to a third party for safekeeping by a bank designated as ~~custodian primary agent~~. Purchase and sale of all securities will be on a payment versus delivery basis. The trust department of the bank designated as ~~custodian primary agent~~ will be considered to be a third party for the purposes of safekeeping of securities purchased from that bank. The ~~custodian primary agent~~ shall issue a safekeeping receipt to Metro ~~the district~~ listing the specific instrument, rate, maturity and other pertinent information.

~~Repurchase agreements will not be subject to the safekeeping requirements if purchased from First Interstate Bank of Oregon, The Bank of California or from U.S. National Bank of Oregon; repurchase agreements from all other financial institutions shall require safekeeping. In all cases, a master repurchase agreement is required.~~

Delivery versus payment will also be required for all repurchase transactions and with the collateral priced and limited in maturity in compliance with ORS 294.035(11).

Deposit-type securities (i.e., Certificates of Deposit) shall be collateralized through the state collateral pool as required by ORS 295.015 and ORS 295.018 for any amount exceeding FDIC coverage, recognizing that ORS 295.015 requires only 25 percent collateralization and ORS 295.018 requires 110 percent collateralization when the institution is notified by the state treasurer.

#### 2.06.100 Indemnity Clause

(a) Metro shall indemnify the investment officer, chief financial officer, investment manager, staff and the IAB members from personal liability for losses that might occur pursuant to administering this investment policy.

(b) The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported to the council as soon as practicable.

#### 2.06.110 Controls

The investment officer shall maintain a system of written internal controls, which shall be reviewed annually by the IAB and the independent auditor. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation or imprudent actions.

Metro's independent auditor at least annually shall audit investments according to generally accepted auditing standards and this ordinance.

#### 2.06.120 Accounting Method

Metro shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies, including but not necessarily limited to, the American Institute of Certified Public Accountants (AICPA); the Financial Accounting Standards Board (FASB); and the Investments will be carried at cost. Gains or losses from investments will be credited or charged to investment income at the time of sale or maturity. Metro shall comply with Government Accounting Standards Board (GASB) requirements.

#### 2.06.130 Reporting Requirements

(a) A transaction report shall be prepared by the investment manager ~~district's department of finance & administration~~ not later than one business day after the transaction, unless a trustee, operating under a trust agreement,

has executed the transaction. The trustee agreement shall provide for a report of transactions to be submitted by the trustee on a monthly basis.

(b) Quarterly reports shall be prepared for each regular meeting of the IAB to present historical investment information for the past 12-month period. Copies shall be provided to the executive officer and the Metro council.

#### 2.06.140 Performance Evaluation

The overall performance of Metro's investment program ~~is shall be~~ evaluated ~~quarterly~~ annually by the IAB using the objectives outlined in this policy. The quarterly report which confirms adherence to this policy ~~A written copy of the evaluation~~ shall be provided to the Metro council as soon as practicable.

The performance of Metro's portfolio shall be measured by comparing the average yield of the portfolio at month-end against the performance of the 90-day U.S. Treasury Bill issue maturing closest to 90 days from month-end and the Local Government Investment Pool's monthly average yield. ~~The IAB will periodically determine the target rate of return for the investment portfolio.~~

#### 2.06.150 Policy Adoption

This investment policy ~~must~~ may be reviewed by the IAB and the Oregon Short-Term Fund Board prior to adoption by the Metro council. Adoption of this policy supersedes any other previous council action or policy regarding Metro's investment management practices.

#### 2.06.160 Policy Readoption

This policy shall be subject to review and readoption annually by the Metro council in accordance with ORS 294.135(b).

## STAFF REPORT

### CONSIDERATION OF ORDINANCE NO. 97-684 AMENDING AND READOPTING METRO CODE 2.06 (INVESTMENT POLICY); AND DECLARING AN EMERGENCY

---

Date: March 10, 1997

Presented by: Howard Hansen

#### FACTUAL BACKGROUND AND ANALYSIS

Metro Code, Section 2.06, contains the investment policy which applies to all cash-related assets held directly by Metro. The major objectives of the policy are safety, liquidity, and yield, with safety of capital and availability of funds as the overriding objectives.

Based on changes in the related sections of the Oregon Revised Statutes, suggestions from Metro's Investment Manager and Investment Advisory Board, and a review of the program by Metro's Internal Auditor, a major revision in the investment policy is being proposed.

Many of the amendments are housekeeping in nature, aligning Metro's policy with changes in state law. There are also significant amendments to be acknowledged. Those changes are summarized in Attachment 1.

The goal of these revisions is to increase the flexibility of investment decisions while preserving the two major objectives of safety and liquidity.

The revised policy has been reviewed with and endorsed by the Investment Advisory Board. These revisions have also been presented to the Oregon Short Term Fund Board, a state committee which acts through the authority of the State Treasurer. They review and comment on all public agency investment policies. Their comments have been incorporated in this proposed policy, and they have endorsed the policy with the comment "A very good policy".

Oregon Revised Statutes require that the policy be readopted annually by Metro Council.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends amendment and readoption of Metro Code 2.06 by Ordinance No. 97-684.

## Attachment 1

### Metro

#### Summary - Investment policy revision

- 2.06.050(a)(7) Commercial paper as a total portion of the portfolio changed to 35%, from 25% for corporations in Oregon and 10% for corporations outside of Oregon. This conforms to recent changes in ORS 294. See also 2.06.050(b)(2)(E).
- 2.06.050(b)(2)(D) Expands Bankers Acceptances to include financial institutions located in California, Idaho, or Washington as long as there is an affiliation with a bank in Oregon. This conforms to recent changes in ORS 294.
- 2.06.050(b)(2)(E) Adjusts maximum percentage of Commercial Paper to 5% of the total portfolio with any one issuer, from 10% for Oregon issuers and 5% for issuers outside of Oregon. This conforms to recent changes in ORS 294.
- 2.06.050(b)(2)(G) Increases state investment pool maximum investment to \$30 million plus a CPI adjustment, from \$20 million. This conforms to recent changes in ORS 294. As of September 1, 1996, the adjustment increased the maximum amount to \$30,630,000.
- 2.06.050(c)(1)(B) Allows for investment maturities up to five years, when supported by cash flow projections. This element is encouraged by the Investment Advisory Board and recommended by Metro's Auditor.
- 2.06.070 Eliminates requirement that primary dealers have an office in Oregon. The requirement severely limits the number of dealers available to Metro. Of the thirty-seven primary dealers, only five have offices in Oregon. The requirement becomes irrelevant since:
1. Metro does not deal through the local offices anyway, and,
  2. Metro maintains a delivery versus payment requirement so the office location doesn't matter.

*Agenda Item Number 8.1*

**Ordinance No. 97-680, For the Purpose of Granting a Metro Franchise to American Compost and Recycling Inc. to Operate a Commercial Food Waste Processing Facility and Yard Debris Composting Facility.**

***Second Reading***

**Metro Council Meeting  
Thursday March 27, 1997  
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING A	)	ORDINANCE NO. 97-680
FRANCHISE TO AMERICAN COMPOST	)	
AND RECYCLING INC. FOR OPERATING	)	Introduced by Mike Burton,
A COMMERCIAL FOOD WASTE PROCESSING	)	Executive Officer
FACILITY AND A YARD DEBRIS COMPOSTING	)	
FACILITY	)	

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

WHEREAS, American Compost and Recycling has applied for a non-exclusive franchise to own and operate a solid waste processing and recovery facility and a yard debris composting facility in Portland Oregon; and

WHEREAS, American Compost and Recycling has submitted a franchise application in compliance with Metro Code Section 5.01.060; and

WHEREAS, The American Compost and Recycling facility will provide recycling of waste delivered by affiliated companies, other commercial haulers, contractors and businesses; and

WHEREAS issuance of a franchise to American Compost and Recycling is consistent with the policies set forth in the Regional Solid Waste Management Plan adopted November 1995 for recovering source-separated food wastes from businesses and recycling yard debris; and

WHEREAS, Metro Code Section 5.01.110 provides for the ability of Metro Council to grant variances pursuant to criteria contained therein; and

WHEREAS, American Compost and Recycling has requested a variance from Metro rate setting requirements as detailed in the Staff Report to this ordinance; and

WHEREAS, American Compost and Recycling has requested a variance from Metro Code Section 5.01.120(I) to allow it to retain ownership of its affiliated hauling companies and allow non-affiliated companies to use the facility as detailed in the staff report to this ordinance; and

WHEREAS, based on the information submitted by the franchise applicant, specified in the Staff Report or otherwise submitted, the Council has determined that it is appropriate to grant the variances requested; and

WHEREAS, American Compost and Recycling will provide a surety bond in the amount of \$100,000 as determined by Metro staff to be appropriate; and

WHEREAS, the Executive Officer recommends that the Council grant the attached franchise to American Compost and Recycling; and

WHEREAS, the Council finds that it is necessary for the welfare of the Metro area that this ordinance take effect immediately, because the franchise site consists of an existing yard debris composting operation and a proposed commercial food waste processing facility which will recover additional materials from the solid wastestream, and potential nuisance impacts such as odor, dust and vectors are a cause of public concern, and the franchisee needs a signed franchise to begin operation of the commercial food waste processing facility and to proceed with the Metro Commercial Food Waste Recovery Pilot Project; now therefore,

**THE METRO COUNCIL ORDAINS AS FOLLOWS:**

1. The Council authorizes the Executive Officer to enter into the attached franchise agreement within ten days of the effective date of this ordinance.
2. American Compost and Recycling is granted a variance from rate setting under Metro Code Section 5.01.110.



3. American Compost and Recycling is granted a variance from Metro Code Section 5.01.120(I) to allow it to retain ownership of its hauling companies and allow non-affiliated companies to use the facility.
4. An emergency having been declared for the reasons stated above, this ordinance shall take effect immediately, pursuant to Sections 37(2) and 39(1) of the 1992 Metro Charter.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form

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

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

BM:clk  
S:\SHARE\METZ\ORGANICS\REGULATE\OSCI\FRANCHIS\97\_680.ORD

**EXHIBIT A**

**SOLID WASTE FRANCHISE**

issued by

**METRO**

**600 NE Grand Avenue**

**Portland, Oregon 97232-2736**

**(503) 797-1700**

FRANCHISE NUMBER: \_\_\_\_\_

DATE ISSUED: \_\_\_\_\_

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

EXPIRATION DATE: \_\_\_\_\_

ISSUED TO: \_\_\_\_\_ **AMERICAN COMPOST AND RECYCLING, INC.**

NAME OF FACILITY: \_\_\_\_\_ **AMERICAN COMPOST AND RECYCLING, INC.**

ADDRESS: \_\_\_\_\_ **9707 N. COLUMBIA BOULEVARD**

CITY, STATE, ZIP: \_\_\_\_\_ **PORTLAND, OREGON 97203**

LEGAL DESCRIPTION: \_\_\_\_\_ **(see attached application)**

NAME OF OPERATOR: \_\_\_\_\_ **DON I. CHAPPELL**

PERSON IN CHARGE: \_\_\_\_\_ **DON I. CHAPPELL**

ADDRESS: \_\_\_\_\_ **P.O. BOX 83960**

CITY, STATE, ZIP: \_\_\_\_\_ **PORTLAND, OR 97203**

TELEPHONE NUMBER: \_\_\_\_\_ **(503) 286-0886**

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## FRANCHISE AGREEMENT

This Franchise is issued by Metro, a municipal corporation organized under ORS chapter 268 and the 1992 Metro Charter, referred to herein as "Metro," to American Compost and Recycling 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.

"**Affiliated Hauling Companies**" means hauling companies owned, either in whole or in part, or legally affiliated with, the Franchisee.

"**Authorized Waste**" or "**Authorized Wastes**" means those wastes defined as such in Section 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.

"**Compost**" means the stabilized end product of the biological degradation of organic matter under aerobic conditions to a stable humus-like material that is used or distributed for use as a soil amendment, artificial top soil, growing medium amendment or other similar uses.

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

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

"**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.

"**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

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

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

**“Metro Transfer Station”** means the Metro South Station, Metro Central Station, or Forest Grove Transfer Station.

**“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).

**“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 Solid Waste Processing and Recovery Facility to a Disposal Site.

**"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 Processing Solid Wastes that separates materials for purposes of recycling or recovery.

**"Solid Waste Processing and 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 Material Recovery, (3) Yard Debris Reloading (4) Fiber-Based Fuel Processing, and (5) Contaminated Soils Reloading.

**"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.

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

**"Subfranchisee"** means any business co-located with Franchisee at the Facility and engaged in Processing Solid Waste.

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

**"Vegetative Commercial Food Waste"** means solid waste which has the following characteristics: 1) preseggregated solid wastes which are derived from plants including but not limited to fruit or vegetable peelings or parts, grains, coffee grounds, crop residue, waxed cardboard and uncoated paper products, but does not include oil or grease; and 2) are generated by stores, offices, restaurants, schools, colleges, universities, hospitals and other non-manufacturing entities.

**"Vermi-Processing"** means the controlled method or system of altering the form, condition or content of vegetative, food and/or paper wastes, utilizing worms to consume and digest the organic fraction to produce worm-castings which are typically the final product, and may be blended with compost or soil for marketing purposes. The worm castings may require additional processing to ensure pathogen destruction.

**"Yard debris"** means vegetative and woody material generated from residential property or from commercial landscaping activities. "Yard debris" includes landscape waste, grass clippings, leaves, hedge trimmings, stumps and other similar vegetative waste, but does not include demolition debris, painted or treated wood.

## 2. TERM AND APPLICABILITY OF FRANCHISE

- 2.1 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.
- 2.2 Unless otherwise specified in this Franchise, the provisions and obligations of this Franchise shall apply to the Franchisee and all Subfranchisees of the Facility. Prior to any Subfranchisee commencing Processing at the Facility, Franchisee shall provide to Metro written agreements from that Subfranchisee acknowledging that the Subfranchisee is bound by and will comply with all terms of this Franchise.

### 3. LOCATION OF FACILITY

The franchised Facility is located at 9707 N. Columbia Boulevard, Portland Oregon 97203. Tax Lot 1 of lots A, B, and J, Ramsey Villa Acres; Section 36, Township 2N, Range 1W, W.M.

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

- 4.1 The owner of the Facility is Don I. and Janice E. Chappell. 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. Franchisee warrants that it has obtained the owner's consent to operate the Facility as specified in the Franchise
- 4.2 The owner of the property underlying the Facility is Don I. and Janice E. Chappell. 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 Don I. Chappell. 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 the following: 1) a Solid Waste Processing and Recovery Facility and 2) a Yard Debris Composting Facility. The Franchisee is authorized to conduct the following activities: (a) Vermi-Processing of Vegetative Commercial Food Waste, and (b) Yard Debris Composting.
- 5.1.1 The Franchisee shall accept only Authorized Wastes. Franchisee and Subfranchisees are prohibited from receiving, Processing or disposing of any Solid Waste not authorized in this Franchise. Neither Franchisee nor Subfranchisees shall knowingly accept loads of Solid Waste containing only incidental amounts of Recoverable Material or loads which Franchisee or Subfranchisee intend to landfill without first Processing for Recoverable Material.
- 5.1.2 This Franchise limits the amount and types of Authorized Waste that may be received each year at the Facility as listed in Section 5.2.1 of this Franchise. Upon written request from the Franchisee, the Executive Officer may increase the amount and add types of waste Franchisee or Subfranchisees are authorized to receive for activities authorized at the Facility. Franchisee and Subfranchisees 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 governmental or regulatory entities.
- 5.1.3 Franchisee may accept Authorized Waste from its own Affiliated Hauling Companies, Non-Affiliated Hauling Companies, Contractors and other Businesses, but not from the general public. Franchisee may accept Yard Debris from any source.
- 5.2 Authorized Activities, Waste Types and Waste Quantities
- 5.2.1 Franchisee is authorized to conduct the following activities and receive the following categories of wastes according to the tonnage limits specified below:

- 5.2.1.1 Vermi-Processing of Vegetative Commercial Food Wastes of up to a total of 18,000 tons per year (50 tons per day), subject to the following conditions:
  - 5.2.1.1.a Processing of Vegetative Commercial Food Wastes shall be limited by the conditions described in Sec 7.3. Residuals from processing these Wastes shall be transported to the Metro Central Transfer Station.
- 5.2.1.2 Yard Debris Composting of up to a total of 50,000 cubic yards per year, subject to the conditions described in Section 7.3.

### 5.3 Prohibited Wastes

- 5.3.1 Neither Franchisee nor Subfranchisees shall knowingly accept or retain any material amounts of the following types of waste, unless specifically authorized in Sections 5.3.2 or 7.3 of this Franchise
  - 5.3.1.2 Materials contaminated with or containing Friable Asbestos;
  - 5.3.1.3 Batteries
  - 5.3.1.4 Residential Solid Waste;
  - 5.3.1.5 Liquid waste;
  - 5.3.1.6 Oil;
  - 5.3.1.7 Sludge;
  - 5.3.1.8 Tires;
  - 5.3.1.9 Vehicles;
  - 5.3.1.10 Infectious Waste;
  - 5.3.1.11 Special Waste or any sub-stream of Special Waste unless authorized elsewhere within this Franchise;
  - 5.3.1.12 Hazardous Waste;
  - 5.3.1.13 Conditionally Exempt Generator Waste;
  - 5.3.1.14 Household Hazardous Waste.
- 5.3.2 Prohibited Wastes received at the Facility shall be: (1) isolated from other materials at the Facility or (2) removed from the Facility. Franchisee shall transport any Prohibited Waste other than Hazardous Waste to a Disposal Site authorized to accept such waste, unless an alternate Disposal Site or method has been approved by DEQ. Non-hazardous Prohibited Wastes shall be managed pursuant to the approved facility Operations Plan submitted as part of the Franchise application process. In the event that Franchisee determines or suspects that discovered waste constitutes Hazardous Waste, Franchisee shall immediately initiate procedures to identify the waste and the generator and shall, within 48 hours of receipt of the waste, initiate procedures to remove the waste. Hazardous Waste must be removed from the Facility within 5 days after receipt unless an alternate disposal method and additional storage period has been approved by DEQ. Franchisee shall implement and conduct temporary storage and transportation procedures in accordance with DEQ rules. 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 6.5, accurate records of the following information

**6.1.A Commercial Food Waste Vermi-Processing Operation:**

- 6.1.A.1 Tons of incoming Vegetative Commercial Food Waste received each month
- 6.1.A.2 Tons of yard debris used for Vermi-Processing each month
- 6.1.A.3 Tons of worm castings produced each month
- 6.1.A.4 Tons of waste and Residue sent for disposal each month
- 6.1.A.5 The fee Franchisee charged or paid the hauler for incoming loads.
- 6.1.A.6 Receipt of any materials encompassed by Section 5.3.2 of this Franchise, utilizing Metro's Unacceptable Waste Incident Tracking Form.

**6.1.B Yard Debris Composting Operation**

6.1.B.1 Amount of feedstock received and quantity of product produced at the facility to include:

- a) Tons of incoming yard debris received each month
- b) Tons of compost produced each month
- c) Tons of residual waste sent for disposal each month

6.2 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.

6.3 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.

6.4 For every odor complaint received, the Franchisee 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.

6.5 Records required under Section 6 shall be reported to Metro no later than fifteen (15) days following the end of each quarter. A cover letter shall accompany the data which certifies the accuracy of the data and is signed by an authorized representative of Franchisee.

6.6 The Franchisee shall participate in an annual review with Metro of the Facility's performance. The review will include:

- 6.6.1 The Facility's performance in accomplishing waste reduction goals consistent with the adopted Regional Solid Waste Management Plan. This review shall include, without limitation, whether the Facility's operation is consistent with both local government and

private sector efforts to expand source separation recycling programs for commercial and industrial generators;

6.6.2 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; changes to site equipment, hours of operation and/or staffing; and other significant changes in the Facility's operations that occurred during the previous year; and

6.6.3 Any modifications under Section 18 of this Franchise.

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 above-listed topics.

6.7 Franchisee shall provide 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, within two business days of providing such information to DEQ. 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.

6.8 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 or Subfranchisee 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.

6.9 Where fees and charges are 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.

6.10 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.

6.11 Any periodic modification by Metro of the reporting forms themselves shall not constitute any modification of the terms of Section 6 of this Franchise, nor shall Metro include within the reporting forms a request for data not otherwise encompassed within Section 6.

## 7. OPERATIONAL REQUIREMENTS

### 7.1 General Requirements

7.1.1 The Franchisee and Subfranchisees 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. Additionally, signs shall be erected at a location visible to all users of the Facility before unloading at the Facility, and in conformity with any local government signage regulations. These signs shall be easily and readily visible, legible, and shall contain at least the following information:

- 7.1.2.1 Name of the Facility;
- 7.1.2.2 Address of the Facility;
- 7.1.2.3 Emergency telephone number for the Facility;
- 7.1.2.4 Operational hours during which the Facility shall be open for the receipt of authorized waste;
- 7.1.2.5 Rates and fees
- 7.1.2.6 Metro's name and telephone number; and
- 7.1.2.7 A list of all Authorized Wastes under this Franchise.

## 7.2 General Operating and Service Requirements

- 7.2.1 If Franchisee or any Subfranchisee contemplates or proposes to close the Facility for 120 days or more, or proposes to close the Facility permanently, Franchisee shall provide Metro with written notice, at least 90 days prior to closure, of the proposed closure schedule and procedures.
- 7.2.2 If Franchisee or any Subfranchisee contemplates or proposes a closure of the Facility for more than two business days but less than 120 days, Franchisee shall notify Metro and local government Solid Waste authorities of the closure and its expected duration at least 24 hours before the closure.
- 7.2.3 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:
  - 7.2.3.1 Immediately act to correct the unauthorized condition or operation;
  - 7.2.3.2 Immediately notify Metro; and
  - 7.2.3.3 Prepare, and submit to Metro within 10 days, a report describing the Franchise or Metro Code violation.
- 7.2.4 The Franchisee shall establish and follow procedures to give reasonable notice and justification prior to refusing service to any customer of the Facility authorized under this Franchise. Copies of notification and procedures for such action will be retained on file for three years.
- 7.2.5 Neither the Franchisee nor any Subfranchisee shall, by act or omission, unlawfully discriminate against any person. Rates and disposal classifications established by Franchisee and Subfranchisees shall be applied reasonably and in a non-discriminatory manner.

## 7.3 Operating Procedures

- 7.3.1 Receipt and Processing of all Vegetative Commercial Food Wastes shall occur inside Facility buildings. Storage of finished product may occur outside, in an orderly manner, as specified in the Facility's operating procedures.
- 7.3.2 All Vegetative Commercial Food Wastes received at the Facility must be either 1) Processed within two hours from receipt, or 2) properly disposed within four hours of receipt.
- 7.3.3 The Franchisee and Subfranchisee must operate the facility in accordance with the Operating Plan submitted in the Franchise Application process, including any amendments approved by Metro.

- 7.3.4 The Franchisee must revise the Operating Plan as necessary to keep it current and reflective of current facility conditions and procedures. The Franchisee must submit revisions of the Operations Plan to Metro for approval.
- 7.3.5 Sorting and Processing areas shall be cleaned on a regular basis, in compliance with plans and procedures required under Section 7.3.
- 7.3.6 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.
- 7.3.7 Franchisee shall take reasonable steps to notify and remind haulers that all loaded trucks coming to or leaving the Facility must be covered, to prevent any material from blowing off the load during transit.
- 7.3.8 All recovered materials and processing residuals 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.
- 7.3.9 Contaminated water and sanitary sewage generated on-site shall be disposed of in a manner complying with local, state and federal laws and regulations.
- 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 citizen complaints on environmental issues (including, but not limited to, blowing debris, fugitive dust or odors, noise, traffic, and vectors). If Franchisee 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 and all vehicle access roads within a 1/4 mile of the site free of litter and debris;
  - 7.4.2.2 Patrol the Facility and all vehicle access roads within a 1/4 mile of the site daily;
- 7.4.3 To control odor, dust and noise, the Franchisee shall:
  - 7.4.3.1 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.
  - 7.4.3.2 Take specific measures to control odors in order to avoid or prevent any violation of this Franchise, which measures include (but are not limited to) adherence to the contents of the odor minimization plan set forth in Section 7.4.3.3.

7.4.3.3 The Franchisee and Subfranchisee must operate the facility in accordance with the Odor Minimization Plan submitted in the Franchise Application process, including any amendments approved by Metro. This plan shall include (but not be limited to): (1) methods that will be used to minimize, manage, and monitor all odors of any derivation including malodorous loads received at the Facility; (2) procedures for receiving and recording odor complaints; and (3) procedures for immediately investigating any odor complaints in order to determine the cause of odor emissions, and promptly remedying any odor problem at the Facility.

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 or as a modification to such procedures, and bear all the costs thereof.

7.4.5 The Franchisee shall operate and maintain the Facility to prevent contact of Solid Wastes with stormwater runoff and precipitation.

#### 7.5 Facility Design and Construction

7.5.1 Unless otherwise directed or authorized in this Franchise Agreement, the Facility must be designed and constructed in accordance with the plans submitted in the Franchise Application, and any amendments approved in writing by Metro.

7.5.2 Upon completion of construction, notice must be submitted to Metro certifying that the construction was in accordance with the submitted plans. If there have been any significant changes in those plans, the Franchisee must submit a complete description of those changes.

### 8. ANNUAL FRANCHISE FEES

Franchisee shall pay an annual franchise fee, as established under Metro Code Section 5.03.030. The fee shall be delivered to Metro within 30 days of the effective date of this Franchise and each year thereafter. 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 Franchisee shall purchase and maintain the following types of insurance, insuring Franchisee, its employees, and agents, and naming all Subfranchisees as additional insureds:

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, Subfranchisees, and contractors of Franchisee or Subfranchisees, 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 One Hundred Thousand Dollars (\$100,000), 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 and Subfranchisees 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 franchise audit to assess compliance with operating requirements in this Franchise; (3) conduct an annual audit of Franchisee's inventory and billing records; (4) analyze monthly transaction data; (5) invoice Franchisee for any fees or penalties arising under this Franchise; (6) perform noncompliance investigations; (7) inspect and visually characterize incoming and outgoing loads for the purpose of assessing Prohibited Waste and/or Recoverable Material received and disposed; (8) maintain regular contact with the Franchisee; and (9) review and approve Franchisee's operating plan and amendments to the plan. 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 Franchisee is exempted from collecting and remitting Metro User Fees on waste received at the Facility in conformance with this Franchise.
- 14.2 Franchisee and Subfranchisees may dispose of Solid Waste and Residue generated at the Facility only at a Metro designated facility or under authority of a non-system license issued as specified in Metro Code Chapter 5.05.
- 14.3 Franchisee shall establish uniform rates to be charged for all loads accepted at the Facility. To minimize potential customer conflicts regarding the recoverability of loads, the Franchisee shall minimize the number of rate categories and shall not change the rates during an operating day. Franchisee shall establish objective criteria and standards for acceptance of loads. In accordance with Metro Code Section 5.01.110, this facility shall be exempt from Metro rate setting.

#### 15. GENERAL CONDITIONS

- 15.1 Franchisee shall be responsible for ensuring that its contractors, agents and Subfranchisees operate in complete compliance with the terms and conditions of this Franchise.
- 15.2 Neither the parent company, if any, of the Franchisee or any Subfranchisee, nor their subsidiaries nor any other Solid Waste facilities under their 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 or Subfranchisee 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:

Don I. Chappell  
President  
American Compost and Recycling, Inc.  
P.O. Box 83960  
Portland, OR 97203

- 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 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.

## 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 5.1.2 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; or
- 18.2.6 Any change in ownership that Metro finds material or significant.
  
- 18.2.7 Community requests for mitigation of impacts to adjacent property resulting from Facility operations.

AMERICAN COMPOST AND RECYCLING, INC.

METRO

\_\_\_\_\_

\_\_\_\_\_

Mike Burton, Metro Executive Officer

\_\_\_\_\_

Date

\_\_\_\_\_

Date

WM:clk  
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**METRO**

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

# 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!

## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 97-680 FOR THE PURPOSE OF GRANTING A METRO FRANCHISE TO AMERICAN COMPOST AND RECYCLING INC. TO OPERATE A COMMERCIAL FOOD WASTE PROCESSING FACILITY AND YARD DEBRIS COMPOSTING FACILITY

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Date: February 19, 1997

Presented by: Bill Metzler

## INTRODUCTION

The purpose of this report is to provide the information necessary for the Metro Council to act on the recommendation that American Compost and Recycling Inc., be awarded a Franchise to operate a new commercial food waste processing facility (vermi-processing) and an existing yard debris composting facility located in Portland, Oregon. The Franchise Agreement is attached to Ordinance No. 97-680 as Exhibit A.

### Overview

The franchise applicant is Don Chappell, owner of American Compost and Recycling, an existing yard debris composting operation located at 9707 N. Columbia Boulevard in Portland. Mr. Chappell is proposing a vermi-processing facility adjacent to the existing yard debris composting operation. The new vermi-processing facility will be completely enclosed. Commercial food wastes will not be composted with the yard debris. The two operations are complimentary in that some of the yard debris will be used in the vermi-processing operation.

Definitions of the two franchise site operations:

1. Vermi-processing. Vermi-processing refers to the controlled method of producing worm-castings for use as a soil amendment product. Special red worms consume and digest organic material and then excrete castings, which may be blended with compost or soil for marketing purposes.
2. Yard debris composting. Yard debris composting refers to the controlled biological decomposition of organic materials through microbial activity which occurs in the presence of free oxygen to produce compost.

American Compost and Recycling has contracted with Oregon Soil Corporation to operate the vermi-processing facility. Oregon Soil Corporation has been vermi-processing produce trim from grocery stores at a Clackamas County site since 1991. It is expected that the vermi-processing facility will eventually process up to 50 tons per day of food waste from grocery stores and restaurants located in the Portland area. The food waste will be ground and mixed with the yard debris trimmings from American Compost and fed to special worms which excrete castings which are high in plant nutrients and soil enhancing qualities. The castings will be mixed with finished yard debris compost to produce potting mixes and other soil amendment products.

Metro is currently in the process of negotiating a contract with Oregon Soil Corporation to participate in Metro's commercial food waste collection and processing pilot project. The pilot project is designed to test the feasibility of source separation, collection, transport, processing and marketing of commercially generated vegetative food waste. The information obtained from this pilot project will help Metro, local governments, food businesses, waste collectors and food waste processors determine how they can best work together to implement organic waste recovery programs that are cost-effective, environmentally sound and publicly acceptable. This franchise agreement is necessary to proceed with the pilot project.

This report is divided into three main parts: (a) a description of the facility, its operations and other relevant applicant information, including requests for variances to the franchise code; (b) staff analysis of the application and whether the facility meets the criteria as specified in Metro Code in order to be awarded a franchise; and (c) staff's recommendations and specific conditions to be contained in the franchise agreement.

### **Key Findings and Recommendations Include:**

- The facility would be authorized to receive and process (vermi-process) up to 18,000 tons per year (approximately 50 tons per day) of pre-segregated vegetative commercial food waste.
- The facility would be authorized to receive and process (compost) up to 50,000 cubic yards per year of yard debris.
- In order to ensure that the facility will continue to operate in accordance with the purpose of Metro's franchise system to protect public health and safety and maintain consistency with the RSWMP, staff has recommended terms and conditions related to the vermi-processing of pre-segregated commercial food wastes.

## **I. FACILITY AND APPLICANT INFORMATION**

### ***Location:***

9707 N. Columbia Boulevard, Portland, Oregon. Tax Lots: 1 of lots A, B, and J, Ramsey Villa Acres. Section: 36; Township: 2N; Range: 1W; W.M. Tax Account # R 68730-0010

### ***Zoning and Permitting:***

The site is zoned IH, Heavy Industrial/Industrial Sanctuary. Land Use Review: Conditional Use and Adjustment for a waste-related use. A Conditional Use Permit (LUR 96-00652 CU AD) was issued by the City of Portland effective October 16, 1996.

The applicant's DEQ Solid Waste Permit is pending approval of a Metro Franchise Agreement.

**Customers and Area Served:**

The vermi-processing facility will accept loads of pre-segregated vegetative commercial food waste from both its own affiliated hauling company and other licensed and/or franchised commercial haulers, but not from members of the general public. The facility will generally serve the Portland area.

**General Facility Description:**

The 4.4 acre site is located near the intersection of N. Columbia Boulevard and Burgard Road. It is accessed off of N. Columbia, a five lane minor truck street which borders the North Portland Truck District. The adjacent uses are heavy industrial uses, pipe storage and distribution and metal salvage.

The franchised operation will consist of a new, fully enclosed, commercial food waste processing facility built adjacent to the existing yard debris composting operations (see the Franchise Application Attachments). Some of the site improvements and buildings will be phased in over time.

The new vermi-processing facility construction includes:

- Vermi-processing reactor building (poly-house), appx. 28,000 square feet.
- Steel building for food waste tipping and maintenance, appx. 2,800 square feet
- Product storage shed, 9,600 square feet
- Approximately 35,800 square feet of paving for circulation and parking
- Screening pad (concrete) appx. 3,600 square feet
- Biofilter (odor control)

The site is currently used to process yard trimmings, consisting of grinding, composting and screening the finished compost product. Self-hauled and hauler-collected yard trimmings are brought to the site and product is sold to the public and soil blending companies. The site will be reorganized and upgraded to accommodate the new vermi-processing facility, which will be completely enclosed. The two operations will be kept separate.

Commercial food wastes will not be composted with the yard debris. However, the two operations are complimentary in that some of the yard debris product will be used in the vermi-processing operation.

**Yard Debris Composting Operations**

The existing yard debris composting operation will continue relatively unchanged. Only clean, source-separated yard debris will be accepted from self-haulers and commercial haulers. American will continue to grind incoming yard debris trimmings and compost them in a pile, turning the pile when needed to maintain the desirable rate of degradation. The number of vehicles (cars, pick-ups and larger trucks) expected to deliver yard debris to the site per day may increase from the existing average of 20-30, to 30-40 with a peak of 50 per day possible.

The configuration of the compost area on the franchise site will consist of a clockwise movement of material through the site. Incoming yard debris will be staged in the southwest area of the composting yard, then moved to the northwest section of the yard, with the material being finished in the northeast section. In this way, the ground product will be close to the vermi-processing building where much of it will be used.

### Vermi-Processing Operations

*Feedstocks:* Material to be collected and brought to the vermi-processing facility will be primarily produce trim from grocery stores and produce wholesalers (source-separated pre-consumer vegetative commercial food waste). This waste material is generally not odorous upon delivery. Along with produce trim, there will be a small amount of bakery discards and unsold cut flowers, as well as incidental pieces of paper packaging. These wastes will be targeted for pre-segregation by the store employees into separate (specially marked) bins to be collected by organic waste collection haulers every one to three days. Due to imperfect segregation by employees, a small amount of inorganics (less than 1% by weight) is expected to be included with the food discards. This includes film plastic, plastic cups and lids, twistees, and possibly beverage containers.

Restaurants and other food services may be added to the collection routes at a later time, after facility ramp-up. Food wastes from these businesses will include pre-consumer kitchen scraps, and may include post-consumer plate scrapings. Collection and processing of these types of food wastes will depend on the facility operator's ability to demonstrate success in processing basic pre-consumer vegetative commercial food waste.

*Processing:* The commercial food wastes will be delivered to the facility by collection trucks. The trucks will back into the building and tip the loads of food waste into a leak-proof hopper. The material will then be conveyed gradually onto a conveyor where inorganics will be manually removed. The contaminants will be discarded in a dumpster and disposed at Metro Central Station. The food wastes will then be macerated in a hammermill, conveyed to a mixer where the wet food materials will be mixed with drier, ground yard debris. This mix will then be conveyed to a gantry, which straddles each reactor in turn, and deposits a 1" - 2" layer of the food waste mixture on the reactor surface where it is consumed by the worms.

The reactors are 10' wide by 300' long and elevated 3' above the concrete slab. The worms reside in the top layer of the material and digest the fresh mix within a 24-hour period. This prevents the fresh food waste mix from going sour and causing odors. The worms excrete castings which are mechanically removed from the bottom of the reactors. The castings are screened to separate any remaining inorganics and are then mixed with yard debris compost to form different soil amendment products. These products are then moved off-site in bulk or in bags to market.

The proposed throughput of the vermi-processing facility is 50 tons per day of pre-segregated food wastes. It is estimated that it will take about one year for the facility to ramp-up to full capacity, after which up to 15 trucks per day will bring food wastes and up to 8 trucks per day will haul off the castings/compost blends.

***Facility Activities:***

The applicant requests authorization to perform the following activities:

1. Vermi-processing of pre-segregated vegetative commercial food wastes.
2. Yard debris composting.

***Variances from the Metro Code or other specific conditions requested by the applicant:***

The applicant has requested variances for the following:

1. Metro's rate setting authority (Section 5.01.170), and
2. Metro Code restrictions on accepting waste from non-affiliated hauling companies (Section 5.01.120)

**II. ANALYSIS OF FRANCHISE APPLICATION**

Completeness and Sufficiency of Application

Applicants for franchises are required to complete the application form and provide additional information as requested. The applicant submitted a franchise application on December 13, 1996.

The applicant was very cooperative in discussing and sharing information with staff on a number of additional questions regarding plans for the facility. The discussions were important to establishing the specific conditions of the franchise agreement negotiated with the applicant.

Compliance with Code Requirements

In determining whether to recommend award of a franchise, Metro Code Section 5.01.070(b) requires the Executive Officer to formulate recommendations regarding:

- Whether the applicant is qualified;
- Whether the proposed franchise complies with the district's solid waste management plan;
- Whether the proposed franchise is needed considering the location and number of existing and planned disposal sites, transfer stations, processing facilities and resource recovery facilities and their remaining capacities, and,
- Whether or not the applicant has complied or can comply with all other applicable regulatory requirements.

## **Applicant Qualifications**

The franchise applicant is Don Chappell, owner of American Compost and Recycling. American Compost and Recycling has been in business at this site since 1988 and has over nine years experience in composting yard debris. Oregon Soil Corporation, the vermi-processing facility operator, has been in this business since 1991, and has an established record of collecting and successfully vermi-processing food wastes and producing a marketable product. The applicant's established record of operation provides reasonable assurances that the facility will be operated and managed competently and efficiently.

## **Compliance with the Regional Solid Waste Management Plan**

In determining whether the applicant's facility is in compliance with the Regional Solid Waste Management Plan (RSWMP), staff asked the following questions:

- Is the facility and its current operations consistent with the RSWMP goals and objectives or recommended practices?
- Is the facility and its current operations in conflict with any RSWMP goals and objectives or recommended practices?

### Consistency with the RSWMP

Staff has determined that granting the franchise for the facility would not be inconsistent with, or in conflict with any provisions in the Plan. In assessing the facility for consistency with the Plan, staff determined that the operation of this facility is broadly consistent with the following RSWMP provisions:

- System-Wide Goals

**Goal 4 - Adaptability.** A flexible solid waste system exists that can respond to rapidly changing technologies, fluctuating market conditions, major natural disasters and local conditions and needs.

- Waste Reduction Goals and Objectives

**Goal 7 - Regional Waste Reduction Goal.** The regional waste reduction goal is to achieve at least a 53 percent recycling rate by the year 2005.

**Goal 8 - Opportunity to Reduce Waste.** Participation in waste prevention and recycling is convenient for all households and businesses in the urban portions of the region.

**Goal 9 - Sustainability, Objective 9.3.** Support an environment that fosters development and growth of reuse, recycling and recovery enterprises.

**Goal 10 - Integration.** Develop an integrated system of waste reduction techniques with emphasis on source-separation, not to preclude the need for other forms of recovery such as post-collection material recovery.



- **Recommended Practices: Business Waste Reduction Practice #3.**  
Collection and off-site recovery of source-separated food and non-recyclable paper.

### Conclusion

Staff believes that the terms and conditions of the franchise agreement will effectively ensure that the facility will operate with adequate provisions to safeguard human health and safety, while allowing the applicant to conduct an appropriate level of recovery, consistent with the goals, objectives and recommended practices in the RSWMP.

### **Need for Facility**

**Yard Debris Composting Facility.** The existing yard debris compost operation is the only facility of its type located in the City of Portland. The facility enables both commercial and self-haulers to recycle their source-separated yard debris locally, with a minimum of transportation, at a competitive rate. The facility also provides the public and contractors in the St. Johns/North Portland area a source of compost product.

**Vermi-Processing Facility.** This facility will create a new recycling opportunity for commercial generators of food waste that is consistent with the RSWMP. The operation will recycle approximately 18,000 tons of food waste each year and produce a valuable soil amendment product. The enclosed, controlled operation offers technological advantages over traditional composting methods regarding odor control and other potential negative impacts. These advantages allow the facility to be sited close to generators, eliminating the need for long distance hauling of food wastes to more rural sites. The facility targets only source-separated organics. This ensures a very high quality end product and decreases the chances for processing problems associated with putrescible wastes.

### **Compliance with Regulatory Requirements**

The applicant has land use approval from the City of Portland and has a DEQ Solid Waste Disposal Permit pending the issuance of a Metro Franchise.

### **Variance Requests**

1. The applicant has requested a variance from Metro's rate setting authority (Section 5.01.170).

Under the Metro franchise Code, the Council sets the rates charged by a franchisee. Metro Code Section 5.01.110 allows a variance to be granted to this policy if the intent of the requirement can be otherwise achieved and if strict compliance with the requirement: "(1) Is inappropriate because of conditions beyond the control of person(s) requesting the variance; or (2) Will be rendered extremely burdensome or highly impractical due to special physical conditions or causes; or (3) Would result in substantial curtailment or closing down of a business, plant, or operation which furthers the objectives of the district. "

Staff believes that the intent of the rate setting provision of the Code is to prevent franchisees from exercising monopoly power in the marketplace resulting from being a holder of a franchise.

Staff opinion is that the intent of the Code requirement will be achieved by competition in the marketplace. Competition will be maintained because this franchise will not be exclusive, and other franchises have been, and others are expected to be granted, that will compete with this franchise. Without freedom to set its own rates, the facility would be unable to remain competitive in the volatile marketplace of recycled materials. This would result in the facility not opening or failing to stay open. Therefore, staff recommends granting the variance to the rate setting requirement.

2. The applicant has requested a variance from Metro Code restrictions on accepting waste from non-affiliated hauling companies. (Section 5.01.120(l)) Under Section 5.01.120(l), a franchised processor cannot own hauling companies. (A franchisee who accepts waste only from affiliated haulers is exempt from this restriction.) American Compost and Recycling Inc., needs to allow non-affiliated haulers to use the facility, as explained below. Metro Code Section 5.01.110 (quoted above) allows a variance to be granted to this policy.

Staff believes that the intent of the Metro Code restriction is to prevent franchisees who also have hauling companies from being able to promote their own haulers and treating competing haulers who must use the facility unfairly.

Staff opinion is that the intent of the Code requirement will be achieved because no competing hauler will be forced to use the facility and the franchise contains provisions to ensure fair treatment of all customers using the facility. Strict compliance with this requirement would be unduly burdensome, and would result in this facility closing down. Staff, therefore, recommends granting the variance to the restriction on non-affiliated haulers using the facility.

### III. CONDITIONS OF THE FRANCHISE

The proposed franchise agreement ensures that the facility will operate in accordance with the purpose of Metro's franchise system to protect public health and safety and maintain consistency with the RSWMP.

Specific conditions unique to this particular franchise include the following:

- Receipt and processing of all Vegetative Commercial Food Wastes shall occur inside facility buildings. Storage of finished product may occur outside, in an orderly manner, as specified in the facility's operating procedures.
- All Vegetative Commercial Food Wastes received at the facility must be either 1) processed within two hours from receipt, or 2) properly disposed within four hours of receipt.
- The Franchisee and Subfranchisee must operate the facility in accordance with the Operating Plan submitted in the Franchise Application process, including any amendments approved by Metro.

- The Franchisee must revise the Operating Plan as necessary to keep it current and reflective of current facility conditions and procedures. The Franchisee must submit revisions of the Operations Plan to Metro for approval.
- 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.

**IV. BUDGET IMPACTS**

Yard Debris Composting Operations

There are no budget impacts. The yard debris composting facility is an existing operation and Metro does not collect User Fees on source-separated yard debris delivered to this facility.

Vermi-Processing Operations

The vermi-processing operations are expected to eventually process 18,000 tons of commercial food waste each year. If these wastes were not recovered for recycling, it is likely that they would be disposed at Metro Central Transfer Station.

Therefore, the gross revenues that Metro might forgo could be as much as:

- Solid Waste:                    18,000 tons    X    \$24.12    =    \$434,160
- Excise Tax:                    18,000 tons    X    \$4.96    =    \$89,280

The \$24.12 is the sum of the Tier I and Tier II (fixed-cost) portions of the \$75 Metro Tip Fee, net of excise tax. The \$4.96 is the excise tax portion of the Metro Tip Fee.

In reality, Metro would probably not feel the full impact of the amounts above, because the Metro rate model adjusts rate components for changes in tonnage (due to any cause) from year to year. The gross impacts above could be made up by an incremental increase in the rate on the tonnage that continues to be disposed.

**V. STAFF RECOMMENDATIONS**

Based on the forgoing analysis it is the opinion of staff that American Compost and Recycling should be granted a non-exclusive franchise in accord with the provisions of the draft franchise attached to Ordinance No. 680.

**VI. EXECUTIVE OFFICER RECOMMENDATION**

The Executive Officer recommends approval of Ordinance No. 97-680

*Agenda Item Number 8.2*

**Ordinance No. 97-681B, For the Purpose of Amending Metro Code 5.02; Reducing Disposal Fees Charged at Regional Solid Waste Facilities and Making Certain Form and Style Changes to Stations.**

***Second Reading***

**Metro Council Meeting  
Thursday, March 27, 1997  
Council Chamber**

**BEFORE THE METRO COUNCIL**

FOR THE PURPOSE OF AMENDING METRO CODE	)	ORDINANCE NO. 97-681B
CHAPTER 5.02, REDUCING DISPOSAL FEES	)	
CHARGED AT REGIONAL SOLID WASTE FACILITIES	)	Introduced by Mike Burton
AND MAKING CERTAIN FORM AND STYLE	)	Executive Officer
ADJUSTMENTS	)	

WHEREAS, It is desirable to reduce disposal fees charged at Regional solid waste facilities to reflect Metro's reduced operating costs for the 1997-98 fiscal year; and

WHEREAS, It is necessary to adjust the fee components of Metro's disposal rate system to accomplish these changes; and

WHEREAS, Certain other fees and credits require adjustment as a result of the above fee changes; and

WHEREAS, It is desirable that the Executive Officer has authority to waive disposal fees under certain extraordinary conditions or circumstances; and

WHEREAS, It is appropriate to make certain form and style amendments to Metro Code Chapter 5.02 as a part of this update of disposal fees; and

WHEREAS, It is desirable that the Executive Officer has sufficient authority to determine and refuse unacceptable waste delivered to Metro Central and Metro South Transfer stations because of safety or operational restrictions; and

WHEREAS, It is appropriate to state the basis of a special waste surcharge being determined solely by Metro's actual costs for managing permitted special wastes and non-permitted special waste discovered at a Metro operated facility; and

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Section 5.02.015 is amended to read:

5.02.015 Definitions

[(a) through (r), no change.]

(s) "Special waste" means any waste (even though it may be part of a delivered load of waste) which is one or more of the following categories describes:

- (1) Containerized waste (e.g., a drum, barrel, portable tank, box, pail, etc.) of a type listed in 3 through 9 and 11 of this definition below; ~~or,~~
  - (2) Waste transported in a bulk tanker; ~~or,~~
  - (3) Liquid waste including outdated, off spec liquid food waste or liquids of any type when the quantity and the load would fail the paint filter liquid (Method 9095, SW-846) test or ~~is~~ includes 25 or more gallons of free liquid per load, whichever is more restrictive.
  - (4) Containers (or drums) which once held commercial products or chemicals ~~are included unless the container is~~ unless the containers (or drums) are empty. A container is empty when:
    - (A) All wastes have been removed that can be removed using the practices commonly employed to remove materials from the type of container, e.g., pouring, pumping, crushing, or aspirating.
    - (B) One end has been removed (for containers in excess of 25 gallons); and
    - ~~(C)~~ (i) No more than one inch thick (2.54 centimeters) of residue remains on the bottom of the container or inner liner; or
    - ~~(D)~~ (ii) No more than 1 percent by weight of the total capacity of the container remains in the container (for containers up to 110 gallons); or
    - ~~(E)~~ (iii) No more than 0.3 percent by weight of the total capacity of the container remains in the container for containers larger than 110 gallons.
- ~~(C) — Containers which~~ Containers that once held acutely hazardous wastes must be triple-rinsed with an appropriate solvent or cleaned by an equivalent alternative method. Containers ~~which that~~ that once held substances regulated under the Federal Insecticide, Fungicide, and Rodenticide Act must be empty according to label instructions or triple-rinsed with an appropriate solvent or cleaned by an equivalent method.

Plastic containers larger than five gallons that hold any regulated waste must be cut in half or punctured, and be dry and free of contamination to be accepted as refuse; ~~or~~.

- (5) Sludge waste from septic tanks, food service, grease traps, or wastewater from commercial laundries, laundromats or car washes; ~~or~~.
- (6) Waste from an industrial process; ~~or~~.
- (7) Waste from a pollution control process; ~~or~~.
- (8) Residue or debris from the cleanup of a spill or release of chemical substances, commercial products or wastes listed in 1 through 7 or 9 of this definition; ~~or~~.
- (9) Soil, water, residue, debris, or articles which are contaminated from the cleanup of a site or facility formerly used for the generation, storage, treatment, recycling, reclamation, or disposal of wastes listed in 1 through 8 of this definition; ~~or~~.
- (10) ~~Chemical-~~containing equipment removed from service (for example: filters, oil filters, cathode ray tubes, lab equipment, acetylene tanks, CFC tanks, refrigeration units, or any other chemical containing equipment); ~~or~~.
- (11) Waste in waste containers that are marked with a National Fire Protection Association identification label that has a hazard rating of 2, 3, or 4, but not empty containers so marked; ~~or~~.
- (12) Any waste that requires extraordinary management or special handling.

Examples of special wastes are: chemicals, liquids, sludge and dust from commercial and industrial operations; municipal waste water treatment plant grits, screenings and sludge; contaminated soils; tannery wastes, empty pesticide containers, and dead animals or by-products.

(13) All loads of household hazardous waste that are 35 gallons or more in the aggregate.

(14) Radioactive waste.

(15) Medical waste.

~~(t) "Total fees" means the total per transaction of all tip and special fees~~

(tu) "Unacceptable waste" means waste that is either:

- (1) Prohibited from disposal at a sanitary landfill by state or federal law, regulation, rule, code, permit or permit condition;

- ~~(2) A hazardous waste;~~
- (23) Special waste without an approved special waste permit. The Executive Officer may deny a special waste application if the special waste poses an unacceptable health and safety risk, or is likely to damage transfer station equipment.
- ~~(4) Infectious medical waste;~~
- ~~(5) Any other waste that the Executive Officer determines to be unacceptable for delivery to the Metro Central Station or Metro South Station because of safety or operational restrictions.~~

SECTION 2. Metro Code Section 5.02.025 is amended to read:

5.02.025 Disposal Charges at Metro South Station, Metro Central Station, and the Metro Household Hazardous Waste Facilities

(a) Total fees for disposal by credit account customers shall be \$7570 per ton of solid waste delivered for disposal at Metro South Station or Metro Central Station.

(b) Total fees for disposal by cash account customers shall be \$10095 per ton of solid waste delivered for disposal at Metro South Station or Metro Central Station. A cash account customer delivering a load of waste such that no portion of the waste is visible to Metro scalehouse personnel (unless the waste is only visible through a secure covering), shall receive a 25 percent rebate \$25 rebate per ton.

(c) The total per ton disposal fees specified in subsection (a) and (b) of this section include:

- (1) A disposal fee of \$39.25 \$37.83 per ton;
- (2) A regional transfer charge of \$7.20 \$7.50 per ton;
- (3) The user fees specified in section 5.02.045;
- (4) An enhancement fee of \$.50 per ton; and
- (5) DEQ fees totaling \$1.05 \$1.17 per ton.
- (6) A rebatable service charge of \$25.00 per ton for cash customers delivering covered loads, as described in subsection (b) of this section.

(d) Notwithstanding subsection (b) of this section, cash account customers using who use Metro South Station or Metro Central Station, and who have separated and included in their loads at least one-half cubic yard of recyclable material (as defined in ORS 459.005) shall receive a \$3 either a \$3 lump sum credit toward their disposal charge.



disposal charge for less than 100 pounds of recyclables or, alternatively, a \$6 lump sum credit toward their disposal charge for 100 pounds or more of recyclables. The credit shall be applied and deducted in addition to any rebate described in subsection (b) of this section. the rebate shall be calculated first.

(e) The minimum charge shall be \$197.00 for all credit account vehicles and shall be \$253.00 for all cash account vehicles. The minimum charged for a cash account customer that delivers a load of waste such that no portion of the waste is visible to Metro Scalehouse personnel (unless the waste is only visible through a secure covering), shall receive a rebate of \$6.00 shall be adjusted by the covered load rebate as specified in subsection (b) of this section, and may also be reduced by application of the recycling credit provided in subsection (d) of this section. If both the rebate and the recycling credit are applicable,

(f) Total fees assessed at Metro facilities shall be rounded to the nearest whole dollar amount (a \$.50 charge shall be rounded up) for all cash account customers.

~~(g) A fee of \$5 is established to be charged at the Metro household hazardous waste facilities for each load of household hazardous waste.~~

~~(h) A fee of \$10 is established at the Metro household hazardous waste facilities for special loads~~ (g) Fees for managing loads of household hazardous waste delivered to Metro Hazardous Waste Facilities will be as follows: (1) \$5.00 for each 35 gallons of waste or any lesser portion thereof, regardless of the total gallonage of any individual load; (2) \$5.00 handling fee for empty drums, (3) \$10.00 handling fee for any drum containing less than 25 gallons of waste, and (4) \$15.00 handling fee for any drum containing 25 or more gallons of waste.

(h) The Executive Officer may waive disposal fees under extraordinary conditions or circumstances. Any such waiver will occur solely for the purpose of compensating public customers for unanticipated and unforeseeable costs incurred while using a Metro facility, and will be limited by the following conditions:

- (1) Public self-haul customers;
- (2) The quantity of waste being delivered by the customer is less than the minimum charge of \$17.00;
- (3) The customer is using the Metro transfer station when Metro decides to close the station because of an emergency situation;
- (4) Because of the emergency station closure, the customer is delayed at least one hour or more;
- (5) The Executive Officer shall notify the Metro Council in writing within 14 days of any sold waste fee waivers. This notification shall include information on the date, facility, and the amount waived.

(i) The following table summarizes the disposal charges to be collected by Metro from all persons disposing of solid waste at Metro South Station and Metro Central Station:

METRO SOUTH STATION  
METRO CENTRAL STATION

Tonnage Fee Component	\$/Ton Rate	
Disposal Fee	\$39.25	<u>37.83</u>
Regional User Fee (Tier One)	\$17.50	<u>15.00</u>
Metro User Fee (Tier Two)	9.50	<u>8.00</u>
Regional Transfer Charge	7.20	<u>7.50</u>
 Total Rate	 <b>\$73.45<u>68.33</u></b>	
 Additional Fees		
Enhancement Fee	\$ .50	
DEQ Fees	<u>1.17</u>	4.05
 Total Disposal Fee:	 <b>\$75.00<u>70.00</u></b>	
 Minimum Charge		
Per Charge Account Vehicle	\$19.00	<u>17.00</u>
Per Cash Account Vehicle (subject to possible covered load rebate and recycling credit)	25.00	<u>23.00</u>

Tires	Type of Tire	Per Unit	
	Car tires off rim		\$1.00
	Car tires on rim		\$3.00
	Truck tires off rim		\$5.00
	Truck tires on rim		\$8.00
	Any tire 21 inches or larger diameter off or on rim		\$12.00

SECTION 3. Metro Code Section 5.02.035 is amended to read:

5.02.035 Litter Control Surcharge

A surcharge of \$100 per load shall be levied against a Metro credit account customer who disposes of waste at a Metro-operated solid waste disposal facility, transfer station, recycling center or compost facility, if, when entering the facility any portion of the center, or compost facility, if, when entering the facility, any portion of the customer's waste is visible to Metro scalehouse personnel. However, personnel, unless there shall be no surcharge if the waste is only visible through a secure covering. The surcharge shall be collected in the same manner as other Metro collects disposal fees are collected at the facility.

SECTION 4. Metro Code Section 5.02.045 is amended to read:

5.02.045 User Fees

The following user fees shall be collected and paid to Metro by the operators of solid waste disposal facilities, whether within or outside of the boundaries of Metro, for the disposal of solid waste generated, originating, collected or disposed of within Metro boundaries, in accordance with Metro Code section 5.01.150:

- (a) Regional User Fee  
For compacted or noncompacted solid waste, ~~\$17.50~~\$15.00 per ton delivered.
- (b) Metro User Fee  
~~\$9.50~~\$8.00 per ton for all solid waste delivered to Metro-owned or operated facilities.
- (c) Inert material, including but not limited to earth, sand, stone, crushed stone, crushed concrete, broken asphaltic concrete and wood chips used at the ~~St. Johns Landfill~~disposal facilities for cover, diking, road base, or other internal use shall be exempt from the above user fees.
- (d) User fees shall not apply to wastes received at franchised processing centers that accomplish materials recovery and recycling as a primary operation.
- (e) Notwithstanding the provisions of (a) and (b) above, Metro user fees may be assessed as may be appropriate for solid waste which is the subject of a non-system license under chapter 5.05 of the Metro Code.

SECTION 5. Metro Code Section 5.02.055 is amended to read:

5.02.055 Remittance to Metro of User Fees and Other Charges by Franchisees and Other Designated Facilities

- (a) Franchisees and other operators of facilities designated to receive waste under Metro Code section 5.05.030 shall remit user fees and charges other than excise taxes to Metro as specified in this section.
- (b) User fees shall accrue on a monthly basis, and shall be remitted to Metro by the 15th day of the month for waste disposed of in the preceding month. User fees and other charges ~~are considered to~~will be delinquent if not received by Metro on or before the due date, either by personal delivery to the Metro Department of ~~finance and management information~~Administrative Services during business hours or, if delivered by mail, by receipt in Metro's mail room on or before the due date. If the due date falls on a holiday or weekend, amounts are delinquent at the end of the first business day that follows.

SECTION 6. Metro Code Section 5.02.060 is amended to read:

5.02.060. Credit Policy at Metro Solid Waste Disposal Facilities

(a) Disposal charges, including all fees and taxes, may be paid at the time of disposal in cash, by credit card, or by guaranteed check, or may be paid under Metro's credit policy. No credit shall be granted to any person prior to approval of a credit application in a form or forms provided by Metro.

(b) ~~The executive of~~ Metro's Executive Officer shall establish and maintain appropriate credit requirements for new and existing accounts, which requirements shall be designed to diminish Metro's risk of loss due to nonpayment. Existing account holders may be required to make new application for credit or provide additional guarantees, as deemed necessary or prudent by the ~~executive of~~ Executive Officer.

(c) Account charges shall accrue on a monthly basis. ~~Statements will be mailed~~ Metro will mail statements on or about the 10th day of the month, for disposal services rendered in the prior month. A statement must be paid no later than the last business day of the month in which it is mailed, ~~and is~~ the statement will be considered past due thereafter. A payment shall under no circumstances be considered received by Metro unless it is delivered personally to the Metro Department of ~~finance and management information~~ Administrative Services during business hours or, if delivered by mail, is received in Metro's mail room on or before the due date.

(d) A finance charge of 1.5 percent shall be assessed on all past due charges on the 15th day of the month following the month in which a statement is mailed, and on the 15th day of each month thereafter. Finance charges will be assessed only on unpaid past due balances, and not on previously assessed finance charges. Finance charges will continue to be assessed on negotiated repayment schedules. Payments will be applied first to finance charges and then to the oldest amount past due.

(e) An account that is 15 days past due may be placed on a cash only basis, until all past due disposal and finance charges are paid. Facility access may be denied to a person whose account is past due and unpaid for 30 days. A decision to place an account on a cash only basis or deny facility access shall be at the discretion of the director of finance and information management.

(f) A credit customer that sells, terminates, or makes a substantial change in the scope of its business after its application for credit has been approved must notify Metro immediately. Failure to provide the notice required by this subsection may result in termination of credit at Metro facilities pending reapplication for credit.

(g) The Department of ~~finance and management information~~ Administrative Services may adjust accounts receivable and reverse finance charges in accordance with prudent credit practices. Adjustments over \$500 shall be reported to the ~~e~~ Council in writing on a monthly basis, and adjustments over \$10,000 shall require ~~e~~ Council approval.

(h) ~~The executive~~ Executive Officer may end pursuit of an account receivable, consistent with prudent credit practices, when the likelihood of collecting does not justify further collection costs. Such action shall be reported to the ~~e~~ Council in writing on a monthly basis when the amount exceeds \$500, and amounts over \$10,000 shall require ~~e~~ Council approval.

SECTION 7. Metro Code Section 5.02.065 is amended to read:

5.02.065 Special Waste Surcharge and Special Waste Permit Application Fees; Conditionally Exempt Generator Waste

(a) Special Waste

(1) A special waste surcharge and a special waste permit application fee shall be collected on all special wastes disposed of at Metro facilities and on all special waste permit applications. The surcharge and fee shall be in addition to any other charge or fee established by this chapter. The purpose of the surcharge and permit application fee is to require disposers of special waste to pay the cost of services provided by the Metro ~~solid waste department~~ to manage special wastes. The surcharge and fee shall be applied to all ~~acceptable~~ special wastes, ~~CFC tanks and refrigeration units.~~

(2) The special waste surcharge shall be ~~\$4 per ton of special waste delivered.~~ a per-ton charge determined by Metro's actual costs in managing special waste, which costs comprise: special handling costs, cleanup costs, and lab or testing costs The special waste surcharge shall apply to all permitted special wastes and to all ~~nonpermitted special wastes that Metro discovers at a Metro-operated facility that result in additional management costs not otherwise covered by, or incorporated within, any other Metro fee.~~

(3) The special waste permit application fee shall be \$25. This fee shall be collected at the time special waste permit applications are received for processing.

~~(4) Lab or testing costs incurred by Metro for evaluation of a particular waste may be charged to the disposer of that waste.~~

~~(5) The amount charged for residential refrigeration units and CFC containing tanks shall be \$15.~~

~~(6) The amount charged for commercial refrigeration units shall be \$20.~~

~~(7) Refrigeration units that can be certified as free of CFC chemical content shall be considered a recyclable and therefore exempt from any fee.~~

(b) Conditionally exempt generator (CEG) waste. The amount charged for acceptance of CEG waste ~~and for household hazardous waste from non-household sources~~

shall be the actual disposal costs of such waste calculated from the current Metro contractor price schedules, Metro and/or contractor labor costs, ~~and all applicable excise taxes, and the~~ cost of material utilized for managing the waste.

SECTION 8. Metro Code Section 5.02.075 is amended to read:

5.02.075 Special Exemption from Disposal Fees

(a) ~~The solid waste director~~ Executive Officer may issue a special exemption permit to a public agency, local government, or qualified non-profit entity, ~~waiving that functions to waive fees for disposal of solid waste generated within the Metro region, by.~~ Prior to issuing such a permit the making Executive Officer shall render the following findings:

- (1) Total aggregate disposal fees to be waived for the entity requesting waiver ~~does~~ will not exceed \$5,000 per Metro fiscal year;
- (2) The waiver of fees will address or remedy a hardship suffered by the applicant, or the public interest will be served by waiver of the disposal fees;
- (3) The waste in question is acceptable for disposal at a Metro facility;
- (4) The amount of the waiver is covered by budgeted funds; and
- (5) If the applicant for a special exemption permit is a nonprofit entity, such entity is qualified as specified in Code section 5.07.030(a), (b), (c), (d) and (j).

(b) ~~The solid waste director shall notify the Executive Officer~~ Director shall notify the Metro Council 14 days in advance of the date of issuance of an exemption permit under this section by filing a written report of the proposed action, including required findings, with the clerk of the council. If the council notifies the dCouncil. If the Council notifies the Executive Officer Director within the 14-day period of its intent to review the proposed waiver, the Executive Officer Director shall not issue the permit unless so authorized by the eCouncil.

SECTION 9. Metro Code Section 5.02.085 is amended to read:

5.02.085 Out-of-District Waste

(a) Solid waste generated outside of the district shall not be accepted at the Metro South Station, ~~or the Metro Central Station or MSW Compost Facility~~ for disposal unless a special permit to do so is issued by the Metro executive ~~e~~ Executive Officer. Any permit issued shall specify the circumstances justifying such exception. ~~Any permit issued shall be subject to, and shall take into account the following:~~

- (1) Available landfill or facility capacity considering the capacity needs for disposal of solid waste generated within the district;

- (2) No adverse impact upon district rate-payers;
- (3) Any solid waste authorized to be disposed under this ordinance shall be subject to the same standards and conditions pertaining to "acceptable waste" deliveries to the above named facilities; and
- (4) Any additional conditions as specified by the ~~executive~~ Executive Officer which may be necessary for the safe, efficient or cost effective operation of Metro facilities.

(b) Any special permit issued under paragraph 4(a) shall expire in a period of time not to exceed 12 months from date of issuance unless a longer period of time is authorized by the Metro Council. Any renewals or extensions of a permit resulting in a cumulative permit period exceeding 12 months shall require the approval of the Metro Council.

(c) Any special permit issued by the ~~executive~~ Executive Officer may be revoked upon 30 days notice to the permit holder.

(d) Any permit for a monthly tonnage in excess of 1,000 tons per month must be referred to the Council prior to the approval.

SECTION 10. Metro Code Section 7.01.020 is amended to read:

7.01.020 Tax Imposed

(a) For the privilege of the use of the facilities, equipment, systems, functions, services, or improvements owned, operated, franchised, or provided by the district, each user shall pay a tax of 7.5 percent of the payment charged by the operator or the district for such use unless a lower rate has been established as provided in subsection 7.01.020(b). Each user of all solid waste system facilities shall pay an additional tax of 1.0 percent of the payment charged by the operator or the district. The tax constitutes a debt owed by the user to the district which is extinguished only by payment of the tax directly to the district or by the operator to the district. The user shall pay the tax to the district or to an operator at the time payment for the use is made. The operator shall enter the tax on his/her records when payment is collected if the operator keeps his/her record on the cash basis of accounting and when earned if the operator keeps his/her records on the accrual basis of accounting. If installment payments are paid to an operator, a proportionate share of the tax shall be paid by the user to the operator with each installment.

(b) The council may for any period commencing no sooner than July 1 of any year and ending on June 30 of the following year establish a tax rate lower than the rate of tax provided for in subsection 7.01.020(a) by so providing in an ordinance adopted by the district. If the council so establishes a lower rate of tax, the executive officer shall immediately notify all operators of the new tax rate. Upon the end of the fiscal year the rate of tax shall revert to the maximum rate established in subsection

7.01.020(a) unchanged for the next year unless further action to establish a lower rate is adopted by the council as provided for herein.

SECTION 11. The amendments to the Metro Code provided for in Sections 1 through 10 of this Ordinance shall take effect on July 1, 1997."

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_,  
1997.

\_\_\_\_\_  
Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

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

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

RC:ayjep (ogc)  
MAR-097-681.B



*Agenda Item Number 9.1*

**Resolution No. 97-2320, For the Purpose of Amending the South/North Intergovernmental Agreement  
(Contract No. 903678) With the Tri-County Metropolitan Transportation District of Oregon.**

***Contract Review Board***

**Metro Council Meeting  
Thursday, March 27, 1997  
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE ) RESOLUTION NO. 96-2320  
SOUTH/NORTH INTERGOVERNMENTAL )  
AGREEMENT (CONTRACT NO. 903678) ) Introduced by:  
WITH THE TRI-COUNTY METROPOLITAN ) Councilor Washington  
TRANSPORTATION DISTRICT OF OREGON )

WHEREAS, Metro and the Tri-County Metropolitan Transportation District of Oregon ("Tri-Met") have executed an Intergovernmental Agreement (Contract No. 903678) for assistance in funding the South/North Light Rail Project; and

WHEREAS, Contract No. 903678 requires Metro to reimburse Tri-Met for the expenses of the specified tasks related to the South/North Light Rail Project; and

WHEREAS, Metro has amended the South/North Scope of Work to include Preliminary Engineering activities needed to advance the project to the 30% design level, to incorporate environmental impact mitigation plans and to provide capital cost estimates for the Full Funding Grant Agreement, as described in the South/North Environmental Impact Statement and Preliminary Engineering Work Plan, dated March 4, 1997; and

WHEREAS, Metro has amended the project expenditure and funding budget to reflect the revised Scope of Work; and

WHEREAS, The amendments made to the project expenditure and funding budget reflecting the revised Scope of Work require certain modifications to the Original Contract; now therefore;

////

////

BE IT RESOLVED,

That the Metro Council authorizes the execution of Amendment No. 5 to Contract No. 903678 between Metro and Tri-Met, in a form substantially similar to the attached Exhibit A.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

MDF:kaj  
I:\DOCS#10.TRM\05LRT\02S-N\11S-N.EISUGATRIM.306  
3/6/97

**EXHIBIT A**  
**to Resolution No. 96-2320**

CHANGE ORDER NO. 5  
METRO CONTRACT NO. 903678

MODIFICATION TO AN INTERGOVERNMENTAL AGREEMENT  
FOR SOUTH/NORTH TRANSIT CORRIDOR STUDY ALTERNATIVES  
ANALYSIS/ DRAFT ENVIRONMENTAL IMPACT STATEMENT

This Agreement hereby amends the above-titled contract (the "Original Agreement") between Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter ("Metro"), and the Tri-County Metropolitan Transportation District of Oregon ("Tri-Met").

- A. Purpose. The purpose of this Change Order is to replace certain terms and conditions contained in the Original Agreement, as set forth herein.
- B. Terms of Change Order.
1. Section 1, Scope of Work, of the Original Agreement, including all previous change orders to the provision of section 1, is hereby superseded and amended to read as follows:

Tri-Met shall perform the responsibilities and deliver the products indicated and described in the South/North Environmental Impact Statement and Preliminary Engineering Work Plan, dated March 4, 1997 (the "Work Plan"), attached hereto as Exhibit A and incorporated by this reference as if set forth in full.
  2. Section 2, Term of Agreement, is hereby superseded and amended to read as follows:

The term of the Agreement shall commence on January 1, 1994 and terminate on June 30, 1999 unless terminated earlier under the provision of the Agreement.
  3. Paragraphs A and D of Section 5, Compensation to Tri-Met, are hereby superseded and amended to read as follows:
    - A. The total amount of this contract shall not exceed \$15,591,459.

D. The Expenditure Budget, attached hereto as Exhibit B and incorporated by this reference as if set forth in full, states the amounts Tri-Met shall be reimbursed for its work under the Work Plan. The parties acknowledge that Exhibit B states the budget for work performed under the existing DEIS IGA for the period January 1, 1994 through March 31, 1996, and the amounts of reimbursement under this Agreement for the period following April 1, 1996.

4. Section 18 is hereby amended to add the following additional provision:

The parties acknowledge and hereby agree that Tri-Met is a sub-recipient of federal funds received through this Intergovernmental Agreement, in accordance with applicable laws and regulations described in OMB Circular A-128.

C. Effect of Amendments. Except as modified or superseded herein, all other terms and conditions of the Original Agreement and all previous change orders shall remain in full force and effect.

METRO

TRI-MET

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

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

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

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

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

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

MDF:kaj  
I:\DOCS\10.TRN\05LRT\02S-NN11S-N.EIS\GATRIM.306  
3/6/97



# Environmental Impact Statement and Preliminary Engineering Work Plan

Due to the length and size of this document, it has not been reproduced with this agenda packet but is available by calling Lois at 797-1755.

March 4, 1997



METRO

EXHIBIT B

TRI-MET Non-Consultant Contract Expenses			
Work Element/Task	DEIS IGA	EIS/PE	TOTAL
	1/1/94 - 3/31/96	4/1/96 - 2/28/99	7/1/93 - 2/28/99
<b>DEIS - Tier I</b>			
Management	65,425		65,425
Public Involvement			
Description of Alternatives	178,148		178,148
SEE Analysis	40,687		40,687
Transportation Analysis	39,515		39,515
Financial Analysis	17,277		17,277
Evaluation	133,465		133,465
<b>Tier I Total</b>	<b>474,517</b>	<b>0</b>	<b>474,517</b>
<b>DEIS - Tier II</b>			
Management	124,216	54,573	178,790
Public Involvement	0	124,075	124,075
Description of Alternatives	262,917	1,578,301	1,841,218
SEE Analysis	38,525	30,128	68,653
Transportation Analysis	6,495	5,564	12,059
Financial Analysis	31,854	14,313	46,166
Evaluation	128,885	54,375	183,261
<b>Tier II Total</b>	<b>592,892</b>	<b>1,861,329</b>	<b>2,454,221</b>
<b>PE Step One</b>			
Administration		361,217	361,217
Alignment Design		1,349,877	1,349,877
Systems Engineering		138,611	138,611
Station Analysis		249,291	249,291
<b>PE Step One Total</b>		<b>2,098,997</b>	<b>2,098,997</b>
<b>FEIS - Tier II</b>			
Management		148,830	148,830
Public Involvement		223,245	223,245
Description of Alternatives		89,298	89,298
SEE Analysis		29,766	29,766
Transportation Analysis		104,181	104,181
Financial Analysis		104,181	104,181
Evaluation		148,830	148,830
<b>FEIS - Tier II Total</b>		<b>848,333</b>	<b>848,333</b>
<b>PE Step Two</b>			
Administration		386,959	386,959
Alignment Design		1,339,473	1,339,473
Systems Engineering		297,661	297,661
Station Analysis		104,181	104,181
<b>PE Step Two Total</b>		<b>2,128,273</b>	<b>2,128,273</b>
<b>TOTAL</b>	<b>1,067,409</b>	<b>6,936,932</b>	<b>8,004,341</b>

Consultant Contract Expenses			
Work Element/Task	DEIS IGA	EIS/PE	TOTAL
	1/1/94 - 3/31/96	4/1/96 - 2/28/99	7/1/93 - 2/28/99
<b>Non-Priority Corridor</b>			
<b>DEIS - Tier I</b>			
Description of Alternatives	539,042		539,042
<b>Tier I Total</b>	<b>539,042</b>		<b>539,042</b>
<b>DEIS - Tier II</b>			
Description of Alternatives	1,110,497		1,110,497
<b>Tier II Total</b>	<b>1,110,497</b>		<b>1,110,497</b>
<b>PE Step One</b>			
Administration		375,912	375,912
Alignment Design		2,711,638	2,711,638
Systems Engineering		100,596	100,596
Station Analysis		259,432	259,432
<b>PE Step One Total</b>		<b>3,447,578</b>	<b>3,447,578</b>
<b>PE Step Two</b>			
Administration		298,128	298,128
Alignment Design		1,906,341	1,906,341
Systems Engineering		79,781	79,781
Station Analysis		205,750	205,750
<b>PE Step Two Total</b>		<b>2,490,000</b>	<b>2,490,000</b>
<b>TOTAL</b>	<b>1,649,540</b>	<b>5,937,578</b>	<b>7,587,118</b>
<b>GRAND TOTAL</b>	<b>2,716,949</b>	<b>12,874,510</b>	<b>15,591,459</b>

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 96-2320 FOR THE PURPOSE OF AMENDING THE SOUTH/NORTH INTERGOVERNMENTAL AGREEMENT (CONTRACT NO: 903678) WITH THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON

Date: March 4, 1997

Presented by: Andrew Cotugno

## PROPOSED ACTION

This resolution would amend the South/North Intergovernmental Agreement (IGA) between Metro and the Tri-County Metropolitan Transportation District (Tri-Met). Generally, the amendment would extend the term of the contract, amend Tri-Met's scope of work and amend the IGA budget as described in Exhibit A of the resolution.

## FACTUAL BACKGROUND AND ANALYSIS

In June 1994, Metro and Tri-Met executed an Intergovernmental Agreement (Contract No. 903678) for the South/North Transit Corridor Study. That agreement included a scope of work and budget for Tri-Met as an element of the Tier I South/North Transit Corridor Study. The scope of work for the IGA was generally for the provision of conceptual engineering services to support the preparation of the Draft Environmental Impact Statement (DEIS). The IGA also provided for Tri-Met to contribute \$100,000 to help fund the South/North Study.

Subsequent amendments to Contract No. 903678 have:

- Increased the IGA not-to-exceed budget by \$500,000 for engineering consultant services sub-contracted under Tri-Met;
- Amended the IGA Scope of Work to include Preliminary Engineering Step One activities and to increase Tri-Met's contribution to the study budget by \$4 million; and
- Extended the term of the contract to December 31, 1997.

In April 1996, the Federal Transit Administration (FTA) approved Metro's request to advance the South/North Corridor into Preliminary Engineering. In consultation with FTA, Metro and Tri-Met have developed a Work Plan which includes the preparation of the Draft and Final Environmental Impact Statements (DEIS/FEIS) and Steps One and Two of Preliminary Engineering. This phase of the study extends from April 1996 to early 1999 with the publication of the FEIS, completion of Preliminary Engineering and FTA's issuance of a Record of Decision.

The *South/North Finance Plan*, adopted by the Metro Council (Resolution No. 96-2460), forms



the region's request for capital funding for the South/North Light Rail Project within the current federal Intermodal Surface Transportation Efficiency Act (ISTEA) reauthorization bill. The *Finance Plan* and the capital cost estimates included within the Plan are based upon the schedule for completion of the FEIS and PE in early 1999, leading to initiation of Final Design and construction in mid-1999 and initiation of service within the first construction segment in 2005.

As described in more detail within Exhibit A of Resolution No. 96-2320, this amendment of the IGA between Metro and Tri-Met would:

- Amend Tri-Met's scope of work to include extensive Preliminary Engineering activities (including sub-contracts with engineering consultants) needed to advance the project design to the 30% design level, to incorporate environmental impact mitigation plans into the project design and to provide capital cost estimates for the Full-Funding Grant Agreement between Tri-Met and FTA, which is required to initiate Final Design and construction.;
- Extend the term of the IGA to June 30, 1999 to reflect the project's EIS/PE schedule; and
- Increase the IGA's not-to-exceed budget by approximately \$12.5 million.

Funding for this contract amendment is within the overall South/North Transit Corridor Study EIS/PE budget as summarized below:

Source	Amount
Capital Assistance Funds (5309)	\$5,958,137
Interstate Transfer Funds 103(e)(4) (Grant No. OR-29-9023)	\$13,061,695
Tri-Met	\$3,586,337
Clackamas County	\$2,000,000
C-TRAN	\$138,443
<b>Total</b>	<b>\$24,744,612</b>

### BUDGET

This contract amendment and total study budget are consistent with the Transportation Department's proposed Fiscal Year 1997/98 Budget.

*Agenda Item Number 10.1*

**Resolution No. 97-2458, For the Purpose of Establishing Principles Regarding Implementation of LRT to the Portland International Airport.**

**Metro Council Meeting  
Thursday March 27, 1997  
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ESTABLISHING ) RESOLUTION NO. 97-2458  
PRINCIPLES REGARDING IMPLEMEN- )  
TATION OF LRT TO PORTLAND ) Introduced by  
INTERNATIONAL AIRPORT ) Jon Kvistad, JPACT Chair

WHEREAS, It is in the interest of the region to implement a regionwide comprehensive transportation system, including a light rail transit system, highways, roads, bridges, freight, bikes and pedestrians; and

WHEREAS, The East, West, South and North segments of this LRT system are advancing toward implementation; and

WHEREAS, An extension of the LRT system to Portland International Airport is called for in the Regional Transportation Plan in the long term; and

WHEREAS, Air passenger traffic at Portland International Airport is growing faster than previously forecasted; and

WHEREAS, Development of the Portland International Center should be tied into light rail; now, therefore

BE IT RESOLVED:

That the Metro Council:

1. Reconfirms its interest in development of a regional LRT system.

2. Reconfirms that South/North LRT is the next regional priority (after the Westside) for implementation of the Regional LRT system.

3. Supports pursuing an extension of the Regional LRT System to the Portland International Airport as long as it doesn't interfere with the South/North LRT project.

4. Supports creating a non-federal funding plan for the Airport light rail which includes private, Airport-related and other local or regional sources. This funding plan will not include federal transit funds or any state or local funds which would otherwise be needed for the South/North light rail or for a possible Community Bridge and Road Program.

5. Supports acknowledgement of the locally funded Airport light rail project in ISTEA if it can help secure ISTEA funding for South/North LRT.

6. Acknowledges that funding for roads and bridges remains critical and that pursuit of the Airport LRT project should not detract from the region's implementation of a Community Bridge and Road Program.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_,  
1997.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

ACC:lmk  
97-2458.RES  
2-5-97

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 97-2458 FOR THE PURPOSE  
OF ESTABLISHING PRINCIPLES REGARDING IMPLEMENTATION OF  
LRT TO THE PORTLAND INTERNATIONAL AIRPORT

Date: March 6, 1997

Presented by: Andrew Cotugno

PROPOSED ACTION

This resolution would establish the following several principles regarding the establishment of light rail to the Portland International Airport which would acknowledge that the Metro Council:

- 1) Reconfirms its interest in development of a regional LRT system;
- 2) Reconfirms that South/North LRT is the next regional priority (after the Westside) for implementation of the Regional LRT system;
- 3) Supports pursuing an extension of the Regional LRT System to the Portland International Airport as long as it does not interfere with the South/North LRT project;
- 4) Supports creating a non-federal funding plan for the Airport light rail which includes private, Airport-related and other local or regional sources—this funding plan will not include federal transit funds or any state or local funds which would otherwise be needed for the South/North light rail or for a possible Community Bridge and Road Program;
- 5) Supports acknowledgment of the locally funded Airport light rail project in ISTEPA if it can help secure ISTEPA funding for South/North LRT; and
- 6) Acknowledges that funding for roads and bridges remains critical and that pursuit of the Airport LRT project should not detract from the region's implementation of a Community Bridge and Road Program.

FACTUAL BACKGROUND AND ANALYSIS

*Regional Transportation Plan*

Metro's *Regional Transportation Plan* (RTP) is based upon a multi-modal approach to addressing the transportation problems and opportunities throughout the region. As such, it includes elements of a comprehensive transportation system, including a light rail transit system, highways, roads, bridges and facilities for freight, bicycle users and pedestrians.

The RTP's light rail element calls for four primary LRT lines: East, West, South and North with a variety of possible extensions once the primary light rail system is in place. One of the light rail extensions called for in the RTP is a line connecting the existing eastside MAX line at the Gateway Transit Center with the Portland International Airport.

*Airport Terminal Expansion and Light Rail Connection*

Previous plans for a light rail extension to the Airport have been linked to both terminal facility expansion plans and projected Airport passenger use. The terminal expansion

currently under construction provides for integration of a light rail station within the terminal. The Airport light rail extension was also intended to serve employment trips to and from the Airport and an adjacent multi-use development park located between the Airport terminal and I-205.

Based upon earlier forecasts of air passenger use of the terminal, planning for light rail extension was scheduled to begin following completion of planning activities for the South/North Light Rail Project. Over the past several years, however, the Portland Airport has experienced a significant increase in air traffic and air passenger travel. The Port of Portland has responded to this situation by accelerating terminal facility development plans and by expressing an interest in advancing planning and design efforts for a light rail extension to the terminal.

Preliminary discussions aimed at exploring the opportunity to accelerate the implementation of an Airport light rail extension were held between the Port of Portland, private development interests, Tri-Met, Metro and the City of Portland. A joint public/private funding opportunity was identified, with an approximate cost of \$150 million.

#### *South/North Light Rail Project Finance Plan*

In February 1997, the region adopted the *South/North Light Rail Project Finance Plan* based upon preliminary cost-cutting measures (Metro Resolution No. 97-2460). The *Finance Plan* will be used by the region to develop a funding request to the Federal Government to be included within the current reauthorization of ISTEA. Through the process and discussions leading to the adoption of the *South/North Finance Plan*, the JPACT Finance Committee and the South/North Steering Committee evaluated the relationship of the South/North Light Rail Project to the proposed extension of light rail to the Portland International Airport.

The adopted *South/North Finance Plan* states that:

The region is considering pursuing an "undertaking" consisting of the Phase I South/North Light Rail Project and the Airport Light Rail Project, if such an undertaking helps to secure congressional approval of the Section 3 request for the South/North Light Rail Project. The Airport Light Rail Project would be fully funded with non-federal funds and would be pursued in a manner that does not compete for funding with the South/North Light Rail Project. The resulting federal share for the South/North Light Rail-Airport Light Rail "undertaking" would be 52 percent. If referencing the Airport Light Rail Project in the ISTEA language is ill-advised, the proposed ISTEA language would focus solely on the South/North Light Rail Project.

As the JPACT Finance Committee and the South/North Steering Committee endorsed the inclusion of the Airport Light Rail Extension element within the *South/North Finance Plan*, the committees also called for a resolution to establish regional principles for the planning, development, funding and implementation of an Airport light rail extension and to state regional priorities for an Airport extension in relationship to South/North Light Rail and other regional transportation projects, specifically the Community Bridge and Road Program. This proposed resolution would establish those principles.

*Agenda Item Number 10.2*

**Resolution No. 97-2464**, For the Purpose of Adopting the FY 1998 Unified Work Program.

Metro Council Meeting  
Thursday March 27, 1997  
Council Chamber



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE )  
FY 1998 UNIFIED WORK PROGRAM )

RESOLUTION NO. 97-2464

Introduced by  
Councilor Jon Kvistad,  
JPACT Chair

WHEREAS, The Unified Work Program describes all federally-funded transportation planning activities for the Portland-Vancouver metropolitan area to be conducted in FY 1998; and

WHEREAS, The FY 1998 Unified Work Program indicates federal funding sources for transportation planning activities carried out by Metro, Regional Transportation Council, Oregon Department of Transportation, Tri-Met and the local jurisdictions; and

WHEREAS, Approval of the FY 1998 Unified Work Program is required to receive federal transportation planning funds; and

WHEREAS, The FY 1998 Unified Work Program is consistent with the proposed Metro budget submitted to the Tax Supervisory and Conservation Commission; now, therefore,

BE IT RESOLVED,

That the Metro Council hereby declares:

1. That the FY 1998 Unified Work Program is approved.
2. That the FY 1998 Unified Work Program is consistent with the continuing, cooperative and comprehensive planning process and is given positive Intergovernmental Project Review action.
3. That Metro's Executive Officer is authorized to apply for, accept and execute grants and agreements specified in the Unified Work Program.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_,  
1997.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

97-2464.RES  
KT:lmk  
2-18-97

**FY 1997-98  
Unified Work Program**

**Transportation Planning in the  
Portland-Vancouver Metropolitan Area**

**Metro  
Southwest Washington Regional Transportation Council  
Oregon Department of Transportation  
City of Portland  
Tri-Met**

**Adopted**

# **FY 1997-98 Unified Work Program**

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**Transportation Planning in the Portland-Vancouver Metropolitan Area**

Metro  
Southwest Washington Regional Transportation Council  
Oregon Department of Transportation  
City of Portland  
Tri-Met

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**SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL  
 FY98 UNIFIED PLANNING WORK PROGRAM  
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1997-98  
PORTLAND AND METROPOLITAN AREA

UNIFIED WORK PROGRAM  
OVERVIEW

**INTRODUCTION**

Metro is the metropolitan planning organization (MPO) designated for the Oregon portion of the Portland-Vancouver urbanized area. It is required to meet the Intermodal Surface Transportation Efficiency Act (ISTEA) "Transportation Management" areas, the Land Conservation and Development Commission Transportation Planning Rule (TPR) requirements and the Metro Charter for this MPO area. In combination, these requirements call for development of a multi-modal transportation system plan, integrated with land use decisions and plans for the region, with an emphasis on development of a multi-modal transportation system which reduces reliance on the single-occupant automobile and consistent with realistic financial constraints.

The Unified Work Program (UWP) includes, primarily, the transportation planning activities of Metro and other area governments with reference to land use planning activities.

**DECISION-MAKING PROCESS**

Metro is governed by a directly elected council in accordance with a voter-approved charter. The council is comprised of seven districts. The agency is administered under the direction of an executive officer, elected by voters district-wide.

Metro uses a decision-making structure which provides state, regional and local governments the opportunity to participate in the transportation and land use decision of the organization. The two key committees are the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Policy Advisory Committee (MPAC). These committees are comprised of elected and appointed officials and receive technical advice from the Transportation Policy Advisory Committee (TPAC) and the Metro Technical Advisory Committee (MTAC).

*JPACT*

This committee is comprised of Metro Councilors (three), local elected officials (nine, including two from Clark County, Washington) and appointed officials from the Oregon Department of Transportation (ODOT), Tri-Met, the Port of Portland and the Department of Environmental Quality (DEQ). All transportation-related actions (including federal MPO actions) are recommended by JPACT to the Metro Council. The Metro Council can approve the recommendations or refer them back to JPACT with a specific concern for reconsideration. Final approval of each item, therefore, requires the concurrence of both bodies.

*MPAC*

This committee was established by the Metro Charter to provide a vehicle for local government involvement in Metro's planning activities. It includes local elected officials (11), appointed

officials representing special districts (three), citizens (three), Metro Councilors (two with non-voting status), Clark County, Washington (two) and an appointed official from the State of Oregon (with non-voting status). Under the Metro Charter, this committee has responsibility for recommending to the Metro Council adoption of or amendment to any element of the Charter required Regional Framework Plan.

The Regional Framework Plan must address the following topics:

- transportation
- urban growth boundary
- urban reserves
- open space and parks
- water supply
- housing densities
- urban design
- coordination with Clark County, Washington
- other issues of regional significance

In accordance with this requirement, the transportation plan developed to meet ISTEAs, Rule 12 and Charter requirements will require a recommendation from both MPAC and JPACT. This will ensure proper integration of transportation with land use and environmental concerns.

#### **TPAC**

This committee is comprised of technical staff from the same jurisdictions as JPACT plus six citizens.

#### **MTAC**

Is a committee comprised of technical staff from the same jurisdictions as MPAC to develop recommendations to MPAC on land use-related matters.

### **Planning Priorities Facing the Portland Region**

ISTEA, the Clean Air Act Amendment of 1990 (CAAA), Rule 12, the Metro Charter, the Regional Urban Growth Goals and Objectives (RUGGO) and the Regional 2040 Growth Concept, in combination, have created a policy direction for the region to update land use and transportation plans on an integrated basis and define, adopt and implement a multi-modal transportation system. Major land use planning efforts underway include:

- Adoption of a Region 2040 Growth Management Functional Plan to establish basic directions on urban form to serve as the basis for the upcoming revision to the *Regional Transportation Plan (RTP)*;
- Initiation of a *Regional Framework Plan*.

These policy directives also emphasize development of a multi-modal transportation system. Major efforts in this area include:

- Initiation of alternative mode projects through the new Congestion Mitigation/Air Quality (CMAQ) and Transportation Enhancement Programs.



- Allocation of regional and state Surface Transportation Program (STP) funds to ensure completion of the Hillsboro extension of the Westside Project.
- Update to the State and Metropolitan Transportation Improvement Programs for the period 1998-2001.

Finally, these policy directives point toward efforts to reduce vehicle travel and vehicle emissions, in particular:

- The state requirement to reduce vehicle miles traveled (VMT) per capita by 20 percent over the next 30 years.
- Recently adopted maintenance plans for ozone and carbon monoxide with establishment of emissions budgets to ensure future air quality violations do not develop.
- Completion of a regional TDM study to define policy directions for reducing demand for inclusion in the RTP.
- Consideration of congestion pricing pilot project.
- Update to the Regional Transportation Plan to implement the Region 2040 growth concept.

In order to implement these transportation needs, finance remains a significant priority. This is particularly critical with the rejection of a transportation finance measure by the 1993 and 1995 Oregon Legislature. Major efforts underway include:

- Implementation of a funding proposal by the 1997 Oregon Legislature under the auspices of a Governor's Transportation Initiative.
- Community Bridge and Road Fund.
- Inclusion of financial constraint in the TIP and RTP.
- Development of a finance package for the South/North HCT Project.
- Successful Tri-Met bond measure vote for South/North LRT and redirection after failure of state lottery funds for URT.

A number of transportation issues remain unresolved and are being studied on a corridor or subarea basis to determine appropriate actions for inclusion in the RTP. The following major studies are underway or upcoming:

- Sunrise Corridor Study
- Mt. Hood Parkway Study
- South/North DEIS
- Willamette River Crossing Study
- Highway 217 Corridor
- Barnes Road Study Area
- Columbia Corridor

Several of the above issues are of interstate significance, chief among them adoption of land use plans under the Washington Growth Management Act, completion of the South/North DEIS and meeting and maintaining air quality standards in the Bi-State Air Quality Maintenance Area.

## REGIONAL TRANSPORTATION PLAN

### PROGRAM DESCRIPTION

The Regional Transportation Plan (RTP) provides the region with a comprehensive transportation system policy and investment strategy. The RTP is updated at regular intervals to ensure that the plan adequately reflects current regional, state and federal planning requirements, and changing population, employment and travel demand trends.

The RTP was first adopted in 1982 and updated in 1983, 1989, 1992 and 1995. The RTP fulfills federal planning requirements intended to ensure coordinated and logical urban transportation systems prior to the disbursement of Federal funds. The RTP also fulfills State planning requirements for a regional functional transportation system plan in the Portland area. At the regional level, the RTP serves as the transportation component of Metro's Regional Framework Plan (RFP).

The last major update to the RTP was in 1992. That revision was necessary in order to position projects for federal funding and to incorporate policy direction as specified in recent state and federal regulation and legislation, including the State Transportation Planning Rule (TPR), the Clean Air Act Amendments (CAAA) of 1990, and the Americans with Disabilities Act (ADA) of 1991.

The first phase of the current update to the RTP was completed in 1995 to address regulations set forth in the federal Intermodal Surface Transportation Efficiency Act (ISTEA), resulting in adoption of the Interim Federal RTP. This interim document was adopted to maintain compliance with federal requirements, and includes a long-range multi-modal system plan consistent with 16 broad planning factors. Among the revisions is a fiscally constrained level of projects and programs which addresses all modes of travel and the movement of both freight and people. The second phase of the update, currently underway, is focused on meeting state and regional planning requirements.

Local transportation plans in the region must conform with the RTP, and Metro provides ongoing technical and policy support for local transportation planning activities. In addition, the RTP program includes corridor studies that are conducted in cooperation with the state and local jurisdictions.

Other activities included in the Regional Transportation Planning program include:

- Tri-Met five-year Transit Development Program (Transit Choices for Livability)
- Congestion Management System
- Intermodal Management System
- Regional Transportation Demand Management (TDM) Program
- Regional Bicycle Plan
- Regional Pedestrian Plan
- Regional Transportation Public Involvement Planning

## RELATION TO PREVIOUS WORK

### **Work Program Prior to FY 1997-98**

The FY 96-97 work program centered on completing most Phase 2 activities of the current RTP update. The second phase includes adoption of an updated RTP consistent with both the federal ISTEA and state Transportation Planning Rule (TPR). Phase 2 projects completed in FY 96-97 include:

- Completion of draft RTP text and map revisions that satisfy ISTEA and TPR requirements and implement the 2040 Growth Concept;
- Development of new system performance measures and standards;
- Development of financially "constrained," "strategic" and "preferred" transportation systems;
- Development of the transportation component of Metro's Regional Framework Plan that is consistent with the broader RTP goals and objectives; and
- Coordination with local governments on local planning issues as they relate to the RTP.

The Phase 2 update will continue through the first half of FY 1997-98:

## OBJECTIVES

### **Work Program for FY 1997-98**

The FY 97-98 program will focus on two activities: 1) Completion of Phase II of the RTP update by December, 1997; and 2) Initiating refinement plans and local TSP support activities related to local adoption of plans consistent with the RTP. These activities relate directly to Transportation Department goals to maintain and update regional transportation policy and planning.

Part of the Phase 2 RTP update includes a major public outreach and comment on proposed changes to the RTP, including periodic newsletters, open houses, speakers bureau, public hearings, interactive computer kiosk displays at major destinations and community events in the region, internet web page comments and public opinion surveys. Upon Council and JPACT adoption of an updated RTP, an air quality conformity analysis of the newly adopted "financially constrained" plan will be conducted.

Within one year of adoption of the second component of the updated RTP (in the second quarter of FY 97-98), each local jurisdiction must submit a transportation system plan (TSP) consistent with the RTP. Consequently, Metro will continue to work closely with local governments to ensure that consistency. Local coordination will be expanded to assist jurisdictions in preparing local TSPs. This work will begin in Winter 1998 and continue through FY 97-98. Also upon completion of the RTP Update, Metro will begin a series of refinement plans for specific corridors within the region.

The following are key issues and activities that will occur as part of the Phase II update effort and subsequent implementation activities that will be completed during the next fiscal year.

1. Meet or exceed the provisions of the state TPR for the development of multi-modal policies, plans, and programs; Complete through Metro Council adoption, the RTP System component.
2. Support implementation of the Region 2040 Growth Concept by adoption of both the policy and system components of an updated RTP.
3. Satisfy ISTEA financial analysis requirements for the development of a financially constrained plan.
4. Conform updated RTP with ODOT's Multi-Modal Oregon Transportation Plan.
5. Coordinate with ODOT's plan for multi-modal corridor studies (MACS) intended to identify improvements on key, state-owned urban arterials.
6. Coordinate and provide technical assistance in local TSP development and adoption.
7. Maintain and update the RTP database consistent with changes in the population and employment forecasts, travel demand projections, cost and revenue estimates and amendments to local comprehensive plans.
8. Continue to coordinate development of the IMS and CMS efforts.
9. Continue development of the Regional TDM program and support for local TDM programs.
10. Continue to actively participate as a member of various sub-regional transportation coordinating committees.

Other RTP related activities include:

- Implement the public involvement plan through all transportation planning activities.
- Continue development and maintenance of the congestion management system (CMS). The CMS will require ongoing monitoring and data collection during FY 97-98, and all projects must be monitored for consistency with the CMS.
- Continue development of the intermodal management system (IMS) as a basic tool for determining regional freight and intermodal needs, and as a tool in developing the next MTIP.
- Maintain and update the RTP database consistent with changes in the population and employment forecasts, travel demand projections, cost and revenue estimates and amendments to local comprehensive plans.
- Assist ODOT and local jurisdictions in evaluating consistency of the metropolitan-area Access Oregon Highways (Mount Hood Parkway, Sunrise Corridor and Western Bypass) with regional land use goals and transportation objectives.
- Pursue federal funding opportunities as available under ISTEA that support implementation of the Region 2040 Recommended Alternative and implementation of the Regional Framework Plan.
- Continue to assist ODOT, DLCD, and the region in the transportation planning, project development and implementation, and decision-making consistent with State

#### Transportation Rule 12.

- Continue to assist ODOT and DLCD in administration, implementation, and monitoring of their transportation and growth management program.
- Participate as an agency in various planning or engineering technical advisory committees involved with refinement and implementation of regionally significant actions related to the RTP or development of local TSPs (see also Local Plan Coordination).
- Support the findings of the Transit Choices for Livability Study.
- Developing and maintaining planning agreements with ODOT, Tri-Met, the Port of Portland and SW Washington Regional Transportation Council.

#### RTP PRODUCTS

The major product for FY 1997-98 will be completion of Phase II of the RTP update, including:

- Developing performance criteria for corridors and modes;
- Updating the regional functional class system to reflect multi-modal policies and the transportation needs of the 2040 Growth Concept;
- Completing a fiscal analysis that demonstrates a "constrained" system;
- Completing an air quality conformity analysis that complies with federal requirements;
- Meeting the requirements of the state TPR; and
- Creating a transportation system plan that supports the urban form and land uses set for the in the Regional Framework Plan (RFP).

#### OTHER PRODUCTS

Other major products for FY 1997-98 include:

- Updated Regional Bicycle Plan that expands on the basic bicycle policies set forth in the RTP and is updated to be consistent with RTP policy revisions;
- Regional Pedestrian Plan that closely reflects the land use objectives of the 2040 Growth Concept and expands on the basic pedestrian policies set forth in the RTP;
- Regional Street Design Handbook, including strategies to assist local jurisdictions in meeting regional street design policies, evaluation measures for TSP compliance, case studies of "connectivity" policies and criteria for use of parallel routes in multi-modal corridor designs that complement RTP functional system policies;
- Intermodal Management System (IMS) database and software for using IMS in transportation planning activities; and
- Congestion Management System (CMS) database and software for using CMS in transportation planning activities.
- Planning Agreements with regional planning partners, as necessary.

EXPENDITURES			REVENUE	
	Amount	FTE		Amount
Personal Services	\$485,794	5.416	FY98 PL	\$378,957
Transfers	112,383		FY 98 Metro STP/ ODOT Match	66,406
Materials & Services	78,042		FY98 Tri-Met	37,500
Computer	45,938		Metro	239,294
Capital	0			
<b>Total</b>	<b>\$722,157</b>		<b>Total</b>	<b>\$722,157</b>

## **REGIONAL STREET DESIGN STUDY**

### **PROGRAM DESCRIPTION**

The Regional Street Design Study is divided into two distinct phases, with products from the first phase intended to facilitate completion of the TSP, in the first half of FY 97-98. The second phase of the study will focus on products that can be used in implementation of the regional TSP, and development of local TSPs within the Portland region during the second half of FY 97-98.

The street design policies and classification system were developed to better address the relationship between transportation improvements and the 2040 Growth Concept. A range of design standards and recommendations that correspond to the design classifications were developed through a 96-97 TGM grant, and will be evaluated as part of the RTP adoption process. Some design standards may be incorporated into the final RTP document, although most are intended as informal guides for local TSP development. This phase of the RTP update will be completed in December 1997 with adoption of the updated RTP, and local TSPs must be completed within one year of that date.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 1997-98**

In FY 96-97, Metro received a combination of category 1 and category 2 Transportation Growth Management (TGM) grants to help the Portland region develop a street design classification approach for the regional transportation system defined in the RTP. The state Transportation Planning Rule (TPR) requires metropolitan planning organizations (MPOs), like Metro, to prepare multi-modal transportation system plans (TSP) that establish a system of transportation facilities and services adequate to meet identified regional transportation needs, and be consistent with the state TSP.

### **PRODUCTS**

Street Design Study activities completed in FY 96-97 include:

- Literature search to identify a broad range of innovative approaches to functional classification, multi-modal street design and access management.
- Development of street design classification system incorporating motor vehicle, bike, pedestrian, transit and freight design elements.
- Development of performance measures to maintain an efficient and complementary relationship between land use and the regional street system.
- Development of six prototypical subareas for 2017 modeling to evaluate the effects of increased or decreased street connectivity.
- Development of application and selection criteria for parallel routes.
- Analysis of financial impacts of regional street design policies on local jurisdictions.

## OBJECTIVES

### Work Program for FY 1997-98

The focus of this year's program will be the evaluation of findings and recommendations from the street design consultant's report, and incorporating key standards and measures into the updated RTP. Upon adoption of the RTP in December 1997, the focus will shift to implementation of the updated plan.

As part of the current phase of the RTP update, Metro will use the 2017 regional population and employment forecast and the 2040 Growth Concept elements to evaluate the impact of growth on the existing and planned transportation system. A "preferred" system of transportation improvements will then be developed to address these impacts. The street design classification system was developed to better address the relationship between street design and the 2040 urban form, and to integrate the various modal systems that make up the region's transportation strategy. A range of street design standards that correspond to the design classifications will be evaluated as part of the RTP adoption process. Certain design standards may then be incorporated into the final document. A corresponding Street Design Classification map will be refined and adopted as part of the regional TSP. The map will be the primary implementation tool for the regional street design policies and standards. This phase of the RTP update will be completed in December 1997.

During the second half of the fiscal year, regional street design activities will shift from policy development and adoption to local implementation. This effort will include technical assistance and interpretation of regional policy for local jurisdictions as they develop TSPs that are consistent with the updated RTP.

## PRODUCTS

- Refine and adopt street design standards and performance measures developed as part of the 96-97 TGM study.
- Refine and adopt a Regional Street Design Classification map in the updated RTP.
- Provide technical assistance and interpretation of street design standards and policies to local jurisdictions as part of local TSP development.

<u>EXPENDITURES</u>		<u>FTE</u>	<u>REVENUE</u>	
	<u>Amount</u>			<u>Amount</u>
Personal Services	\$43,070	.616	FY98 PL	56,000
Transfers	12,930			
Materials & Services	0			
Computer	0			
Capital	0			
<b>Total</b>	<b>\$56,000</b>		<b>Total</b>	<b>\$56,000</b>



## **CONGESTION MANAGEMENT SYSTEM**

### **PROGRAM DESCRIPTION**

ISTEA requires the development of a Congestion Management System (CMS) in a non-attainment Transportation Management Area (TMA). The CMS requires ongoing efforts in data collection, network monitoring and transportation project review. Within the monitoring and data collection effort, the CMS defines the system to be monitored for congestion, identifies measures of congestion, and is the basis for an on-going monitoring plan in which congestion-related data must be updated periodically. Metro is the responsible agency within its boundaries for reviewing transportation projects for consistency with the CMS. ISTEA directs that federal funds may not be programmed for projects which significantly increase single occupant vehicle capacity (SOV) unless the project is from an approved CMS.

All work activities will be coordinated with and through ODOT. Local jurisdictions and Tri-Met also participate in ongoing data collection, monitoring and project review elements of the CMS. An Interim CMS, as required by ISTEA, is currently in place. The Final CMS Document was completed in FY 1996-97 and must be implemented by October 1, 1997.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 1997-98**

The focus of FY 1996-97 activities was to develop the Final CMS for review and adoption. Specific tasks included:

- Ongoing incorporation of basic CMS elements into the metropolitan planning process;
- Refinement of congestion performance measures;
- Refinement of the informational and planning elements of the Final CMS;
- Refinement of the CMS monitoring network;
- Final CMS adoption;
- Ongoing collection and analysis of appropriate multi-modal, traffic and congestion related data.

### **OBJECTIVES**

#### **Work Program for FY 1997-98**

- Ongoing transportation project review of determination and compliance through the Interim CMS, and after October 1, 1997, the Final CMS;
- Submittal of the Final CMS implementation plan to USDOT;
- Develop CMS guidelines/users manual for project development managers;
- Ongoing coordination with the Oregon Intermodal Management System (IMS);
- Ongoing development of a GIS-based data collection and monitoring program;

- Ongoing data collection and network monitoring activities.

**PRODUCTS**

- Final CMS Implementation Plan
- CMS Guidelines and Users Manual
- State of Regional Congestion Report

<b>EXPENDITURES</b>		<b>FTE</b>	<b>REVENUE</b>	
	<b>Amount</b>			<b>Amount</b>
Personal Services	43,269	.607	FY98 PL	\$53,000
Transfers	12,931		Metro	3,200
Materials & Services	0			
Computer	0			
Capital	0			
<b>Total</b>	<b>\$56,200</b>		<b>Total</b>	<b>\$56,200</b>

## **INTERMODAL MANAGEMENT SYSTEM**

### **PROGRAM DESCRIPTION**

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 required the development of an Intermodal Management System (IMS) to provide planning and programming information related to interconnected intra-state, inter-state, and international freight and passenger systems and intermodal facilities. The IMS is intended to ensure the efficient, safe, and convenient movement of people and goods and to improve coordination in planning and implementing air, water, and the various land-based transportation facilities and systems.

A completed IMS will include: 1) an inventory of intermodal facilities and systems; 2) incorporation of IMS strategies and actions into the Oregon Transportation Plan, the RTP, and the TIP; and 3) a fully integrated implementation plan.

All work activities are being coordinated with and through ODOT and the Port of Portland as specified in an intergovernmental agreement. Tri-Met and local jurisdictions are also participating in the development of the Portland area IMS. Statewide, ODOT is coordinating with other MPOs, port districts, and local jurisdictions. Private sector transportation providers and shippers are also included in the process.

Despite federal actions to make the IMS voluntary, the region intends to fully develop and implement the IMS.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 1997-98**

Work on the IMS has been conducted in two phases. Phase I was completed in 1994 and included development of a preliminary IMS, including a preliminary system, performance measures, data needs and a scope of work for Phase II. Phase II of the IMS, essentially completed in FY 1996-97, including hiring consultants for assistance in developing performance measures for freight routes and intermodal facilities, designing and testing of an IMS database and filling the database with available data.

#### **Activities included:**

- Development of an IGA with the Port of Portland for project assistance. The Port of Portland was acting as the lead IMS agency in the Portland area, in conjunction with Metro and ODOT. Metro will be responsible for IMS implementation.
- Development of public outreach activities, including formation of an intermodal and goods movement task force. Coordinating intermodal and freight activities into Metro's public processes for the RTP and MTIP.
- Analyzing long-term commodity flows relative to land use and transportation alternatives identified in Metro's Region 2040 process.

- Identifying freight and intermodal policies, systems, and projects in the Interim Federal RTP (adopted July 1995) and the RTP Update (December 1997)
- Incorporating needs identified through the IMS into the MTIP process (concluding October, 1997).
- Coordinated information with other management systems and GIS.
- Utilized the IMS through corridor and sub-area studies.
- Identified data collection, work-station and training needs.

**OBJECTIVES**

**Work Program for FY 1997-98.**

FY 1997-98 activities will include:

- Working with Metro's DRC, Travel Forecasting, ODOT and the Port, develop a more efficient process for transmittal of electronically available data from various sources to the IMS by expanding its relationship to the GIS and Sybase systems.
- Increase the reliability of truck and freight movement data by incorporating the results of the Traffic Commodity Flow Study into the IMS.
- Create an efficient regional data collection and sharing system by coordinating data collection and analysis processes with the Congestion Management System, TIP and other information systems.
- Support the 2040 Growth Concept by working with local jurisdictions and the Port to develop access strategies to industrial districts and intermodal facilities that the IMS performance measures identify as needs.
- Further identify freight movement needs by working with the Port and others to expand the outreach program with local jurisdictions, economic development councils, developers, private transportation providers and shippers.

**PRODUCTS**

- An inventory of intermodal facilities and systems accessible through a database.
- Incorporation of IMS strategies and actions into the Oregon Transportation Plan, the RTP and the MTIP/STIP.
- A fully integrated implementation plan for further refining and updating the IMS.

<b>EXPENDITURES</b>		<b>FTE</b>	<b>REVENUE</b>	
	<b>Amount</b>			<b>Amount</b>
Personal Services	35,344	.507	FY98 PL	\$44,000
Transfers	10,647		Metro	3,200
Materials & Services	0			
Computer	1,209			
Capital	0			
<b>Total</b>	<b>\$47,200</b>		<b>Total</b>	<b>\$47,200</b>

## **REGIONAL BICYCLE AND PEDESTRIAN PROGRAM**

### **PROGRAM DESCRIPTION**

The Regional Bicycle and Pedestrian Program in part responds to State Rule 12 and ISTEA directives to develop balanced, multi-modal system plans which de-emphasize reliance on the single-occupant-vehicle. Through the program, Metro is the lead agency for coordinating, implementing and monitoring bicycle and pedestrian-related policies incorporated into the RTP, including revised Chapter 1 policies adopted July 25, 1996. Refinements to the Regional Bicycle Plan and RTP Pedestrian Element will continue during the RTP Transportation System Plan (TSP) Update in FY 1997-98.

The program will continue to be responsible for coordination with local jurisdictions and the public to ensure regional consistency with the RTP in local bicycle and pedestrian planning, programming, and project development.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 1997-98**

Specific activities during FY 1996-97 included:

- Participation in local project development activities related to bicycle and pedestrian projects;
- Assistance to local jurisdictions with local bicycle and pedestrian system detail and expansion related to city and county Transportation System Plan (TSP) updates;
- Provided bicycle and pedestrian planning and facility design expertise in coordination with main street planning, station area planning, regional trails and intermodal issues;
- Provided assistance to local efforts to improve pedestrian access to transit;
- Completion of the Draft Regional Pedestrian System Plan background report, which includes regional pedestrian transportation policy and analysis of current conditions;
- Refinement of bicycle and pedestrian mode goals, objectives for Chapter One of the RTP;
- Development of performance measure for the RTP System Component Update;
- Refinement of the preferred regional bicycle network functional classification map for the RTP System Component Update;
- Initial development of a bicycle accessibility model;
- Planning and implementation of an Eastside Bicycle Commute to Work Day in coordination with Oregon Bike Month (May 1997);
- Presentations on bicycle route suitability mapping at a national bicycle/pedestrian conference and a regional geographic information systems conference;
- Initial planning for regionally-based bicycle and pedestrian safety and education programs;
- Steering committee participation in planning the second annual Bridge Pedal Event (scheduled for Labor Day 1997).

## OBJECTIVES

### Work Program For FY 1997-98

The FY 1997-98 work program continues implementation, through the RTP System Component Update, of regional bicycle and pedestrian planning activities in the Portland Metropolitan Area. Program activities are consistent with agency and RTP objectives to provide for enhanced non-single occupant vehicle transportation and mobility opportunities. The objectives are also implicit within ISTEA and Rule 12. Metro will continue to participate in the following planning and programming activities:

- Development and adoption of regionally significant bikeway and pedestrian systems and projects for inclusion in the RTP and Metropolitan Transportation Improvement Program (MTIP);
- Provide a leadership role in assisting local jurisdictions with local bicycle and pedestrian system detail and expansion related to city and county transportation system plan (TSP) updates;
- Revise and update the Regional Bicycle and Pedestrian Plans;
- Work with employers and local governments to develop and implement the bicycle and pedestrian elements of the DEQ Employee Commute Options (ECO) Rule;
- Ongoing development and expansion of a regionally-based bicycle, pedestrian and traffic safety/education program;
- Provide bicycle and pedestrian planning and facility design expertise in ongoing coordination with main street and regional center planning, station area planning and intermodal issues, such as bicycle and pedestrian access to transit stations and park-and-rides, and Tri-Met's bicycles on transit program;
- Provide bicycle and pedestrian planning facility design expertise in ongoing coordination with the Regional Parks and Greenspaces Program to plan and implement multi-modal trails;
- Provide technical expertise on bicycle and pedestrian planning and design issues related to on-going regional studies and projects, such as the South Willamette River Crossing Study and South/North Transit Corridor Study, and the Westside Light Rail Project;
- Provide assistance to local efforts to improve pedestrian access to transit;
- Develop a measure for pedestrian level of service;
- Continue to develop and refine the bicycle accessibility model; initiate development of a bicycle network travel demand model;
- Update, print and distribute "Bike There!" the regional bicycle user suitability map;
- Participation in the second annual Bridge Pedal Event (Labor Day 1997) and in Bike Month (May 1998) through a regional series of traffic safety and education workshops.

<b>EXPENDITURES</b>		<b>FTE</b>	<b>REVENUE</b>	
	<b>Amount</b>			<b>Amount</b>
Personal Services	69,022	1.022	98 Metro STP/ ODOT Match	\$85,378
Transfers	20,978		Metro	4,622
Materials & Services	0			
Computer	0			
Capital	0			
<b>Total</b>	<b>\$90,000</b>		<b>Total</b>	<b>\$90,000</b>

# **METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM**

## **PROGRAM DESCRIPTION**

The TIP program is responsible for multi-year identification of federal and state funds available for transportation system improvement purposes in the Portland urban area, allocation of such funds to projects, assuring compliance of transportation projects with federal and state air quality requirements and recording the expenditure of authorized project funds. These activities require special coordination with staff from ODOT and other regional, county and city agencies and management of significant public involvement efforts.

## **RELATIONSHIP TO PREVIOUS WORK**

### **Work Program Prior to FY 1997-98**

- Development of the FY 1998 -2001 MTIP was initiated in FY 97. Early work in FY 98 will consolidate funding allocation decisions and continue with publication of a final MTIP document.
- Network development for Conformity of the FY 1998 - 2001 MTIP began in FY 97 and will be completed in FY 98. Additionally, the Quantitative and Qualitative analysis will also need to encompass final revision of the RTP Constrained transportation network due in December 1997.
- Quarterly coordination sessions were initiated in FY 97 to provide regional oversight to the obligation process. These sessions will continue in FY 98 in order to prioritize projects for receipt of limited obligation authority. As the September 30 deadline for obligation nears, decisions will be required about which projects will be expected to proceed to obligation as opposed to those which will need to be delayed to the first quarter of federal fiscal year 1998. Additionally, this process is intended to free development staff resource for critical projects rather than spreading staff across multiple projects, most of which will be unable to obligate funds in federal FY 97.
- Staff participation in ISTEA discussion, training and information sessions, including participation in workshops, conferences, local transportation system plan updates and project development activities.
- Database maintenance will be needed to reflect final results of amendments initiated in FY 97.
- Renewed attention to MTIP and STIP database fusion to capitalize on new Metro hardware and software acquisitions and ODOT information services initiatives.

## **OBJECTIVES**

### **Work Program for FY 97-98**

The FY 1997-98 program focuses on revision of project selection procedures to account for the 1997 ISTEA Reauthorization, final revision of the RTP and adoption of the Framework Plan. Other factors include an increased focus on Public Involvement initiatives to comply with Federal commentary on the MTIP/STIP development, amendment and Conformity process



with special emphasis on improved notification of TIP amendments and development and sharing of TIP information in electronic formats. Specific activities include:

- **MTIP/STIP Update Focus.** Coordinate adoption of the *Final FY 98-01 MTIP/STIP* in July/August/ September 1997 by TPAC/JPACT/Metro Council and the Oregon Transportation Commission. Complete solicitation and allocations for pedestrian and transit oriented *programs* if any are adopted in the FY 98 MTIP/STIP.

In January 1998, begin coordination with ODOT, the TIP Subcommittee, and the public, to initiate a new 21-month TIP update process to culminate early in FY 2000 with adoption of the *FY 00-04 MTIP/STIP*. Two elements of this next Update will occur in FY 98.

1. In January begin work with ODOT to agree upon anticipated revenues. Relevant considerations include details of the 1997 ISTEA Reauthorization, results of the 1997 Legislative session, outcome of anticipated regional highway/transit revenue ballot measures, and actual FY 98 federal highway/transit appropriations. Share revenue estimate data with agencies and the public (see Public Involvement focus, below).
2. Determine whether to modify project selection criteria. Relevant Issues include policy revisions in the ISTEA Reauthorization, planned revision of the RTP in December 1997 to address Rule 12 Transportation System Planning mandates and adoption of the Regional Framework Plan. *Adoption of new criteria would entail significant public involvement activity (see Public Involvement focus, below).*

As revenue and selection criteria are finalized, coordinate with ODOT to solicit nomination of candidate transportation projects for technical and policy-based evaluation and ranking. Solicitation would begin late in FY 98 with technical and policy rankings occurring during FY 99.

- **Amendment Focus.** Process both Administrative and Policy-based amendments of the TIP throughout FY 98 pursuant to provisions of Metro Resolution No. 85-592. Technical Amendments can be staff-initiated with monthly notification to TPAC and quarterly notification to JPACT. Policy amendments are processed by Resolution action and are needed to include significant new projects into the TIP. *Federal review of the MTIP/STIP amendment process specifically noted a need to enhance public involvement efforts related to TIP amendment activity (see Public Involvement focus, below).*
- **Database Maintenance Focus.** Coordinate quarterly ODOT and local jurisdiction meetings to discuss funding issues and better manage project implementation activities. Monitor past and current funding allocations and project schedules to manage cost overruns, underruns and schedule slippage. Produce quarterly reports documenting funding authorizations, obligations, and reserves by funding category and jurisdiction. Prepare an Annual Report during October/November updating the TIP to reflect current costs, schedules, priorities, actual appropriations and other funding actions approved throughout the year. The Annual Report will also address progress and/or delays in implementing major projects as mandated by ISTEA.

*Develop broad agency and public electronic access to a common MTIP/STIP database per Federal review of the MTIP/STIP process.*

- **Conformity Focus.** Prepare both Quantitative and Qualitative elements of the 1997 Air Quality Conformity Determination. Account for projects programmed in the STIP and address final update of the RTP Constrained 20-year network due in early fall. Federal and State Conformity regulations mandate public involvement during adoption of the Determination (see Public Involvement focus, below).

Per adopted State regulations, coordinate interagency consultation to determine regional conformity status of individual projects that may not be included in a conforming MTIP/STIP, or whose concept and scope have significantly changed. Make provision for "appropriate public participation" (see Public Involvement focus, below).

- **Public Involvement Focus.** Provide opportunities for meaningful public involvement at significant junctures for virtually all the TIP-related activity described above; forty-five day advance notice of TIP-kickoff work is specified, to be followed by 30-day notice of subsequent program activity. Expand inclusiveness of outreach and seek better representation of communities traditionally underserved by the regional transportation system. *Metro's TIP-related public involvement program requires substantial expansion to fully achieve mandates set forth in Federal and State regulations.*

Continue emphasis on developing the program of projects to receive federal/state funding. Summarize public comments and responses in the TIP, which does not now occur, per Federal regulations.

Highlight TIP amendments in regular meeting notices. Pursuant to Federal comment of the MTIP/STIP program, improved communication of amendment actions will be made to interested persons and organizations in the region.

Post the MTIP six year summary tables of project authorizations and obligations -- the core of the TIP -- to Metro's Home Page. Expedite electronic access to current ODOT project data within the region and broaden circulation and enhance content of quarterly reports in both hard copy and electronic format.

Expand public involvement opportunities during preparation of Conformity Determinations and during subsequent interagency consultation regarding Conformity status of individual projects.

## PRODUCTS

- FY 98-01 Metropolitan Transportation Improvement Program.
- Air Quality Conformity Determination for RTP and MTIP.
- Quarterly Reports reflecting ongoing update of approved project authority and obligation status.
- Processing staff initiated and outside-agency requested administrative and policy-based amendments.
- Consultation with ODOT and local jurisdictions to expedite obligation of approved funds.
- Sponsorship of and participation in allied public involvement initiatives mandated by federal, state and Metro policies and regulations.

EXPENDITURES	FTE		REVENUE	
	Amount			Amount
Personal Services	\$183,761	2.455	FY98 PL	46,419
Transfers	52,056		FY98 Sec 5303	38,104
Materials & Services	21,100		FY 98 Metro STP/ ODOT Match	26,561
Computer	37,033		FY98 ODOT Supplemental	45,000
Capital	0		FY98 Tri-Met	45,000
			FY97 Metro STP/ ODOT Match	21,145
			FY97 Sec 5303	25,000
			Metro	46,721
<b>Total</b>	<b>\$293,950</b>		<b>Total</b>	<b>\$293,950</b>

## **URBAN ATERIAL FUND**

### **PROGRAM DESCRIPTION**

In 1989, the Metro Council and JPACT adopted a comprehensive financing strategy for LRT, expanded transit operations, major highway corridors and urban arterials. This overall strategy for implementing the RTP included pursuing a local option vehicle registration fee for roadway (arterial) improvements. Due to a number of issues, including support for a comprehensive statewide funding initiative in the 1993 legislative session, and recognition that a request for an Arterial Improvement Program in 1994 could have jeopardized federal funding and the passage of a General Obligation Bond Measure for the South North Transit Program, Metro delayed taking a finalized arterial program proposal to the voters. The South North Transit Program received federal funds in 1994 and passage of the bond measure by the voters in November 1994. However, the 1993 and 1995 legislative funding packages were not approved by the State Legislature.

In July of 1994, the Metro Council approved Resolution No. 94-2009 which established a five and ten year transportation finance strategy and called for the pursuit of a Metro referred funding measure to be voted on in November 1995, for an arterials/bridge/freight/access/bicycle/pedestrian improvement program.

In April of 1995, Metro released an RFP with the purpose of developing a comprehensive regional arterial/bridge/freight access/bicycle/pedestrian improvement program. The program's objective is to address the needs established in the Oregon Roads Finance Study, Multnomah County Bridge Capital Plan, and updated RTP based on the results of Region 2040.

A consultant team was selected for the Regional Arterial Program in May of 1995. In June, a core group of JPACT Finance developed a proposal for what categories of transportation projects, and their relative sizes, should be included in the regional arterial funding package. The core group and JPACT Finance also discussed various funding sources for the program. This program was reviewed with the public in January 1996. Subsequently this program was put on hold until completion of the Governor's Transportation Initiative.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 1997-98**

The local staff group and consultant team worked to complete the following portions of the Regional Arterial Program Work Plan:

- A project solicitation process where local jurisdictions submitted prioritized lists of projects for inclusion in the program;
- A telephone survey of 600 registered voters selected in equal numbers from the three counties within the Metro district. The purpose was to establish a baseline of public understanding and initial support for a funding measure;

- Two focus groups of ten likely-to-vote registered voters each. The focus groups explored in greater depth any obstacles to funding support, reviewed potential capital improvement projects, and help test the effectiveness of public information material;
- Holding public information meetings and hearings;
- A standard engineering/costing methodology for each potential project to ensure consistent project information and provide a reliable source of data on project costs;
- A financial plan to evaluate the feasibility of alternative funding sources for the Regional Arterial Program;
- A recommendation for a comprehensive regional program which included a recommended funding source (combined gas tax and diesel fuel tax) and amount (\$200 million), a list of proposed transportation projects, and a schedule for implementation (over six years) to be forwarded to JPACT, TPAC, and the Metro Council.

Two focus groups of ten likely-to-vote registered voters each were conducted in the fall of 1995. Six open houses were held in December of 1995 to obtain public feedback on the program. The original intent of the RFP was to take the program to a vote between November of 1995 and May 1996. However, the findings of the focus groups, public input, and the consultants recommendations convinced JPACT and JPACT Finance to postpone the vote until September or November of 1996. It was determined that more time was needed to identify appropriate themes to build the program around and which types of projects were most important to the public. This was subsequently postponed until 1997 following action by the 1997 Oregon Legislature on the Governor's Transportation Initiative.

The local staff group and consultant team continue to work on the following areas:

- Completion of a stakeholder and public involvement plan;
- Conducting four more focus groups of motivated voters, which will consist of one group from each of the three counties, and one region-wide group. The focus groups will help test strategies for meeting road and bridge funding needs. They will also help test program themes, types of projects that reflect citizen priorities, and alternative funding sources (i.e. gas tax, vehicle registration fee, diesel fuel tax);
- Conducting a survey of 400 motivated voters to determine voter support for various funding sources and the overall road and bridge program;
- Revising the program recommendations based on the focus groups, survey results, and direction from JPACT, TPAC and the Metro Council;
- Coordination of a joint State/Regional transportation funding package for the 1997 State legislative session.

## OBJECTIVES

### Work Program For FY 1997-98

Based upon four follow-up focus groups, the JPACT Finance Committee determined that further efforts should be pursued as follows:

1. Close integration with the Governor's Transportation Initiative to determine transportation priorities and state and regional funding measures to implement these priorities;
2. Initiation of a public education program on regional transportation needs;
3. Close coordination with proposals for a transit finance measure to ensure road and transit funding measures are aimed at managing growth and maintaining livability through the Region 2040 Growth Concept. Referral of these ballot measures will likely be in 1997.

<b>EXPENDITURES</b>		<b>FTE</b>	<b>REVENUE</b>	
	<b>Amount</b>			<b>Amount</b>
Personal Services	35,969	.38	Metro	\$48,500
Transfers	10,631			
Materials & Services	1,900			
Computer	0			
<b>Total</b>	<b>\$48,500</b>		<b>Total</b>	<b>\$48,500</b>

## **LOCAL PLAN COORDINATION**

### **PROGRAM DESCRIPTION**

As noted in the Regional Transportation Plan (RTP) program, the RTP provides the region with a comprehensive policy and investment blueprint for long-range improvements to the region's transportation system. It also responds to long-range transportation planning requirements of the federal Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, the Clean Air Act Amendments of 1990, and the state Transportation Planning Rule. The RTP also fulfills Metro Charter objectives for a regional functional transportation system plan within the context of the Regional Framework Plan.

Similarly, local transportation plans in the region must conform with the RTP, and Metro provides ongoing technical and policy support for local transportation planning activities. In addition, the results of corridor, subarea, or other planning studies that are conducted in cooperation with the state and local jurisdictions are included, as appropriate, in the RTP. Metro is responsible for the ongoing review, comment, and coordination of local and regional plans, projects, and studies conducted by other agencies for their consistency with regional transportation policy, primarily identified in the RTP and the Framework Plan. Metro's review authority is specifically identified in the Transportation Planning Rule. Under ISTEA, inter-agency coordination with transit agencies, Port authorities, State departments of transportation and air quality agencies is also required.

The Local Plan Coordination (LPC) Program provides for Metro involvement in the following activity areas:

- Local Transportation System Planning under the Transportation Planning Rule; including modal plans for roads, freight, transit, bicycles, pedestrians, and demand/system management;
- Local and State Corridor and Subarea Plans;
- Local and State policy and project development;
- General coordination with ODOT, Tri-Met, DEQ, and the Port of Portland;
- Bi-State coordination with State of Washington agencies and jurisdictions;
- Local development review consistent with the Urban Growth Management Functional Plan.

Metro's involvement in these activities is ongoing from previous fiscal years.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 1997-98**

The primary focus in FY 1996-97 was the update to the RTP to address provisions of the state Transportation Planning Rule (TPR). Local coordination activities were, in part, associated with local jurisdiction's and agency's involvement in the Metro process. However, most of the region's 24 cities and three counties have initiated planning efforts to meet the TPR. Metro has initiated the coordination /review process with these jurisdictions.

The LPC program is also responsible for Metro involvement in policy coordination with each of the four Metro area counties: Washington, Multnomah, Clackamas, and Clark (WA). Each has a policy body consisting mainly of local jurisdictions. The policy bodies will often take action on items of regional significance that will be discussed by JPACT and the Metro Council. Similarly, each policy body has a technical committee, on which Metro staff is represented. That participation is included in the LPC program.

The LPC program is also responsible for Metro's involvement in studies conducted by other jurisdictions or agencies which may result in RTP action. This year Metro staff participated in the following activities:

- ODOT: Statewide CMAQ Committee; Statewide ITS Group; Western Bypass Study; Mt. Hood Parkway MIS; Sunrise Corridor MIS; Highway 43 Corridor; Highway 26 Corridor; Highway 30 Corridor; Sandy Blvd. Corridor; and toll studies for the 1-5/99W Connector and Newberg/Dundee Bypass;
- Tri-Met: Barnes Road access (in conjunction with Westside LRT); Westside Transportation Mitigation Program; Transit Choices for Livability;
- Port of Portland; West Hayden Island Major Investment Study (MIS); Airport Way Study; PDX Master Plan update; Air Trans Access Study;
- Local Jurisdictions: Portland Columbia Corridor Study; South Portland Circulation; Various Portland Community Plans; Washington County studies in Sherwood and for the Scholls/B-H Highway/Oleson intersection; Clackamas County Sunnyside Road; Multnomah County 242nd Connector. Also, Metro transportation and growth management staff have begun to coordinate on a number of Regional and Town Center implementation projects.

For each of these activities, Metro staff attends all technical meetings, reviews and comments on materials, and represents Metro policy positions at numerous citizen, project management, or steering committees. In the case of an MIS, Metro is responsible for ensuring a report is prepared consistent with MIS procedures. Where policy action is required, Metro staff is responsible for the preparation of reports and adopting resolutions for review by JPACT and the Metro Council.

## OBJECTIVES

### **Work Program for FY 1997-98**

A greater focus for FY 98 will be the review of local development proposals and land use actions for consistency with Metro's Urban Growth Management Functional Plan. Transportation staff will coordinate with Metro growth management and open space staff to provide timely and unified responses to local jurisdictions.

Next year's program will continue this year's local coordination on the following areas:

- Local Transportation System Planning under the Transportation Planning Rule. Metro will be responsible for reviewing for consistency with the RTP all 24 City and three county Transportation System Plans. Included will be specific review and comment of all modal



(road, bike, etc.) elements;

- Local Corridor and Subarea Plans. Metro will continue to participate on studies conducted by other jurisdictions that may have RTP or other regional impacts. A number of studies generated through the ODOT/LCDC Transportation Growth Management Program have identified technical committees with Metro representation. ODOT will be continuing its corridor planning program and its study of toll facilities for the 99W/I-5 Connector and Newberg Bypass;
- Local policy and project development. Metro will continue to participate on the four County Transportation Coordinating Committees;
- Transit. Metro will be actively involved in the conclusions of Transit Choices for Livability and the development of the five-year Transit Development Program (TDP);
- Transportation Finance. Metro will participate in regional and statewide efforts related to transportation finance, including activities resulting from the 1997 Legislature.

**PRODUCTS**

The LPC Program is generally subject to the timetables of local jurisdictions or agencies. Therefore, Metro's products will be focused on participation and timeliness of review. As such, Metro will:

- Participate in those activities having regional transportation planning, programming, or project development significance;
- Attend all meetings, hearings, workshops, and forums to the degree necessary and practicable;
- Provide timely review and comment of all draft materials;
- Offer expertise to the extent practicable and necessary;
- Coordinate and assist agencies and local jurisdictions on matters requiring JPACT/Metro Council action or review.

EXPENDITURES	FTE		REVENUE	
	Amount			Amount
Personal Services	163,322	2.347	FY98 Metro STP/ ODOT Match	149,202
Transfers	49,678		FY97 Metro STP/ ODOT Match	52,861
Materials & Services	0		Metro	10,937
Computer	0			
Capital	0			
<b>Total</b>	<b>\$213,000</b>		<b>Total</b>	<b>\$213,000</b>

## **TRAFFIC RELIEF OPTIONS STUDY (Congestion Pricing Pilot Study)**

### **PROGRAM DESCRIPTION**

Section 1012 (b) of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 authorized the Secretary of Transportation to create a Congestion Pricing Pilot Program to establish, maintain, and monitor pilot projects in several states throughout the country. In August 1995 FHWA approved a joint Metro/ODOT Congestion Pricing application for pre-project funding of \$1,290,000 for a two-year, two phase study of congestion pricing in the Portland area. The overall goals of the study are to: (1) develop a replicable process for gaining public and political understanding about congestion pricing as a demand management tool to reduce congestion; and (2) to provide for a comprehensive evaluation and possible implementation of congestion pricing, beginning with a pre-project study to evaluate alternatives.

In order to accomplish the program goals, the study has been divided into two distinct but overlapping components: Technical Work and Public Involvement. While there is a recognized separation between these two components, an important aspect of this study is the coordinated integration of these efforts.

The major issues to be addressed by the study include the following:

- Definition and evaluation of pricing alternatives, including their geographic location, technology to be used, fee level, costs, revenues and population served;
- Determination of the socioeconomic impacts of congestion pricing on business, land development, and low income drivers;
- A recommendation as to whether congestion pricing is an appropriate traffic management tool in the region and, if so, the parameters of a demonstration project.

In 1995/96 year, contracts were signed with ODOT, who is the pass-through agency for receipt of federal funds, and between Metro and six participating agencies for securing the required 20 percent local match. A hiring process was undertaken and, in the spring of 1996, a Program Supervisor and an Associate Public Involvement Planner were hired to manage the project.

In addition, two Requests for Proposals, one each for the Technical and the Public Involvement work components, were issued. After an evaluation of the responses, contracts were executed in June 1996 with ECONorthwest and Cogan Owens Cogan for the technical and public involvement work efforts, respectively. Deakins/Harvey/Skabardonis, Mark Bradley, Rao Associates, Kittelson and Associates and Parsons Brinkerhoff are assisting ECO in the modeling and engineering aspects of the work program Pacific Rim Resources, Cole and Weber, Davis and Hibbitts and Wilbur Smith Associates are supporting Cogan Owens Cogan with the public involvement program.

## **Current Year's Program - 1996-97**

The two year work program began in July 1996, and is broken into an 18 month Phase I and a 6 month Phase II. Phase I is focused on the development of a large number of possible pricing options (around 40), development of evaluative criteria, successive reviews based on those criteria and eventual selection of 3-5 preferred alternatives. Phase II will encompass the conceptual design of those 3-5 alternatives for final evaluation and recommendation on a demonstration project.

FY 96-97 has seen technical and policy committees for conducting the study established and approximately two-thirds of the technical and public involvement work elements for Phase I accomplished.

A Task Force comprised of 13 business, academic and community leaders, and the Metro Executive Officer and the Chairman of the Oregon Transportation Commission (who participate ex-officio), was appointed by JPACT and the Metro Council. The Task Force was charged with oversight of the study and making recommendations to the Metro Council and the OTC. A Project Management Group (PMG) of high level officials at the various jurisdictions is responsible for coordination of policy issues and review of major work products. A Technical Advisory Committee (TAC) meets twice a month to advise Metro and the PMG on technical matters relating to the pre-project study.

The technical work program for the year included completion of working papers and modeling to accomplish the following:

- Identify the specific scope of pricing techniques to be addressed in the study;
- Review and identify the possible effects of a congestion pricing implementation program and establish evaluation criteria;
- Identify congested locations and types of congestion pricing in order to establish a large group of (approximately 40) preliminary options for further study;
- Evaluate and rank the initial group of potential pricing options;
- Based on the initial evaluation, selection of a smaller group of (approximately 10) specific pricing alternatives for detailed modeling and analysis;
- Detailed specification of top 10 alternatives including cost estimates, revenues, technology and identification of implementation issues for further evaluation;
- Upgrading of Metro's Travel Forecasting Model to include pricing sensitivity based on pricing elasticities derived from Stated Preference and Revealed Preference survey results;
- Application of the updated regional model to the 2015 Transportation system to account for pricing effects;
- Production of updated EMME/2 travel forecasting baseline data, maps and charts for use at public meetings.

The public involvement program is also well underway. An outreach plan was developed with an initial emphasis on research and targeted outreach to interest groups and media with a gradual ramping up of the outreach efforts to include broader segments of the public as more

specific technical information becomes available. The work program for the year called for:

- Completion of initial research including two randomly selected focus groups to determine initial public attitudes, a survey of public outreach efforts on similar studies across the country and interviews with 30 stakeholders;
- Production of study fact sheets, newsletters and brochures to inform and educate the general public about study objectives, progress and initial results;
- Briefings with key regional newspapers at the commencement of the study and at key milestones throughout the study;
- Conducting workshops targeted to groups in specific issue areas to review study progress and proposed evaluation criteria;
- Establishment of a speakers bureau to present the objectives and initial results of the pre-project study at a variety of civic and community organizations;
- Creation of a 10 minute video/slide show on the study for public education purposes;
- Holding open houses with the general public to provide an overview of the study results to date, obtain input into key decisions and highlight issues of concern;
- Completion of the first public opinion survey to obtain initial public response to specific options under consideration.

#### **Next Year's Program - 1997-98**

##### **OBJECTIVES**

Next year's program will focus on specific program objectives to complete the remaining work on Phase I and Phase II work elements. On the technical side, these tasks include the following activities:

- Final review and evaluation of the small group of (approximately 10) alternatives based on modeling and other analysis;
- Selection of 3-5 preferred alternatives;
- Conceptual design of the 3-5 alternatives;
- Implementation of the 3-5 alternatives on the upgraded model;
- Final evaluation of the 3-5 alternatives based on modeling and other analysis;
- Scoring and ranking the 3-5 alternatives and selection of the preferred alternative (if any).

During this period the public outreach effort will shift into high gear in order to maximize education and input into the final alternative selection. Throughout the study, technical and public involvement efforts will be closely coordinated and feedback integrated. Public involvement activities will include:

- Public open houses and neighborhood meetings to educate on the proposed final alternatives and obtain feedback for use in the selection process;

- A regional issues conference on the final selection process;
- Fact sheets, newsletter and a brochure about Phase II activities;
- Focus groups to assess issues and concerns about possible implementation of a proposed pricing alternative;
- A random public opinion survey to assess public attitudes about Phase II congestion pricing alternatives;
- A media campaign including paid newspaper and radio advertisements to inform people about upcoming decision points and public involvement activities.

## **PRODUCTS**

### *Specific products for technical work component:*

- Working paper outlining process for, and results of, selection of 3-5 alternatives;
- Schematic designs of 3-5 preferred alternatives;
- A final report evaluating the 3-5 alternatives and, if appropriate, recommending the parameters of a demonstration project;
- Written task force report to JPACT, the Metro Council and the OTC summarizing its findings and recommending whether congestion pricing should be implemented within the region and, if so, outlining the parameters of a proposed demonstration project.

### *Specific products for public involvement component:*

- Written report about public awareness and attitudes about congestion pricing;
- Written advertisement and production material;
- Newsletters, fact sheets and brochure;
- Written record of public comment.

<b>EXPENDITURES</b>			<b>REVENUE</b>	
	Amount	FTE		Amount
Personal Services	\$147,577	2.25	FHWA Pilot/Grant	523,600
Transfers	45,023		Local Match	62,457
Materials & Services	430,800		Metro	43,943
Computer	6,600			
Capital	0			
<b>Total</b>	<b>\$630,000</b>		<b>Total</b>	<b>\$630,000</b>

## **MAJOR INVESTMENT STUDIES (South Willamette River Crossing Study)**

### **PROGRAM DESCRIPTION**

Pursuant to Federal Regulations [23 CFR 450.318] implementing the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, a major investment study (MIS) is required when alternatives may include " a high-type highway or transit improvement of substantial cost that is expected to have a significant effect on capacity, traffic flow, level of service, or mode share at the transportation corridor or subarea scale." ISTEA required MPOs (Metro) to develop procedures for addressing this requirement. Metro procedures have been in effect since FY 95 and are applied to projects or studies meeting the above definition, regardless of lead agency.

In FY 97-98 Metro will be the lead agency on system-level sub-area Major Investment Studies for the South Willamette River Corridor and the Highway 217 Corridor. Metro conducts sub-area or corridor level MISs when high-type investments are potentially needed for the regional system and/or when multi-jurisdictional transportation issues require a broad-based regional over-view. The Highway 217 Corridor Study will begin following completion of the South Willamette River Crossing (SWX) Study although some overlap was intentional for efficient use of resources.

The SWX Study will identify multi-modal river crossing improvements in the area between the Marquam Bridge and the I-205 Bridge, including addressing the need for improvements to the aging Sellwood Bridge.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 96-97**

Metro completed the MIS Procedures document and initiated the South Willamette River Crossing (SWX) Study in late FY 95. Initial SWX activities included problem identification, development of study goals and objectives, and identification of alternatives. A study technical advisory committee (TAC), a study area Community Review Group, and general public workshops assisted in defining these initial draft elements. An initial universe of potential crossing options were developed and screened based on community comment and a recommendation from the study Steering Committee.

In 96-97, the study completed a further narrowing of the number of alternatives. Major activities included:

- Completing a second screening of the options to narrow the list from 12 to approximately 8, identifying combinations of options for further testing, and refining the option definitions for evaluation purposes.
- Completing the traffic forecasts for each of the remaining options in year 2015 (and 2017 when available), indicating projected demand for other system improvements on both sides of the river associated with the crossing improvement.

- Completing analysis of the impacts of the remaining crossing improvements on the arterial, transit, bicycle, pedestrian, and freight system operation.
- Completing analysis of land use and environmental impacts for the options, using available data.
- Assessing the implications for financing the options, considering available resources.

## **OBJECTIVES**

### **Work Program for FY 97-98**

Next Year's MIS program will bring the results of the technical analysis into the institutional process. Major activities include:

1. Identify a package of preferred improvements within the study area, including cost estimates and project timing, and phasing activities and seek Metro Council recommendations. A contract for engineering support will be executed with either ODOT or a consultant.
2. Work with jurisdictions and the public to gain consensus on a preferred set of alternatives.
3. Develop a Major Investment Study Report and integrate study recommendations into the RTP Update, the Oregon Transportation Plan, and local transportation system plans, as necessary.

## **PRODUCTS**

Major Products for the SWX Study in FY 1996-97 include:

- Identification of a recommended package of alternatives.
- Development of a system-level MIS report defining the procedural elements of study.
- Development of a study Recommendations Report, which includes results of alternatives analysis.
- Completion of the public involvement and review process, including final public workshops and hearings. Adoption of study recommendations by JPACT and Metro Council for inclusion in the RTP
- Commitment from affected jurisdictions for funding one or more environmental impact statements for the preferred improvement projects.

EXPENDITURES		FTE	REVENUE	
	Amount			Amount
Personal Services	\$67,780	1.07	FY98 PL	\$83,000
Transfers	20,933		FY98 Sec 5303	4,000
Materials & Services	70,820		FY98 ODOT	10,000
Computer	4,626		Supplemental	
			FY 96 STP/	52,860
			ODOT Match	
Capital	0		Metro	14,299
<b>Total</b>	<b>\$164,159</b>		<b>Total</b>	<b>\$164,159</b>



## **MAJOR INVESTMENT STUDIES (Highway 217 Corridor Study)**

### **PROGRAM DESCRIPTION**

Pursuant to Federal Regulations [23 CFR 450.318] implementing the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, a major investment study (MIS) is required when alternatives may include " a high-type highway or transit improvement of substantial cost that is expected to have a significant effect on capacity, traffic flow, level of service, or mode share at the transportation corridor or subarea scale." ISTEA required MPOs (Metro) to develop procedures for addressing this requirement. Metro procedures have been in effect since FY 95 and are applied to projects or studies meeting the above definition, regardless of lead agency.

In FY 97-98 Metro will be the lead agency on system-level sub-area Major Investment Studies for the South Willamette River Corridor and the Highway 217 Corridor. Metro conducts a sub-area or corridor level MIS when high-type investments are potentially needed for the regional system and/or when multi-jurisdictional transportation issues require a broad-based regional over-view. The Highway 217 Corridor Study will begin following completion of the South Willamette River Crossing (SWX) Study although some overlap was intentional for efficient use of resources.

The Highway 217 Study will identify access strategies for the regional centers in the Highway 217 corridor and meet other access needs.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 96-97**

Work prior to FY 96-97 identified the purpose and need for the Highway 217 Study. Completed studies and identified issues include:

- Western Bypass Study. This study re-affirmed the need for additional capacity in the 217 corridor, without specifying functional or design components. Those elements and others will be reviewed as part of the MIS;
- Tigard Triangle. Development pressure in the Tigard Triangle area (bounded by I-5, 217, and Hwy. 99) calls for examining 217 access issues and identifying the multi-modal arterial/collector system in the area;
- I-5/217/Kruse Interchange. A design recommendation for this interchange called for additional analysis of the arterial/collector system in the vicinity;
- Barnes Road/217. Arterial/collector traffic and circulation problems persist in this area just north of the Sunset Highway. Significant regional traffic contributes to the problems.

In addition, the corridor contains two regional centers as identified in Metro's Region 2040 studies. Access to these growing areas and circulation within them are key regional issues.

In FY 96-97, Metro initiated the Highway 217 Corridor Study by developing the study work

program, schedule, and public involvement program and establishing a study support structure of technical and citizen committees. Work was also begun to develop study background information including technical data, information, public input and a literature search for results of other planning activities within or adjacent to study area.

## **OBJECTIVES**

### **Work Program for FY 97-98**

Highway 217 MIS activities will focus on the following:

1. Completing an analysis of travel patterns in the corridor using a combination of synthesized data from the travel forecasting model and primary data collection, which could include an origin-destination survey;
2. Defining problems and needs in the corridor, including the role of multi-modal access needed to support 2040 Growth Concept land use goals in the corridor and to facilitate regional travel;
3. Keeping the public actively involved through regularly scheduled meetings with the Citizens Advisory Committee, general mailings and other outreach efforts;
4. Developing a wide range of alternatives for all modes in addition to demand management;
5. Developing evaluation criteria and methodologies for selecting a preferred strategy, including budget and intergovernmental Agreement implications;

The study alternatives analysis and recommendations would be completed in FY 98-99.

## **PRODUCTS**

Major Highway 217 MIS products for FY 96-97 include:

- Agreement on study goals and objectives;
- Understanding of travel demand patterns and land use goals and related issues;
- Incorporation of public and technical comments into the study;
- Development of a wide range of alternatives;
- An approach, including criteria and methods, for selection of a preferred strategy.

EXPENDITURES		FTE	REVENUE	
	Amount			Amount
Personal Services	\$105,923	1.586	FY98 PL	\$27,000
Transfers	33,022		FY98 Sec 5303	8,000
Materials & Services	34,100		FY98 ODOT	28,000
Computer	2,893		Supplemental	
Capital	0		FY98 Tri-Met	15,000
			FY97 Metro STP/ ODOT Match	52,861
			Metro	45,077
<b>Total</b>	<b>\$175,938</b>		<b>Total</b>	<b>\$175,938</b>

## SOUTH/NORTH TRANSIT CORRIDOR STUDY

### PROGRAM DESCRIPTION

The High Capacity Transit (HCT) Program is responsible for the completion of project planning for major fixed guideway transit facilities in the Region, from systems planning, through the Major Investment Study (MIS) process, to the completion of the federal environmental process, Preliminary Engineering (PE) and adoption of a project financing plan. The HCT Program at Metro works closely with Tri-Met, ODOT and local jurisdictions in HCT studies.

Currently, the HCT Program includes one fixed guideway study: the South/North Transit Corridor Study. The South/North Study was initiated in mid-1993 following completion of the I-205/Milwaukie and the I-5/I-205 Portland/Vancouver Preliminary Alternatives Analyses. The Federal Transit Administration (FTA) authorized the preparation of a Draft Environmental Impact Statement (DEIS) for the South/North Corridor in October 1993. Following the Scoping Process that concluded in December 1993, the Study initiated and completed Tier I (in December 1994) with the selection of the Length (terminus) and Alignment (routing) Alternatives to be studied further within the DEIS. Tier I also concluded with the adoption of light rail as the locally preferred alternative (LPA) and subsequent inclusion of light rail in the South/North Corridor as the LPA through amendments to Metro's and the Southwest Washington Regional Transportation Council's Region Transportation Plans. Metro concluded the federal MIS process in November 1995 with the adoption of the *South/North MIS Final Report*. In December 1995, the Study adopted the set of design options and the downtown Portland alignment alternatives to be studied further within the DEIS. In April 1996, the FTA approved the *South/North MIS Final Report* and authorized the project to advance into PE concurrent with the preparation of the DEIS.

The focus of the South/North Corridor Study in FY 97/98 will be the publication of the South/North DEIS, adoption of the *Locally Preferred Strategy Report*, initiation of the Final Environmental Impact Statement and continuation of PE. The Study expects to complete the federal environmental process and PE within FY 98/99, allowing final design and construction to be initiated on the initial segment or Interim Operable Segment. The Study will also focus on narrowing alignment alternatives for a Phase II extension to Oregon City.

The Program is generally subject to the federal intermodal surface transportation funding schedule which authorizes federal funding match to new start rail programs approximately every five to six years, with annual appropriations. The Region has proposed approximately 50% federal funding for the Project. In addition, the Program provides the required federal environmental process and documentation needed to qualify for federal funding. The Program also provides the federal, state and local project and land use decision-making process for the South/North project.

The federal environmental process and federal, state and local transportation and land use decision-making provides the clientele for the Program. The Program's clientele includes the general public (which is involved in the process through an early, continuing and pro-active public involvement program), local jurisdictions (through participation in technical, project management and decision-making committees) and the federal and state governments (which

are provided the environmental process and documentation needed to approve a variety of federal and state permits and the federal record of decision).

### RELATION TO PREVIOUS WORK (Work Program Prior to FY 97-98)

With the defeat of Ballot Measure 32, which would have provided, among other things, \$375 million in state lottery bond funds, the South/North Project has undertaken a reassessment and re-scoping process aimed at reducing project costs. This process has delayed publication of the DEIS by approximately six months, depending upon the scope of the changes to be made to the DEIS alternatives. Ballot Measure 32 results may also reduce the level of PE activities to be undertaken concurrently with the preparation of the DEIS. Finally, adoption of the *LPS Report* and initiation of the FEIS have also been delayed by approximately six months.

### OBJECTIVES

- Completion of the technical analysis for the DEIS and documentation of that analysis in a variety of Results Reports;
- Publication of the South/North DEIS in the *Federal Register*;
- Adoption of the *LPS Report* for the Project by Metro Council;
- Adoption of the *Land Use Final Order* for the Project by Metro Council;
- Approval by the FTA to initiate preparation of the FEIS;
- Initiate refinement of the Results Reports, preparation of Mitigation Plans and preparation of the FEIS;
- Continuation of PE; and
- Continued implementation of a pro-active public involvement program;
- Narrow alignment alternatives for a Phase II extension to Oregon City.

### PRODUCTS

- Results Reports (Draft and Final)
- PE Status Report
- DEIS
- Briefing Document
- Public Information Material
- Locally Preferred Strategy Report
- Land Use Final Order and Findings Report
- Initial Draft Products for FEIS and Mitigation Plans
- Phase II Oregon City extension reports

During this period the public involvement program will concentrate on the publication of the DEIS and providing public with the opportunity to participate in the adoption of the *LPS Report* and *LUFO*. Activities will include distribution of the *South/North News* (summarizing the DEIS results), open houses following publication of the DEIS, federally required public hearings and a public comment period of at least 45 days and various other forums for public comment during the LPS adoption process. More focused public involvement efforts supporting the preparation of mitigation plans and the FEIS will be initiated following adoption of the *LPS Report*. A public involvement plan and program for the phase II Oregon City extension will also be developed and implemented.

EXPENDITURES	FTE		REVENUE	
	Amount		Amount	
Personal Services	\$1,423,277	22.266	FTA OR-29-9023	7,017,263
Transfers	425,448		Tri-Met Local Match	1,847,212
Material & Services	6,981,063			
Computer	29,687			
Capital Projects	5,000			
<b>Total</b>	<b>\$8,864,475</b>		<b>Total</b>	<b>\$8,864,475</b>

**GRANT OR-29-9023  
DEIS/FEIS/PE**

Expenditures	4/1/96 - 6/30/97	7/1/97 - 6/30/98	7/1/98 - 2/28/99	Total
Personal Services	\$1,508,919	\$1,423,277	\$1,166,233	\$4,098,429
Transfers	\$417,644	\$425,448	\$348,612	\$1,191,704
Materials & Services	\$6,624,401	\$6,981,063	\$5,720,283	\$19,325,747
Computer	\$65,623	\$29,687	\$24,326	\$119,636
Capital Projects		\$5,000	\$4,096	\$9,096
<b>Total Expenditures</b>	<b>\$8,616,587</b>	<b>\$8,864,475</b>	<b>\$7,263,550</b>	<b>\$24,744,612</b>
Revenue	4/1/96 - 6/30/97	7/1/97 - 6/30/98	7/1/98 - 2/28/99	Total
FTA OR-29-9023	\$7,206,422	\$5,855,273		\$13,061,695
FTA OR-29-9023 Amend (Sec. 5309)		\$1,161,990	\$4,796,147	\$5,958,137
Clackamas County C-TRAN	\$138,443		\$2,000,000	\$2,000,000
Tri-Met	\$1,271,722	\$1,847,212	\$467,403	\$3,586,337
<b>Total Revenue</b>	<b>\$8,616,587</b>	<b>\$8,864,475</b>	<b>\$7,263,550</b>	<b>\$24,744,612</b>

## **WESTSIDE CORRIDOR PROJECT**

### **PROGRAM DESCRIPTION**

The Westside Corridor Project to Hillsboro has been the region's and the state's number one transportation priority for the past decade. Metro has been a cooperating jurisdiction throughout the study. In the early 1980's, Metro was the lead agency for the project and performed an AA and Environmental Impact Statement. This led to the selection of the alignment to Beaverton and Washington County as the locally preferred alternative.

During the late 1980's, Metro continued to perform a series of ridership analyses for the project which were required by the FTA. Subsequent to these analyses, Metro performed a variety of services for Tri-Met including the management of the Supplement DEIS and FEIS under an interagency agreement.

Following the completion of the Westside FEIS, Tri-Met entered into another interagency agreement with Metro to perform additional services during the period that the project is undergoing final design and construction.

Metro has worked with Tri-Met and the City of Portland to define Metro's funding commitments and design the Zoo Station.

#### **Current Year's Program - FY 1997-98**

The focus of this year's activities for the Westside/Hillsboro Phase III are in the following areas:

- Perform ridership analysis as required to determine changes in the project such as station locations or park and ride lot size;
- Provide further environmental assistance as required. Activities have focused on an analysis of elements which have been deleted from the project's scope;
- Assist Tri-Met in general project financing issues;
- Continue work with Tri-Met and the City of Portland to define Metro's funding commitments and design of the Zoo Station.

#### **Next Year's Program 1998-99**

Work activities next year for the Westside/Hillsboro Phase III will be in the same areas as those shown this year. Additional ridership and environmental analysis may be required for changes in the project description. Work will also continue on overall project financing issues.

EXPENDITURES		FTE	REVENUE	
	Amount			Amount
Personal Services	\$43,779	.50	Tri-Met Westside/ Hillsboro (FFGA)	57,000
Transfers	13,221			
Materials & Services	0			
Computer	0			
Capital	0			
<b>Total</b>	<b>\$57,000</b>		<b>Total</b>	<b>\$57,000</b>



# AIRPORT GROUND ACCESS STUDY

## PROGRAM DESCRIPTION

Metro resolution 95-2058 directed staff to prepare an application to FTA for \$300,000 for a comprehensive study of ground (non-auto and non-freight) access to the Portland International Airport (PDX). That grant was approved and received in August, 1996. The Port of Portland is the lead agency for the study with support being provided by Metro and Tri-Met. The study is considering intermediate range alternatives and is being coordinated with long-range plans for high capacity transit to PDX.

## RELATIONSHIP TO PREVIOUS WORK

### Work Program Prior to FY 1997-98

In FY98, the work program focused on several areas. Background research was completed on existing ground access conditions at PDX and at similar airports nationally and internationally. It also included the preparation and implementation of survey research on airport user travel behavior, including the use of both revealed and stated preference techniques. A PDX specific mode choice model was developed that reflects the unique mode sensitivities of airport users. The model was used to evaluate the effectiveness of various mode options that might serve the airport.

## OBJECTIVES

### Work Program for FY 1997-98

An implementation strategy will be developed for initiating transit service improvements that lead to the eventual provision of light rail service to PDX. Service improvements will be proposed for Tri-Met and C-Tran.

A comprehensive strategy on ground transportation will be prepared that maximizes the use of non-auto modes to service the needs of airport employees and airport users.

## PRODUCTS

- Develop a strategy for implementation of public transit service improvements;
- Prepare a comprehensive strategy on ground transportation.

<u>EXPENDITURES</u>		<u>FTE</u>	<u>REVENUE</u>	
	Amount			Amount
Personal Services	27,718	.375	FTA OR-29-9024	\$64,600
Transfers	8,282		Metro	11,400
Materials & Services	40,000			
Computer	0			
Capital	0			
<b>Total</b>	<b>\$76,000</b>		<b>Total</b>	<b>\$76,000</b>

## **USDOT TRANSPORTATION MODEL IMPROVEMENT PROGRAM: TRIP PLANNER DEVELOPMENT**

### **PROGRAM DESCRIPTION**

The Transportation Model Improvement Program (TMIP) is a large national effort to develop a new transportation modeling paradigm that can respond to the issues in ISTEA. The TMIP would also accurately evaluate air quality impacts of proposed actions, and confidently depict travel response to both transportation infrastructure changes and travel demand management actions such as road pricing, parking supply actions, fuel price change effects, and employer travel reduction programs. The program is four years old and this task is part of the long term model improvement, expected to produce the models that will be used in the longer term (five plus years).

The current paradigm, popularly known as the four-step model, was developed in the late 1950s and in use since the early 1960s. It was developed to respond to the perceived need for new highways. The model works well to justify highway improvements in the context of developing with the automobile as the only means of transportation, with no congestion. It has been improved to respond to transit service changes, and more recently, to include pedestrian movement and some urban design effects. The structure of the model, however, compromises efforts to get accurate forecasts of these non-highway elements. The structure also precludes any accurate or realistic way of evaluating the air quality impacts of various actions. The current emissions model (Mobile 5a from the EPA) has shortcomings, and improved emissions models would require much more detail than currently possible with the four-step model.

The USDOT has awarded the lead in this long term model improvement to the Los Alamos National Laboratory, which is developing a model package known as Transims. This package includes development of a detailed traffic assignment program (second by second real-time traffic simulation that is at the traffic operations level), a real-time emissions model, an air quality concentrations model, a household trip planning model, and a trip plan response to change in the travel environment model.

The process includes the use of major urban regions as "test-beds" for practical implementation of these elements and to optimize the cost effectiveness of each element. Dallas-Fort Worth was chosen for the detailed traffic assignment test (which is almost complete). The Portland region has been chosen as the place to develop and test the trip planner. The criteria for choice include being complex enough (existence of congestion and the provision of all modes of travel including light rail), not being too large and too complex, the existence of a high quality modeling environment that is in the forefront of current practice, and the existence of recent activity and travel data from a household survey.

The ultimate beneficiaries of this effort will be all of the major metropolitan areas in the United States. This region will be able to use elements of this model development to enhance its current modeling capability. This will also position the region to transition from the old paradigm to the new one quickly and inexpensively.

## RELATIONSHIP TO PREVIOUS WORK

### Work Program Prior to FY 1997-98

This is a new program. However, elements from the Survey and Research Program (1994/1995 Household Activity Survey) and the Model Refinement Program (network development activities) directly feed into the project.

## OBJECTIVES

### Work Program for FY 1997-98

Metro staff will be required to build a much more detailed transportation network for the project. In addition, Metro assistance may be required in the trip planner development process. Metro will be able to use the products to enhance its current travel forecasting models.

The proposal is to award a grant to Metro for \$600,000, at least \$100,000 of which will be available to cover Metro expenses. The remaining \$500,000 would be awarded to Los Alamos and its subcontractors in a sole source contract administered through Metro. There is no required match.

## PRODUCTS

- Detailed transportation network for use in this project;
- Trip planner component of the Transims model package.

<u>EXPENDITURES</u>	<u>Amount</u>	<u>FTE</u>	<u>REVENUE</u>	<u>Amount</u>
Personal Services	0	0	USDOT Sec 5309 TMIP	600,000
Transfers	0			
Materials & Services	573,498			
Computer	26,502			
Capital	0			
<b>Total</b>	<b>\$600,000</b>		<b>Total</b>	<b>\$600,000</b>

## **SURVEY AND RESEARCH PROGRAM**

### **PROGRAM DESCRIPTION**

The purpose of the Survey and Research Program is to use survey data to improve or replace current models with ones offering enhanced explanatory capabilities. This program is very important because results from the travel demand models are used extensively in the analysis of transportation policy and investment. In addition, federal and state legislation (Intermodal Surface Transportation Efficiency Act, Clean Air Act Amendment, Transportation Planning Rule) specify data needs that require a high degree of modeling proficiency.

Significant investments have been made in survey data collection for this region. Over the past ten years there have been three revealed preference surveys (two region wide, one corridor specific), three stated preference surveys, and a survey of external travel. The data have been used to make substantial improvements in the modeling capabilities and analytical expertise for the region. Furthermore, the information will continue to be used over the next five to eight years to make further strides.

The Survey and Research Program focuses on two significant areas. Those areas include the development of person travel models and commodity carrier models.

### **RELATIONSHIP TO PREVIOUS WORK**

#### **Work Program prior to FY 1997-98**

##### ***Person Travel Demand Model***

Work on these models progressed significantly during 1996-97. The data were organized into tours (a tour being defined as a whole journey from home to each activity in turn until the return home). The basic organization was designed to include the decision to pursue an activity in-home. The basic models were estimated for three basic tour types - work/school, household maintenance, and discretionary. The models completed so far include primary mode and destination choice for all three types and some secondary destination and mode choice models for work tours. The inclusion of value of time elements (for different cost elements such as transit fare, auto operating costs, parking, and tolls) was completed, using the 1994-95 stated preference survey.

These models are being developed using utility maximization, which is a traditional approach having choice set size limitations in this context.

##### ***Collection and Analysis of Commodity Flow Information***

The Commodity Flow Project focuses on the: 1) quantification of the baseline commodity data (i.e., update of Region 2040 Commodity Flow Report, establish regional control totals for commodities stratified by major STCC groups, identify high volume shipping/receiving firms by commodity type); 2) collection of origin and destination data; 3) application of a stated preference survey to determine the elasticities for those variables that influence shipping choices; and, 4) development of a simulation tool for use in analyzing and estimating

commodity movements. In FY 1996-97, a consultant contract was initiated to carry out the work activities. An expert review panel was formed to provide project oversight. This project will continue through the fourth quarter of FY 1997-98.

In addition, an Intergovernmental Agreement between Metro and the Port of Portland was initiated in FY97 that defined Port work elements in the project. The IGA will continue through the fourth quarter of FY 1997-98.

## **OBJECTIVES**

### **Work Program for FY 1997-98**

#### ***Person Travel Demand Model***

FY 1997-98 work will continue the person model development to completion (or near completion). The models will be expanded to include as large a set of secondary activity stops as is feasible with the data. The other major advance will be the attempt to complete the estimation of a daily activity pattern model, which deals with the relationship of the individual tours in time during the day. This will be one of the first models in the country to deal with the time of day choice as endogenous to the decision structure.

This project will enable the analytical and planning community in this region to allow for the effects of socio-demographic changes (such as two worker household and other household structure effects) of urban design on travel decisions. These models are being designed to replace the current models, which are trip based, in planning for the region for the next two to five years.

Although unfunded at this point, the need exists for a longitudinal household survey panel to be created. This type of survey tracks the change in behavior to a small set of households over a period of time. With this data, two major improvements could include the development of an automobile holdings model and a household location model. The cost for such a survey would be \$150,000.

#### ***Collection and Analysis of Commodity Flow Information***

The work elements defined in the Commodity Flow Project began in FY 1996-97. The work continues into FY 1997-98. The FY98 budget of \$410,000 is split into \$180,000 for Metro staff/computer and \$230,000 for Port/consultant contracts.

The information gathered and produced will enable analysts to: 1) identify current problem areas; 2) anticipate future problem areas; 3) generate viable solutions and improvements; and, 4) evaluate the effectiveness of potential improvements. The data is essential so that policy leaders may make sound decisions in prioritizing freight improvements as they compete for funds with other regional projects.

**PRODUCTS**

***Person Travel Models***

- Completion of secondary choice models;
- Completion of daily activity pattern models;
- Calibration of the model elements for application;
- Integration of the elements into a modeling package at Metro;

***Collection and Analysis of Commodity Flow Information***

- Quantification of baseline commodity data;
- Collection and analysis of commodity origin and destination data;
- Application and analysis of stated preference survey to determine those variables that influence shipping decisions;
- Development of a simulation tool for use in analyzing and estimating commodity movements.

<b>EXPENDITURES</b>		<b>FTE</b>	<b>REVENUE</b>	
	<b>Amount</b>			<b>Amount</b>
Personal Services	\$321,359	4.15	FY98 PL	\$168,555
Transfers	100,014		FY98 Sec 5303	25,000
Materials & Services	380,000		FY 98 Metro STP/ ODOT Match	169,157
Computer	124,629		FY98 ODOT Supplemental	75,000
Capital	0		FY98 Tri-Met. FY97 Metro STP/ ODOT Match	50,000 225,648
			Other Metro	150,000 62,642
<b>Total</b>	<b>\$926,002</b>		<b>Total</b>	<b>\$926,002</b>

## **MODEL REFINEMENT PROGRAM**

### **PROGRAM DESCRIPTION**

It is important to keep the travel demand forecasting model current because results of the model are used extensively in the analysis of transportation policy and investment. In addition, federal and state legislation (Intermodal Surface Transportation Efficiency Act, Clean Air Act Amendment, Oregon Transportation Planning Rule) specify data needs that require a high degree of modeling proficiency.

The program focuses on three areas of on-going refinement. First, the inputs to the travel demand forecasting model are continually refined and updated as necessary to maintain accuracy. Second, the syntax of the model code is adapted, when appropriate, to improve the computational efficiency. Third, up to date short and long range travel forecasts are maintained which reflect the changes in household and employment assumptions, projected roadway and transit investments, and socioeconomic conditions.

All agencies that require the use of travel demand forecasting services benefit from the Model Refinement Program. Clients include Metro, governments (cities and counties of this region), and regional agencies (Oregon Department of Transportation, Tri-Met, Department of Environmental Quality).

### **RELATIONSHIP TO PREVIOUS WORK**

#### **Work Program prior to FY 1997-98**

The products of the Model Refinement Program include updated travel characteristics at special trip generator locations, refined simulation networks and demand model inputs, adaptation of model syntax to changing needs and conditions, and the investigation and promotion of transportation planning software and GIS data sharing capabilities.

### **OBJECTIVES**

#### **Work Program for FY 1997-98**

The focus of the program remains the same as last year. Improvements are made to the demand model on a regular basis in order to ensure it's accuracy, efficiency, and usefulness.

### **PRODUCTS**

- Continue the on-going effort to investigate the travel characteristics at special trip generator locations (i.e., shopping centers, the Washington Park Zoo, OMSI, colleges and universities, the Portland International Airport, and the Swan Island area;
- Update the computer simulation networks, demand model inputs, and trip tables to ensure accuracy and consistency with plans and policies;
- Adapt the model code to changing needs and conditions;

- Take advantage of software enhancements to produce a higher degree of data sharing between the EMME/2 (travel demand forecasting) and Arc/Info (GIS) software packages.

EXPENDITURES			REVENUE	
	Amount	FTE		Amount
Personal Services	\$61,111	.804	FY98 PL	\$17,000
Transfers	18,661		FY98 Sec 5303	15,000
Materials & Services	0		FY 98 Metro STP/ ODOT Match	30,594
Computer	25,228		FY98 ODOT Supplemental	15,000
Capital	0		FY98 Tri-Met Metro	15,000 12,406
<b>Total</b>	<b>\$105,000</b>		<b>Total</b>	<b>\$105,000</b>



## **TRANSPORTATION SYSTEM MONITORING PROGRAM**

### **PROGRAM DESCRIPTION**

The purpose of the Transportation System Monitoring Program is to establish and maintain a database of transportation related data. Established in 1989, the data from this activity is updated on a regular basis. With the advent of the Intermodal Surface Transportation Efficiency Act, the Clean Air Act Amendment, and the Transportation Planning Rule, this program is essential to monitoring the transportation system performance.

The information is useful to Metro, the jurisdictions, developers, and consultants because it provides an historical prospective on travel trends for use in project planning. The program also provides essential input and validation information (i.e., cost of travel, count data) for the regional travel forecasting model.

### **RELATIONSHIP TO PREVIOUS WORK**

#### **Work Program prior to FY 1997-98**

Each year data is gathered so that the state of the transportation system can be defined and evaluated. Information regarding travel costs, traffic counts (automobile and truck), vehicle miles-traveled, transit patronage, and other data has been collected and summarized. The data is essential to understanding current characteristics and establishing a basis for estimating future conditions.

### **OBJECTIVES**

#### **Work Program for FY 1997-98**

The Transportation System Monitoring Program is on-going. No significant changes from last year are in the FY 1997-98 scope.

The products from the Monitoring Program include 1) a summary of trends for transit fares, auto operating costs, parking costs, auto and truck usage, and transit patronage, 2) a summary of various performance characteristics for the existing system, and 3) the administration of the regional count program.

### **PRODUCTS**

- Continue to summarize transportation related data for use in assessing system performance and monitoring system trends;
- Summarize performance characteristics of the transportation system using results from computer simulation. A report documenting the vehicle miles traveled, vehicle hours of delay, road miles of congestion, and other measures will be prepared;
- Continue the administration of the regional count program. This element ensures that proper inputs are available for the VMT estimation process and that quality vehicle classification count data is available for model validation.

EXPENDITURES		FTE	REVENUE	
	Amount			Amount
Personal Services	\$77,996	1.297	FY98 PL	\$31,000
Transfers	24,504		FY98 Sec 5303	15,000
Materials & Services	3,800		FY 98 Metro STP/ ODOT Match	27,748
Computer	2,700		FY98 ODOT Supplemental	15,000
Capital	0		FY98 Tri-Met Metro	15,000 5,252
<b>Total</b>	<b>\$109,000</b>		<b>Total</b>	<b>\$109,000</b>

## **TRANSPORTATION GROWTH MANAGEMENT**

### **PROGRAM DESCRIPTION**

In both 1993 and 1995, the Oregon Legislature approved funding for the joint ODOT and the Department of Land Conservation and Development (DLCD) Transportation Growth Management (TGM) Program. The program is intended to assist local and regional governments to meet the objectives of Oregon's Transportation Planning Rule to better integrate transportation and land use planning and to manage growth to achieve compact urban forms which accommodate alternative transportation modes.

The TGM Program consists of three categories, with categories one most directly relevant to transportation planning. The three categories include:

1. Transportation Planning/Land Use Alternative Grants: Fund upgrade of local transportation plans elements: transit, bicycle, and pedestrian elements; alternatives to state highways for local circulation; land use plan changes to reduce auto travel and support transit, bicycle, and pedestrian travel; ordinance amendments; implementation strategies, including preliminary engineering. **\$2,100,000**
2. Urban Growth Management Grants: Fund local government development and application of urban growth management measures. Add school facility planning/coordination and 2709 implementation. **\$600,000**
3. Development Assistance: **\$624,000**

As noted, both the 1993 and 1995 Legislature approved funding for two cycles of funding. A third cycle for 1997 to 1999 is being requested through the 1997 Legislature.

### **RELATION TO PREVIOUS WORK**

Metro was lead agency or responsible for the following programs:

- A Street Design Study to develop multi-modal street design standards and guidelines for use by local jurisdictions and ODOT. The standards and guidelines recognize the inherent modal and land use differences that the multi-modal street system is intended to serve;

36 other TGM grants were awarded to Metro area cities, counties, and agencies during the last round at a total of \$2.1 million.

- A shared parking study for mixed use areas;
- A joint master planning project with Forest Grove for their Town Center;
- A joint master plan for the Milwaukie Regional Center;
- A joint study with Cornelius for their mail street.

## OBJECTIVES

### **Work Program for FY 1997-98**

ODOT and DLCD have requested \$6.7 million in TGM grant funds for the 1997-99 biennium. Roughly 30 to 40 percent of the grant awards go to the Metro area. Metro and local jurisdictions are currently developing grant proposals. The emphasis of the proposals is on implementation measures such as plan and policy revisions; comprehensive plan, land use, and zoning amendments; regulatory and incentive programs; and other actions consistent with State land use laws, particularly the Transportation Planning Rule. At the regional level, programs, studies, actions, and planning tools that help implement Metro's Region 2040 concept are being encouraged.

Local governments submitted pre-application notices to DLCD and ODOT in early March. Grant applications were due in May, with grant awards scheduled for late July. Local applications are still in the formative stage. Metro is considering the following grant proposals:

- Washington Regional Center Master Plan. A joint project with Tigard, Beaverton, Washington County.
- Raleigh Hills Town Center. A joint master plan with Beaverton, Portland, and Washington County.
- Sherwood Town Center Plan and pre-planning for urban reserve #45. A joint land use and transportation plan for the Sherwood town center and urban reserve area.
- Murray Hill Town Center Plan. A joint project between Beaverton and Metro.
- Parking District Plan for Beaverton Regional Center. A joint project with Beaverton.
- Planning Urban Reserves. Case study model for urban reserve planning.
- Corner Commercial Handbook. A handbook for local governments defining zoning and design practices for local commercial infill.
- Connectivity Solutions Handbook. A handbook for local governments to assist in developing connected street systems.
- Defining Bike and Pedestrian Improvements. Developing bicycle modeling techniques leading to better bicycle project selection methods.
- Rural Road Access Study. Study and develop design and access policies guiding rural road access to and between urban areas.
- Green Corridor Tool Box and Demonstration. Develop policies and standards for green corridors (connections to neighbor cities outside the Metro boundary) and conduct an implementation demonstration.
- Secondary Transit to Industrial Areas. Define the best and most efficient strategies for serving industrial areas with transit service.
- Freight Access to 2040 Land Uses. Examine the freight access and circulation needs within 2040 land use areas including the Central City, regional centers, town centers, and industrial areas.

- Auto Travel Speed Survey. Collect real time travel speed on selected facilities to better calibrate models and provide a real time performance measure to evaluate transportation system plans.

Metro and the local governments will provide ODOT and DLCD with recommendations on priority projects within the Metro area.

EXPENDITURES	FTE	REVENUE
Amount		Amount
Personal Services		3,324,000
Transfers		
Materials & Services		
Computer		
Capital		
<b>Total</b>		<b>\$3,324,000</b>

## TECHNICAL ASSISTANCE PROGRAM

### PROGRAM DESCRIPTION

The Technical Assistance Program provides travel forecasting support to the Oregon Department of Transportation, Tri-Met, the Port of Portland, and the cities and counties of this region. Assistance is provided in terms of staff support, computer usage, and training. A budget allocation is developed that defines the amount of assistance that can be provided to each jurisdiction.

The jurisdictions of this region perform a multitude of studies to determine the effects of development, transportation policy, and changes to the infrastructure. Upon request, Metro staff support is provided to assist in the travel forecasting aspects of the work.

ODOT, Tri-Met, Multnomah County, Clackamas County, Washington County, the City of Portland, and the City of Gresham have modem connections to the transportation planning EMME/2 database. These jurisdictions are able to use the software as a remote workstation. Analysis can be done in this way without directly using Metro staff. Computer charges are assessed on a rate per cpu second basis.

Metro provides training to the jurisdictional staff regarding the use of the EMME/2 Transportation Planning Software, the theory of travel demand modeling, and computer simulation network analysis. The service is provided on demand.

### RELATIONSHIP TO PREVIOUS WORK

Work Program prior to FY 1997-98

The program is on-going. Service is provided on demand and varies by request.

### OBJECTIVES

Work Program for FY 1997-98

Travel forecasting assistance will be provided to ODOT, Tri-Met, the Port of Portland, and the cities and counties of this region in terms of 1) staff support, 2) access to the EMME/2 Transportation Planning Software via modem connections, and 3) training on the topics of software use and demand modeling theory.

The technical assistance will be based upon the following budget allocation:

<u>JURISDICTION</u>	<u>BUDGET</u>
City of Portland	\$ 27,448
Washington County	26,266
Clackamas County	25,368
ODOT	22,000
Port of Portland	11,652

City of Gresham	12,462
Multnomah County	12,252
Tri-Met	10,000
Sales	7,000
RTC	4,000
Clark County	3,000
Metro	4,500

Expense reports will be provided to each jurisdiction at least quarterly.

**PRODUCTS**

- Provide assistance as requested by client;
- Provide expense reports to each jurisdiction at least quarterly.

EXPENDITURES	FTE		REVENUE	
	Amount			Amount
Personal Services	\$75,633	1.186	FY 98 Metro STP/ ODOT Match	79,292
Transfers	21,014		FY98 ODOT Supplemental	22,000
Materials & Services	0		FY98 Tri-Met	10,000
Computer	69,300		FY97 Metro STP/ ODOT Match	26,431
Capital	0		Other	14,000
			Metro	14,224
<b>Total</b>	<b>\$165,947</b>		<b>Total</b>	<b>\$165,947</b>

## **MANAGEMENT AND COORDINATION**

### **PROGRAM DESCRIPTION**

Provide for overall ongoing department management, including budget, UWP, contracts, grants, personnel and activities required by TPAC, JPACT and the Metro Council.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 1997-98**

Ensure compliance with all federal requirements for receipt of grants and maintain "certification" of the region for continued receipt of transit and highway construction funds and provide documentation to the FHWA and the FTA of such activity. Provide support to JPAC, MPAC, TPAC and subcommittees to ensure coordination between state, regional and local transportation, plans and priorities.

Provide department management, including personnel matters, management of expenditures for materials, services and capital, contract compliance and departmental work programs. Particular products and activities are as follows:

- FY 98 UWP;
- Management of department budget, staff time and products;
- Required documentation to FHWA and FTA such as quarterly narrative and financial reports;
- Monthly progress reports to the TPAC;
- Minutes, agendas and documentation;
- Execution and monitoring of various pass-through agreements;
- Interdepartmental coordination;
- Periodic review with FHWA and FTA on UWP progress; and
- Update interagency agreements with ODOT, DEQ, RTC, Tri-Met and the Bi-State.

### **OBJECTIVES**

#### **Work Program for FY 1997-98**

Ongoing.

### **PRODUCTS**

- Budget Adoption (June); UWP Adoption (March)
- Grant Approvals (June)
- Contract Approvals (as needed)



- Federal Certification (annual)
- Progress Reports for Council and Federal Agencies (quarterly)
- Updated Interagency Agreements

EXPENDITURES	Amount	FTE	REVENUE	Amount
Personal Services	\$83,655	1.16	98 PL	40,870
Transfers	25,345		98 Sec 5303	30,000
Materials & Services	0		Metro	38,130
Computer	0			
Capital	0			
<b>Total</b>	<b>\$109,000</b>		<b>Total</b>	<b>\$109,000</b>

## DATA RESOURCE CENTER RLIS/SUPPORT SERVICES

### PROGRAM DESCRIPTION

The Data Resource Center (DRC) is a central service function at Metro, housed within the Growth Management Services Department. Ongoing maintenance of the DRC's socio-economic and mapping databases is a shared cost across its user base. This customer base consists of three categories of users: Metro departments, local government partners (subscribers), and private purchasers of data and services. The socio-economic databases are a principal source for staff providing research services tailored to specific end user needs. Requests range from preprinted reports to study area demographic profiles to geographic analysis using RLIS. A substantial portion of staff resources are devoted to providing such services to Metro departments and member jurisdictions. Each year a technical assistance budget allocates a specific amount of staff and computer resource to each of the user groups. In FY 1996-97, Metro shifted from a dues funded program involving all local governments to a sales or subscription program for those that chose to use the services of the DRC.

### OBJECTIVES

#### Work Program for FY 1997-98

The Center has experienced growth in response to new GIS and forecasting capabilities. However, FTE is decreasing by one position this fiscal year due to a person being transferred to the Transportation Department. This person has been providing GIS services for Transportation at nearly the one FTE rate this year. Next year's transfer will functionally integrate this position into the work group preparing the revised Regional Transportation Plan.

<u>EXPENDITURES</u>	<u>Amount</u>	<u>FTE</u>	<u>REVENUE</u>	<u>Amount</u>
Personal Services	364,334	.45	FY98 PL	\$73,030
Transfers	124,128		FY98 Sec 5303	66,000
Materials & Services	177,346		97 ODOT	15,000
			Supplement	
Computer	74,334		97 Tri-Met	37,500
Capital	9,000		Sales	32,798
			Metro	524,814
<b>Total</b>	<b>\$749,142</b>		<b>Total</b>	<b>\$749,142</b>

## **TOD IMPLEMENTATION PROGRAM**

### **PROGRAM DESCRIPTION**

The TOD Implementation Program provides for a development program that will ensure that some regionally significant Transit Oriented Development (TOD) demonstration projects are undertaken and that development tools for the program are in place. The program will cause construction by the private sector of higher density housing and mixed-use projects that encourage increased transit use. These projects, located at light rail stations, will be constructed with a strong pedestrian environment. Included will be street and sidewalk amenities, plazas, promenades and building massing and orientation that reinforce street level activity. These public-private partnerships will utilize Development Agreements for sale or lease of TOD sites and Financial Participation Agreements for eligible site preparation and site improvements when these funds become available. The TOD Implementation Program Fund will be the first in the United States that utilizes ISTEA funds for this purpose.

### **RELATION TO PREVIOUS WORK**

#### **Work Program Prior to FY 1997-98**

The program began in 1994 with a series of written clarifications with the Federal Transit Administration on eligibility issues on use of federal transit dollars for TOD implementation. Last fiscal year the program concentrated on submittal of the TOD Revolving Fund grant application and other documentation to FTA; secured an exemption to the Common Grant Rule from the Secretary of Transportation for program income to be retained for use for other TOD projects, rather than returned to the federal government; and, moved small projects developed from light rail Right-Of-Way (R-O-W) fragments through various phases of pre-construction activities. One of these, the Gresham Central Project, completed work on an Intergovernmental Agreement, Master Construction Agreement, Promenade Operating Agreement and Financial Participation Agreement. The project has completed construction and is renting successfully. The Urban Land Institute has included the project in an article in the publication, Urban Land, as its prime example of a TOD in the suburbs.

Another at 172nd and East Burnside has recently completed all pre-construction activities and has closed its financing. Built on three small lot fragments that are excess to the transit station R-O-W, the project will break new ground on density in the suburbs. Utilizing podium construction, twenty two units are to be constructed on slightly more than one-third of an acre. At a net density of sixty units/acre, the project will be the highest density housing outside of Portland's core, yet because its good design it fits within the context of the surrounding community. These two projects utilize the kind of development tools and techniques that will be used with the TOD Implementation Program Fund.

### **OBJECTIVES**

The work program for FY 1997-98 will focus on the following:

- Complete all requirements with FTA to fully establish an operating program;
- Negotiate and execute Development Agreements with selected developers;
- Provide technical assistance to selected other TOD projects;
- Detailed analysis of successful TOD Implementation projects completed to date (case studies);
- Establish supportive site improvements funding mechanisms for TOD projects.

## PRODUCTS

### Work Program for FY 1997

Specific products from this program include documentation, analysis and reports as needed including: appraisals, NEPA, pro formas, Development Agreements with the private sector for the TOD Implementation Program Fund, and completion of construction of the 172nd and East Burnside Housing Project.

<u>EXPENDITURES</u>			<u>REVENUE</u>	
	Amount	FTE		Amount
Personal Services	\$166,394	2.5	96 FTA Sec 5307	\$2,684,444
Transfers	50,906		TOD Match	274,691
Materials & Services	97,700		Metro	67,206
Computer	0			
Capital	2,711,341			
<b>Total</b>	<b>\$3,026,341</b>		<b>Total</b>	<b>\$3,026,341</b>

## **MAJOR INVESTMENT STUDIES**

### **West Hayden Transportation Study Work Program**

The Port of Portland is developing a Master Plan for the development of West Hayden Island as a future marine terminal. The overall study effort will develop both land use and transportation access alternatives. While there is a freight and rail component for the movement of goods to and from the island, the Port foresees the likely need for construction of a new bridge specifically to serve this area, and they may eventually be seeking federal funds. For this reason, this project has been studied as a MIS.

The work scope was divided into five major elements: 1) inventory; 2) development parameters; 3) schematic alternatives; 4) alternatives refinement; and 5) development plan. The Port of Portland hired a consultant to assist with these tasks associated with the development of the Master Plan for West Hayden Island. Following selection of the preferred alternative, begin the EIS development for a West Hayden Island bridge connector and other ancillary improvements.

### **Sunrise Corridor**

The Clackamas County Board of Commissioners, on April 18, 1996, selected the central alignment for unit 1 and the southern alignment for unit 2. ODOT is preparing the MIS for unit 1 and expects to be completed by spring 1997. The FEIS for unit 1 will be conducted in FY 97-98. A FEIS is not being done on unit 2 since the selection was only a corridor level decision. Additional environmental work will be done when this phase is constructed. ODOT is also working on a construction phasing plan for unit 1.

### **Western Bypass Study**

Recommendations and findings of the Western Bypass Study were adopted by Metro into the Regional Transportation Plan late in FY 96-97. ODOT will begin work in FY 97-98 on the design level analysis of the 99W to I-5 Connector project that resulted from the Study. The analysis will define the alignment and design for the potential toll-road facility.

### **Mount Hood Parkway**

ODOT will complete and forward for Metro action a set of recommendations and findings resulting from the study MIS report. Metro will review the recommendations and incorporate appropriate projects and actions into the Regional Transportation Plan. ODOT, Metro, and local jurisdictions will then develop a strategy for moving priority recommendations into project development activities.

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\*Also see South Willamette Crossing and Highway 217 Corridor

## OTHER PROJECTS OF REGIONAL SIGNIFICANCE

### MILWAUKIE - MCLOUGHLIN BOULEVARD (ORE 99E) FEASIBILITY STUDY

Review design options for improvements to a .5 mile segment of McLoughlin Boulevard in downtown Milwaukie; part of the integrated Milwaukie Regional Center Arterial/Street Improvement Program. The initial improvement draft was completed in January, 1997. Final design selection was in March, 1997. The Regional Center Master Plan is scheduled for completion in August, 1997.

Federal Share:                 \$100,000 STP  
Total:                             \$125,000

### WASHINGTON COUNTY - INTERURBAN (COMMUTER) RAIL PROJECT

A feasibility analysis is currently being conducted to determine if commuter (just during peak commute hours) or interurban (service all day) rail makes sense now in SE Washington County. A rail line runs between Wilsonville and Beaverton, with a potential direct connection with the Westside LRT. A possible extension has the line connecting south to north. The current analysis focuses on ridership projections and "Institutional constraints," such as ability to lease or purchase passenger rights from the trackage owner. Partners in this study are the cities of Beaverton, Tigard, Tualatin, Sherwood and Wilsonville; Washington County; Tri-Met; Metro; and ODOT. If the fatal flaw analysis concludes that further study is warranted, a feasibility analysis will be undertaken.

### TRI-MET - TRANSIT CHOICES FOR LIVABILITY

In September 1996, Tri-Met launched Transit Choices for Livability (TCL) a major outreach and planning effort to involve citizens in preparing a strategy for transit expansion over the next 10 years. TCL has been guided by a 33 member Regional Advisory Committee (RAC) charged with *Using the regional centers of Hillsboro, Gresham, Beaverton, and Oregon City as initial examples, describe how transit should be used and expanded to respond to dramatic growth in the region over the next 10 years. Identify a full range of strategies for transit to help assure mobility and reinforce community growth management goals.*

The RAC found transit service in the suburbs needs attention now, it is not enough to simply provide more transit service, the region needs new models for providing transit service in the suburbs, public and private partnerships are going to be needed as a way to both pay for and provide additional transit service, and additional funding for transit will be needed to make TCL real.

Tri-Met will be moving forward with Phase Two of TCL in FY 97-98 to implement the recommendations of the RAC. TCL sketch plans will be used as the framework for new service decisions and pilot projects will be developed to begin implementation of the sketch plans.

## RELATIONSHIP TO PREVIOUS WORK

This builds directly on Phase One of TCL and the recommendations prepared by the RAC. The recommendations of the RAC were approved by the Tri-Met Board at their January 1997 meeting. Phase One included \$173,000 of Regional STP funds. No federal funds are expended as part of this project.

## OBJECTIVES

Phase Two includes four distinct program elements: *Planning and Outreach* -- applying the outreach and planning approach from Phase One to the balance of the suburbs; *Community Leadership and Education* -- communicating the results of Phase One and building a broader constituency and understanding; *Community Transit* -- defining and preparing an action plan to implement Community Transit Alternatives; and, *Pilot Project* -- defining, and implementing TCL pilot projects in FY '98.

## PORTLAND - CENTRAL CITY STREETCAR

Conduct preliminary and final engineering on a streetcar line running from Northwest Portland to Portland State University via the River District and the Downtown. Current funding is from a HUD Special Purpose Grant. Funding for the following year is local.

## PORTLAND - SOUTH PORTLAND CIRCULATION STUDY

Investigate circulation options in the vicinity of SW Front/Barbur Blvd./Ross Island Bridge to improve travel and provide redevelopment opportunities in the Lair Hill and North Macadam areas.

Federal Share:	\$120,000 STP
Total:	\$150,000

## PORT OF PORTLAND - PORTLAND AIRPORT LIGHT RAIL EXTENSION

The Port of Portland is working with Metro, Tri-Met, the City of Portland and private developers on a public/private proposal to extend light rail to the Portland International Airport. The conceptual proposal would connect with the existing MAX Light Rail line at the Gateway Transit Center. Light rail would be extended north, generally in the median of I-205, until crossing the southbound freeway lanes south of Airport Way. It would proceed to a terminus station within the Airport terminal which is currently under re-construction. Two intermediate stations have been proposed, one serving Sandy Boulevard and the Parkrose Park-and-Ride Lot and one south of Airport Way, west of I-205 serving the Portland International Center, a developing business park. The proposal would use all local funds, a combination of approximately 50 percent regional funds, 25 percent Port of Portland funds and 25 percent private developer funds.

## ODOT - PLANNING ASSISTANCE

### FY 1998 SPR PROGRAM

1. Prepare corridor studies on state facilities.
2. Support RTP Update, including subarea analyses (e.g. South Willamette River Bridge Crossing, modal studies, demand management, transportation system monitoring, and analysis of travel behavior).
3. Support Metro Transportation/Land Use Integration efforts (e.g., 2040, TPR, and TSAP).
4. Ensure the OTP, Oregon Benchmarks, TPR, and corridor planning are integrated into the RTP and local land use transportation system planning.
5. Support regional HCT and commuter rail studies.
6. Coordinate Metro and State TIP development.
7. Support the analysis of alternate funding options (e.g. highway tolls and congestion pricing) and innovative public/private financing including the Tualatin Expressway Toll Road Pilot Project development.
8. Identify innovative HOV, freight and transit supportive capital improvements for the state highway system.
9. Participate in regional air quality planning.
10. Perform local land use development and traffic impact reviews.
11. Develop "Green Corridor" implementation strategy.
12. Continue jurisdictional highway rationalization and National Highway System and RTP Roadway Systems definition.
13. Develop new or refine existing investment analysis procedures to assist future urban transportation planning and investment decision-making.
14. Perform reconnaissance level study of I-5 corridor and related river crossing, port access, and truck circulation issues.
15. Increase transportation model development activities.
16. State Infrastructure Bank development.
17. Support Willamette Valley Forum.

### REVENUE

98-SPR	\$440,000
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	98PL ODOT (1)	98 Sec5303* 80X006	98Metro STP* 33C	98Metro STP ODOTMch	98 ODOT Supplmt	98 Lcl TriMet	98 Planning TCM*	97 STP Tod*	97S/N DEIS/FEI TriMet
<b>METRO</b>									
RTP Update/Refinemen	378,957		62,811	3,595		37,500			
Arterial Street Desi	56,000								
Congestion Managemen	53,000								
Intermodal Mgmt Syst	44,000								
Regional Bike/Ped			80,757	4,621					
Trans Imprv Program	46,419	38,104	25,123	1,438	45,000	45,000			
Urban Arterial Prog									
Local Plan Coord			141,125	8,077					
Congestion Pricing Prog									
Willamette Crossing	83,000	4,000			10,000				
Hwy 217 Study	27,000	8,000			28,000	15,000			
South/North DEIS**									1,215,091
S/N Extension**									23,250
S/N FEIS**									608,871
Westside Corridor Study									
PDX Alternative Mode Study									
Trans Model Improve Prog									
Survey & Research	168,555	25,000	160,000	9,157	75,000	50,000			
Trvl Model Refinemnt	48,000	30,000	55,184	3,158	30,000	30,000			
Trans Growth Mgmt							3,324,000		
Technical Assistance			75,000	4,292	22,000	10,000			
Coordination & Mgmt	40,870	30,000							
Data, Growth Monitor	73,030	66,000			15,000	37,500			
TOD								2,684,444	
<b>Metro Subtotal</b>	<b>1,018,831</b>	<b>201,104</b>	<b>600,000</b>	<b>34,338</b>	<b>225,000</b>	<b>225,000</b>	<b>3,324,000</b>	<b>2,684,444</b>	<b>1,847,212</b>

**ODOT PLANNING ASSISTANCE**

ODOT Subtotal

**GRAND TOTAL 1,018,831 201,104 600,000 34,338 225,000 225,000 3,324,000 2,684,444 1,847,212**

1. PL/ODOT is \$744,768.38  
 comprised of \$668,280.67 (89.73%)  
 fed share, \$76,487.71 (10.27%)  
 ODOT plus carryover of \$245,916.50 feder  
 and \$28,146.24 ODOT  
 includes an undetermined amount of  
 restoration funds.  
 \*Federal funds only, no match included

\*\*included in S/N DEIS Description

2: Includes System Monitoring  
 & Model Refinement  
 3: Includes DRC Database  
 & RLIS Support System

FUNDING SUMMARY

C A R R Y O V E R

97 Metro STP* 33c	97 Metro STP* ODO/Tmc	97 Sec 5303 80-x005*	96 Metro STP /ODO/Tmc 33C	PTA 96(e) (4) 29-9024	96 FHWA Pilot Cgstrn Pric	95 S/N AA/DEIS 299023*	93 Tri-Met Hillsboro FEIS	USDOT Sec 5309* TMAP	Other Federal Grants	98 SPR	Local Match	TOTAL
											239,294	722,1
											3,200	56,0
											3,200	56,2
20,000	1,145	25,000									4,622	47,2
											46,721	90,0
50,000	2,861				523,600						48,500	293,9
			52,860								10,937	48,5
											106,400	213,0
50,000	2,861										14,299	630,0
						6,885,513					45,077	164,1
						131,750						175,9
												8,100,6
												155,0
												608,8
				64,600			57,000					57,0
											11,400	76,0
13,433	12,215						600,000					600,0
								150,000				926,0
												214,0
25,000	1,431											3,324,0
												165,9
												109,0
												749,1
												3,026,3
58,433	20,513	25,000	52,860	64,600	523,600	7,017,263	57,000	600,000	150,000		0	1,579,813
												20,609,0
											440,000	440,00
											440,000	440,00

58,433 20,513 25,000 52,860 (4) 64,600 523,600 7,017,263 57,000 600,000 150,000 440,000 1,579,813 21,049,013  
21,049,013

(4) \$50,000 96STP,  
\$2,860 ODOT match

**SOUTHWEST WASHINGTON  
REGIONAL TRANSPORTATION COUNCIL  
(RTC)**

**UNIFIED PLANNING WORK PROGRAM**

**FOR**

**FISCAL YEAR 1998**

**Southwest Washington Regional Transportation Council  
1351 Officers' Row  
Vancouver, WA 98661  
Telephone: (360) 737-6067**

**Draft: February 1997**

## FISCAL YEAR 1998 UNIFIED PLANNING WORK PROGRAM: INTRODUCTION

### Purpose of UPWP

The Unified Planning Work Program (UPWP) is prepared annually by the Southwest Washington Regional Transportation Council (RTC), as designated Metropolitan Planning Organization (MPO) for the Clark County urban area. RTC is also the designated Regional Transportation Planning Organization (RTPO) for the three-county area of Clark, Skamania and Klickitat. RTC's UPWP was developed in coordination with the FY98 transportation planning program to be undertaken by WSDOT Southwest Region. All regional transportation planning activities as part of the continuing transportation planning process proposed by the MPO/RTPO, as well as Washington State Department of Transportation and local agencies, are documented in the UPWP. The financial year covered in the UPWP runs from July 1, 1997 through June 30, 1998.

The UPWP focuses on the transportation work tasks that are priorities to federal or state transportation agencies, and those tasks considered a priority by local elected officials. The planning activities relate to several modes of transportation and include are significant to the Regional Transportation Plans (RTPs) for the three-county region and the Metropolitan Transportation Plan (MTP) for the Clark County region. Since RTC was established in 1992, the agency's role and program of planning activities has continually evolved. RTC in the last 4 years has moved through the initial organizational steps of establishing regionally coordinated transportation planning and project prioritization to completing a series of major transportation planning studies and policy activities. FY98 represents a transition year. The current federal transportation act, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), ends in 1997. It is hoped that the next multi-year act will be passed by Congress and signed by the President before the end of 1997. In addition, the work of the Transportation Futures Committee (TFC) in Clark County is complete. The Committee's findings have resulted in new transportation planning initiatives in the region.

### UPWP Objectives

The UPWP describes the transportation planning activities and summary of local, state and federal funding sources required to meet the key transportation policy issues of the upcoming year. It reflects regional transportation problems and projects to be addressed during the next fiscal year. Throughout the year, the UPWP serves as the guide for planners, citizens, and elected officials to track transportation planning activities. It also provides local and state agencies in the Portland/Vancouver Metropolitan Area and RTPO region with a useful basis for regional coordination.

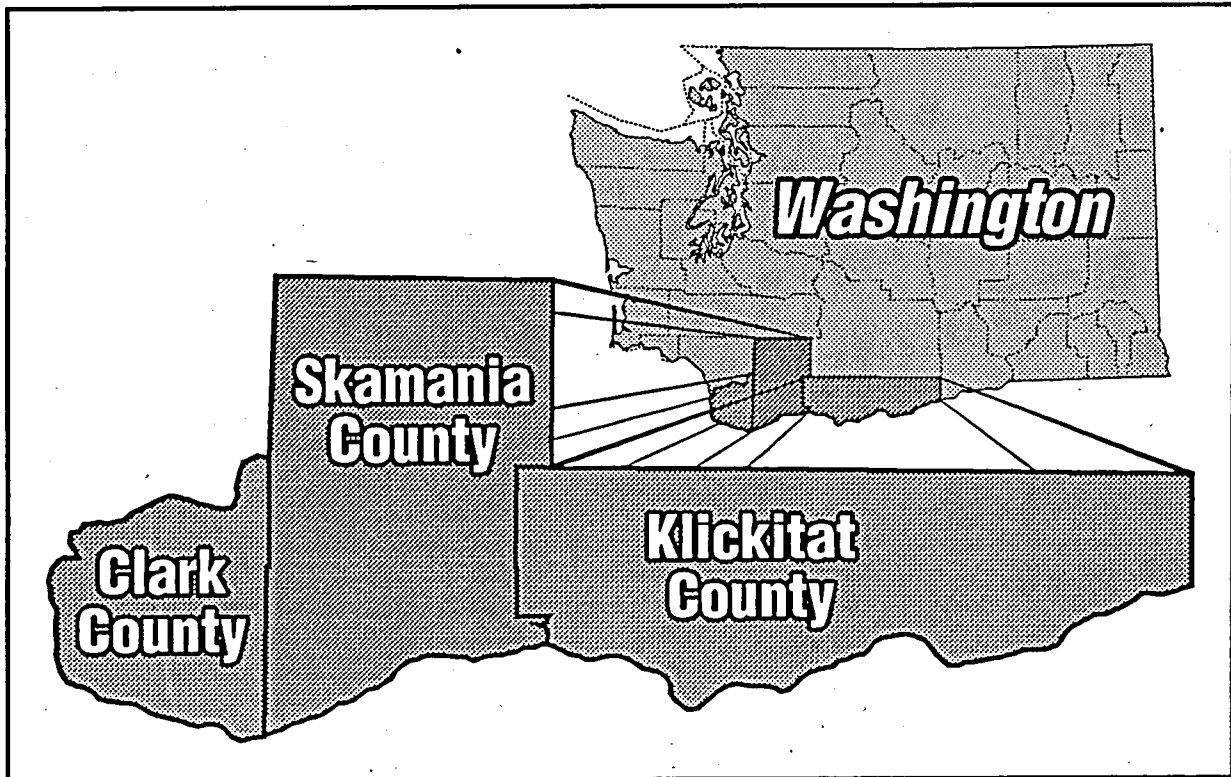
The key transportation issues facing the region during FY98 include:

- Identifying long-range and medium-term (six-year) transportation needs and strategy for financing improvements as part of the transportation plan for both the Metropolitan and RTPO region.
- Adopting a 1998-2000 Transportation Improvement Program (TIP) to reflect programming of the region's priority projects and funding programs under the federal transportation act.
- Providing for the rapid growth that the region is experiencing. Between 1990 and 1996, Clark County's population grew by 27.5 percent. A corresponding proportional investment in expanding transportation system capacity has not occurred.
- Implementing plans adopted under the Washington State Growth Management Act and implementing the 1991 federal Intermodal Surface Transportation Efficiency Act and its successor Act.

- Carrying out a High Occupancy Transportation Study to determine possible High Occupancy Vehicle (HOV) and High Capacity Transit (HCT) needs/demand, feasibility, design, potential corridors, cost and public acceptance.
- Addressing environmental issues relating to transportation, including seeking ways to reduce the transportation impacts on air quality.
- Study of the application of Intelligent Transportation Systems (ITS) technology in the I-5/Highway 99 corridor.
- Continuing the congestion management monitoring program.
- Working to address bi-state transportation needs in cooperation with Metro, Portland. Such needs are addressed in the South/North High Capacity Transit Corridor Draft Environmental Impact Statement (DEIS) and the update to the Metro Regional Transportation Plan.
- Involving the public in identifying transportation needs, issues and solutions in the region.

**SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL (RTC)**

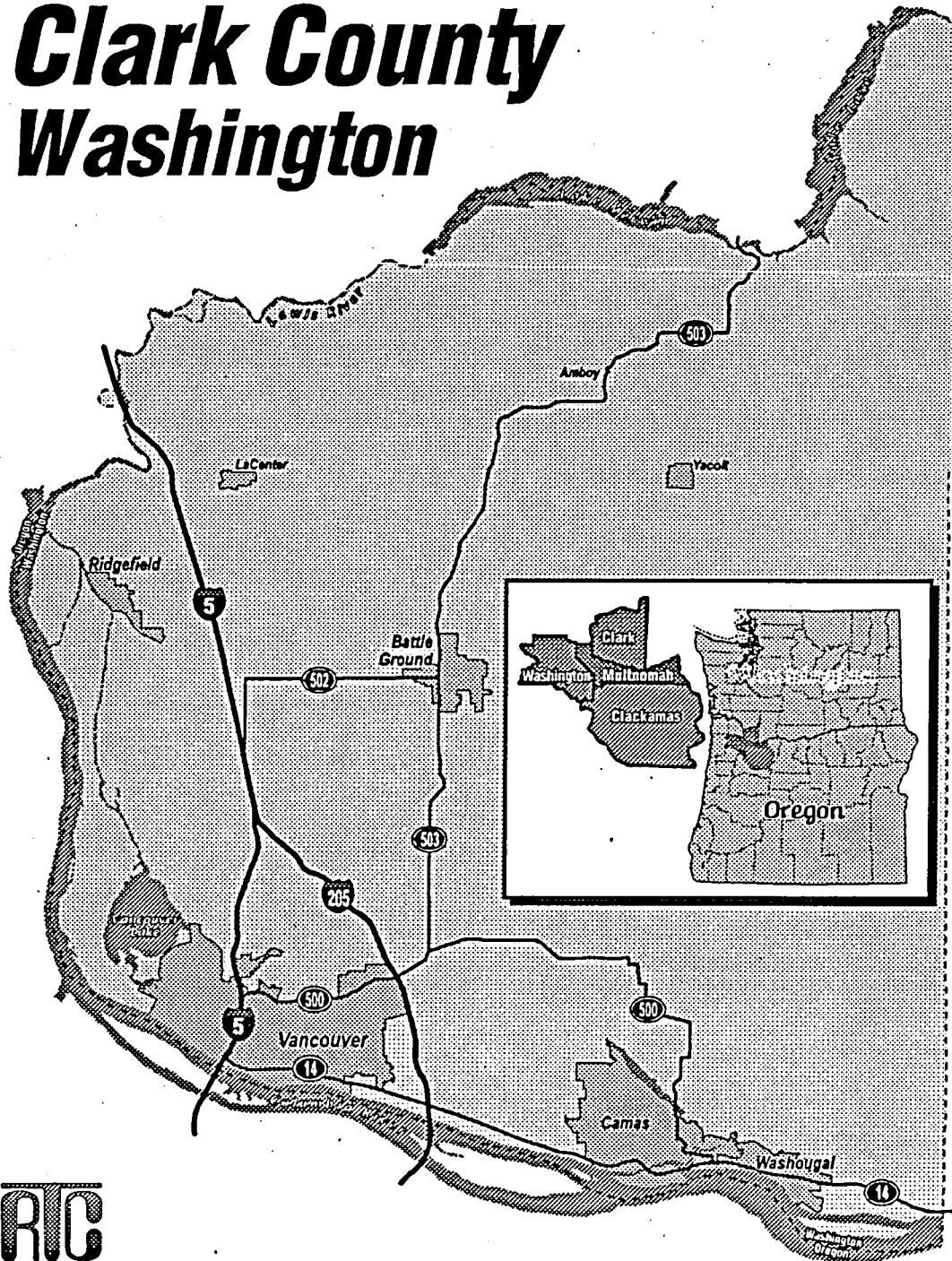
**EXTENT OF RTC REGIONAL TRANSPORTATION PLANNING ORGANIZATION REGION**



SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL (RTC)

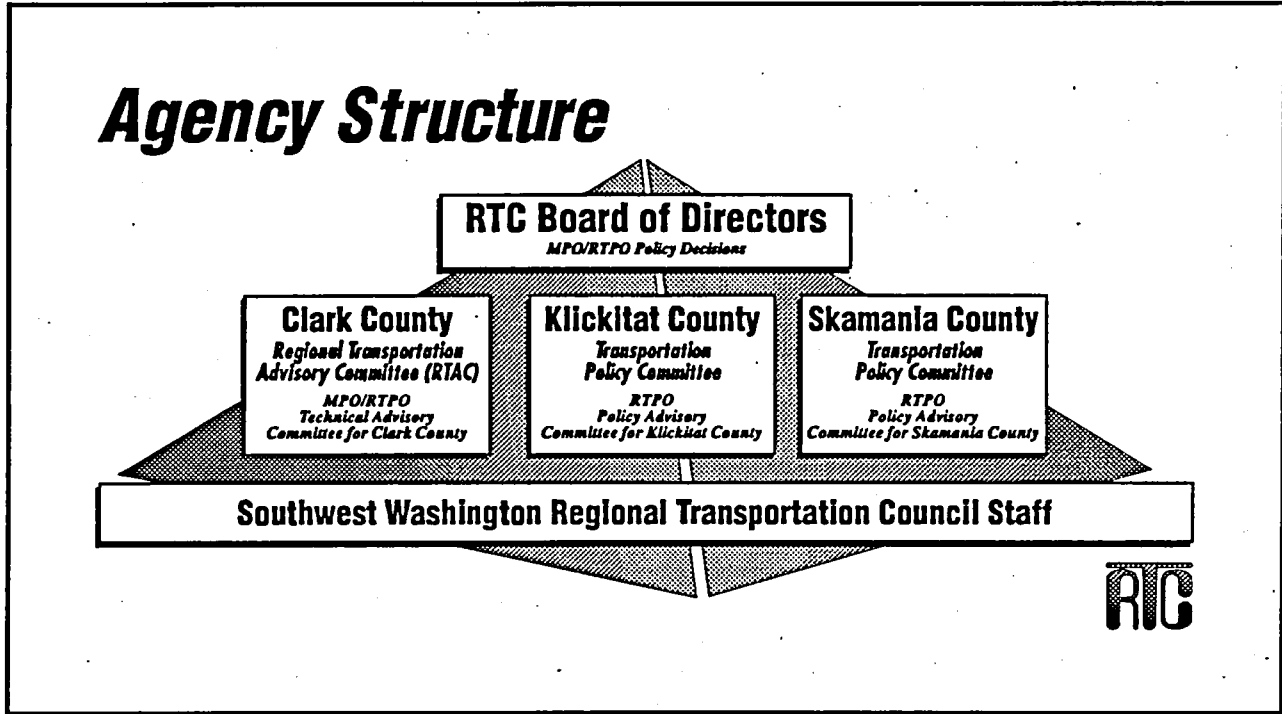
EXTENT OF RTC METROPOLITAN PLANNING ORGANIZATION REGION

# Clark County Washington



**SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL (RTC)**

**RTC: AGENCY STRUCTURE**



<b>RTC: TABLE OF ORGANIZATION</b>	
<b>Position</b>	<b>Duties</b>
Transportation Director	Overall MPO/RTPO Planning Activities, Coordination, and Management
Sr. Transportation Planner	MTP, UPWP, I-205 and East-West Arterials Study
Sr. Transportation Planner	TIP, Project Programming, RTPO in Skamania and Klickitat Counties, traffic counts
Sr. Transportation Planner	HCT, Bi-State, Air Quality, Management Systems
Sr. Transportation Planner	HCT, Regional Travel Forecasting Model, Air Quality
Sr. Technical Transportation Planner	Regional Travel Forecasting Model
Sr. Technical Transportation Planner	Computer Systems, GIS, Cartography
Administrative Staff: 2½ Positions	General administrative and accounting duties

## Participants, Coordination and Funding Sources

Consistent with the 1990 State Growth Management Act legislation, the Regional Transportation Council (RTC) Board of Directors has been established to deal with transportation policy issues in the three-county RTPO region. Transportation Policy Committees for Skamania and Klickitat Counties are in place and a Regional Transportation Advisory Committee (RTAC) for Clark County. (Refer to *Agency Structure* graphic, Page iv).

### A. Clark County

The primary transportation planning participants in Clark County include the following: the Regional Transportation Council, C-TRAN, Washington State Department of Transportation, Clark County, the cities of Vancouver, Camas, Washougal, Ridgefield, Battle Ground and La Center and the town of Yacolt, the ports of Vancouver, Camas-Washougal, and Ridgefield, and two federal agencies, the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA). In addition, the Department of Ecology (DOE) is involved in the transportation program as it relates to the State Implementation Plan for carbon monoxide and ozone. As the designated MPO for the Clark County Urban Area, RTC annually develops the transportation planning work program and endorses the work program for the entire metropolitan area. RTC is also responsible for the development of the Regional Transportation Plan, Metropolitan Transportation Plan, the Transportation Improvement Program, and other regional transportation studies, operational and near-term transit planning. C-TRAN adopted the *1996-2001 Transit Development Program (TDP)* which provides a comprehensive guide to C-TRAN's future development and has information regarding capital and operating improvements over the next six years. The TDP contains information required by RCW 35.58.2795 to be provided in the annual Transit Development and Financial Program. WSDOT is responsible for preparing *Washington's Transportation Plan*. RTC cooperates and coordinates with WSDOT, at the Southwest Region and Headquarters' level, in ensuring that results from regional and local planning studies are incorporated into Statewide plans. RTC and WSDOT also cooperate in involving the public in development of transportation policies, plans and programs.

WSDOT, the Community Development and Public Works Departments of Clark County and Departments of Preservation and Development and Public Works of the City of Vancouver conduct project planning for the highway and street systems related to their respective jurisdictions.

The coordination of transportation planning activities includes local and state officials in both Oregon and Washington. Coordination occurs at the staff level through involvement on advisory committees (RTC's RTAC and Metro's TPAC). Mechanisms for local, regional and state coordination are spelled out formally in a series of Memoranda of Agreement and Memoranda of Understanding (MOU). These memoranda are intended to assist and complement the transportation planning process:

1. The organizational and procedural arrangement for coordinating activities such as procedures for joint reviews of projected activities and policies, information exchange, etc.
2. Cooperative arrangements for sharing planning resources (funds, personnel, facilities, and services).
3. Agreed upon base data, statistics, and projections (social, economic, demographic) on the basis of which planning in the area will proceed.

An agreement between RTC and Metro is in place. Memoranda of Understanding (MOUs) between RTC and Southwest Washington Air Pollution Control Authority (SWAPCA), and RTC and C-TRAN, the local



public transportation provider, were adopted by the RTC Board on January 4, 1995 (Resolutions 01-95-02 and 01-95-03, respectively). A Memoranda of Understanding between RTC and Washington State Department of Transportation was adopted by the RTC Board at their August 1, 1995 meeting (RTC and WSDOT MOU; RTC Board Resolution 08-95-15).

### Issues of Interstate Significance

Both RTC and METRO have recognized that bi-state travel is an important part of the Portland-Vancouver regional transportation system and it is in the best interest of the region to keep this part of the system functioning efficiently. Currently, several locations on the I-5 and I-205 north corridors are at or near capacity with frequent traffic delays. The need to resolve increasing traffic congestion levels and to identify long term solutions continues to be a priority issue. Also of significance is the implementation of air quality maintenance plans for ozone and Carbon Monoxide.

### RTC Board of Directors

Cities East	Mayor Charles Crumpacker (Washougal) [President]
Ports	Commissioner Bob Moser (Vancouver) [Vice-President]
Clark County	Commissioner Mel Gordon
Clark County	Commissioner Betty Sue Morris
Clark County	Commissioner Judie Stanton
City of Vancouver	Mayor Royce Pollard
City of Vancouver	Vernon Stoner (City Manager)
Cities North	Mayor Tevis Laspa (Ridgefield)
C-TRAN	Leslie White (Executive Director)
WSDOT	Gerald Smith (Southwest Regional Administrator)
ODOT	Dave Williams
Metro	Metro Councilor
Skamania County	Commissioner Judy Carter
Klickitat County	Commissioner Ray Thayer

### Regional Transportation Advisory Committee Members

WSDOT Southwest Region	Mary Legry / Doug Ficco
Clark County Public Works	Pete Capell
Clark County Planning	Jerri Bohard
City of Vancouver, Public Works	Thayer Rorabaugh
City of Vancouver, Community Development	Azam Babar
City of Washougal	Mike Conway
City of Camas	Eric Levison
City of Battle Ground	Public Works Director
City of Ridgefield	City Clerk
C-TRAN	Deb Wallace
Port of Vancouver	Bernie Bills
ODOT	Leo Huff
Metro	Rich Ledbetter
Regional Transportation Council	Dean Lookingbill

**B. Skamania County**

The Skamania County Transportation Policy Committee was established in 1990 to oversee and coordinate transportation planning activities in the RTPO Skamania region.

**Skamania County Transportation Policy Committee**

Skamania County

City of Stevenson

WSDOT, Southwest Region

Port of Skamania

Commissioner Judy Carter

Monica Masco-McSherry, City Council Member

Gerry Smith, SW Regional Administrator

Anita Gahimer, Port Manager

**C. Klickitat County**

The Klickitat County Transportation Policy Committee was established in 1990 to oversee and coordinate transportation planning activities in the RTPO Klickitat region.

**Klickitat County Transportation Policy Committee**

Klickitat County

City of White Salmon

WSDOT, Southwest Region

Port of Klickitat

Commissioner Ray Thayer

Mamie Gaddis, City Council Member

Gerry Smith, SW Regional Administrator

Kathleen McCuiston, Port Commissioner

## I. REGIONAL TRANSPORTATION PLANNING PROGRAM

### Introduction

The Regional Transportation Planning Program encompasses MPO/RTPO planning activities including (A) Metropolitan Transportation Plan, (B) Transportation Improvement Program, (C) Congestion Management Monitoring, (D) High Occupancy Transportation Study, (E) Commuter Rail, (F) I-205 Six-Point Access Report, (G) Skamania County RTPO, and (H) Klickitat County RTPO. This region's 1997/8 regional transportation planning program will focus on continuing implementation of the transportation requirements of the State's Growth Management Program, the federal Intermodal Surface Transportation Efficiency Act of 1991 and its anticipated successor, and the Federal Clean Air Act Amendments of 1990, as well as monitoring performance of the regional transportation system.

All RTPO planning activities are incorporated into Regional Transportation Plans which include regional transportation policies, goals, data, and identify transportation needs in Clark, Skamania and Klickitat counties. The MTP/RTPs are the principal transportation planning documents which help to guide work of agencies throughout the RTPO region involved in transportation planning and programming of projects. The MTP/RTPs will be updated in FY98.

Federal transportation funding for individual projects within the MPO region of Clark County is dependent upon their consistency with the Metropolitan Transportation Plan (MTP); the Regional Transportation Plan for the Clark County metropolitan region. During FY98 the MTP will be updated to incorporate findings from the Transportation Futures Committee, updated transportation policies, work on a six-year transportation strategy, an enhanced financial plan and results from recent regional transportation planning studies. The MTP for Clark County covers a county-wide-area. Clean Air Act conformity analysis must be carried out on the updated Plan.

ISTEA requires that the MPO, in cooperation with the state and affected transit operators, develop a Transportation Improvement Program (TIP) which must include a priority list of projects and project segments for the next 3 years, together with a realistic financial plan. Projects included are those proposed for federal highway and transit funding. It is anticipated that a 1998-2000 TIP will be adopted in fall 1997, however, the schedule could be subject to change due to the impending re-authorization of the federal transportation act. Air quality conformity analysis will be carried out on the Program.

ISTEA designates regions of over 200,000 population, such as Clark County, as Transportation Management Areas (TMAs). Within the TMA, the MPO, in consultation with the state, selects projects for Surface Transportation, Congestion Mitigation/Air Quality and federal Transit Programs. Under ISTEA, TMAs must have a Congestion Management System in place, to include both travel demand reduction and operational management strategies. In FY98, RTC will focus on continuing implementation of the Traffic Congestion Management System the RTC Board adopted in May, 1995 with the Congestion Management Monitoring element. The program supports development of the MTP, concurrency management programs of local agencies, development of the regional travel forecasting model, TIP and implementation of the Congestion Management System.

Following completion of the I-205 and East/West Arterials Study in the fall of 1996, the next step in implementing study recommendations is to submit a six-point access report to the Federal Highways Administration to request additional access to the interstate system.

RTPO program activities for Klickitat and Skamania Counties are described in the Skamania County RTPO and Klickitat County RTPO work elements.

**I. REGIONAL TRANSPORTATION PLANNING PROGRAM**  
**A. Metropolitan Transportation Plan**

The Metropolitan Transportation Plan serves as the Regional Transportation Plan (RTP) for the Clark County metropolitan region to promote and guide development of an integrated intermodal and multimodal transportation system that facilitates the efficient movement of people and goods, using environmentally sound principles and fiscal constraint. An update to the December, 1994 *Metropolitan Transportation Plan (MTP) for Clark County* was adopted in December, 1996. The 1996 update was primarily a technical update to incorporate revised demographic forecasts for the Clark County region, update the designated regional transportation system and list of system improvements. The 1996 review resulted in initiating work on a new current year travel forecasting model calibration, identification of policy issues and need for work on a six-year action plan to be incorporated into a 1997 MTP update. The Metropolitan Transportation Plan (MTP) work element includes (i) update of the MTP, (ii) consideration of the environment during MTP development in accordance with the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA), (iii) continuing MTP development and (iv) incorporation of system monitoring and performance analysis results.

**Work Element Objectives**

**(i) Plan Update**

1. Update of the adopted December, 1996 Metropolitan Transportation Plan (MTP) for compliance with GMA and ISTEA and consistency with state, local and regional plans. The MTP is to be regularly updated to reflect changing trends, conditions, regulations and study results. According to state requirements the Plan is to be reviewed for currency every two years and under federal rules, the Plan must be updated at least every three years. The Plan for Clark County covers a county-wide-area, the area encompassed by the Metropolitan Area Boundary, and covers a 20-year planning horizon.
2. To comply with state standards and to incorporate the provisions of revised RCW 47.80 (SHB 1928 codified) the updated MTP must include the following components:
  - a. A statement of the goals and objectives of the Plan.
  - b. A statement of land use assumptions upon which the Plan is based.
  - c. A statement of the regional transportation strategy employed within the region.
  - d. A statement of the principles and guidelines used for evaluating and development of local comprehensive plans.
  - e. A statement defining the least cost planning methodology employed within the region.
  - f. Designation of the regional transportation system.
  - g. A discussion of the needs, deficiencies, data requirements, and coordinated regional transportation and land use assumptions used in developing the Plan.
  - h. A description of the performance monitoring system used to evaluate the plan, including Level of Service (LOS) parameters consistent with federal management systems, where applicable, on all state highways at a minimum.

- i. An assessment of regional development patterns and investments to ensure preservation and efficient operation of the regional transportation system.
  - j. A financial section describing resources for Plan development and implementation.
  - k. A discussion of the future transportation network and approach.
  - l. A discussion of high capacity transit and public transportation relationships, where appropriate.
3. To comply with ISTEA, the sixteen transportation planning factors to be considered in the regional transportation planning process, are to be addressed in the MTP. The sixteen factors include the consideration of both freight and people movement. The sixteenth factor is the need to address recreational travel and tourism in developing plans and programs.
  4. Public participation and review of the MTP, as well as inter-agency review of the Plan.
  5. Although the National Highway System Designation Act of 1995 made ISTEA's six management systems optional at the state level, it did not remove the need for Transportation Management Areas (TMAs), such as Clark County, to maintain Congestion Management Systems (CMSs) as part of the Metropolitan Planning Organization's (MPO) planning process. The RTC Board adopted Transportation Management Systems (TMS) work completed by RTC at their May 2, 1995 meeting (RTC Board Resolution 05-95-14). Management systems include the consideration of multimodal intermodal linkages, transit, TDM and TSM strategies as alternatives to Single Occupant Vehicle capacity projects. Work on management systems will continue in this region with system monitoring through integration of CMS strategies into the MTP and through system performance monitoring to be reported in the MTP update. Washington State Department of Transportation is developing and using a Public Transportation Management System.
  6. Incorporation of recommendations for development of the High Speed Train corridor, the Pacific Northwest Rail Corridor from Oregon to Vancouver BC, which runs through Clark County. Improvement of the Vancouver Amtrak rail station is proposed.
  7. Incorporation of a six-year action strategy into the MTP.

(ii) SEPA/NEPA Review

1. Coordination with environmental resource agencies in MTP development.
2. Assessment of environmental conditions, at a regional level.
3. Environmental review of the proposed MTP, prior to MTP adoption.
4. Evaluation of cumulative environmental impacts consistent with ISTEA, Clean Air Act and State requirements, including Clean Air Act conformity analysis.

(iii) Continuing MTP Development

The MTP will be subject to continuous review to ensure that changing trends, conditions or regulations and future study results are identified and that they will be reflected in the triennial

update to the Plan required by ISTEA. The GMA also requires that a biennial review of the MTP takes place. Updating of the MTP will include:

1. Re-evaluation of the future regional transportation system to be used in quantifying transportation performance and cumulative environmental impacts consistent with ISTEA, Clean Air Act and State requirements.
2. Revisiting of major bi-state policy positions, such as the South/North Corridor Draft Environmental Impact Statement (DEIS), initial High Occupancy Vehicle (HOV) policies, Traffic Relief Options (TRO), and congestion management policies.
3. Incorporation of recommendations from modal plans developed by Washington State as plans are developed and/or revised. The *State Highway Systems Plan* is due for update in spring 1997. The *Public Transportation and Intercity Rail Passenger Plan for Washington State, 1997-2016* was completed in 1996.
4. Integration of results from Washington State's Six Year Plan.
5. Integration of the findings of ISTEA management systems, and any Major Investment Study results into the MTP.
6. Description of any identified Transportation Control Measures (TCMs) to attain and maintain federal clean air standards and evaluation of MTP conformity with the Clean Air Act Amendments (CAAA) of 1990.
7. Evaluation of freight routes and review of the State's Freight and Goods System for currency.
8. Integration of findings from the citizens' Transportation Futures Committee (TFC) which convened in fall of 1995 and met through July 1996 to address transportation policy and transportation needs in the Clark County region. A final meeting of the TFC was held in December 1996.
9. Track federal initiatives such as FTA's Livable Communities initiative and consider its applicability in the Clark County region. Clark County and the City of Vancouver acknowledge the need to have a program to encourage transit-oriented development in implementing Growth Management Plans.
10. Consideration of concurrency management and its impact on development of the regional transportation system.
11. Consideration of High Occupancy Vehicle policy and system for the Clark County region.
12. Consideration of Intelligent Transportation System (ITS) applications to improve the Clark County transportation system. The I-5/Highway99 corridor has been identified for study of ITS applicability to improve its capacity.
13. An MTP update is likely in the fall/winter of 1997 to reflect a review of transportation policies in the region, updated consideration of High Capacity Transit needs, an updated base year regional travel forecasting model calibration and a six-year transportation strategy.

**(iv) System Monitoring**

1. The MTP will be used as the document in which system performance monitoring is reported.
2. RTC will coordinate with WSDOT Southwest Region and Headquarters Service Center in providing recommendations contained in the Plan and results from the monitoring systems for inclusion in statewide transportation plans and programs.

**Relationship To Other Work Elements**

The MTP takes into account the reciprocal effects between land use, growth patterns and transportation system development. It also identifies the mix of transportation strategies needed to solve future transportation system problems. The MTP for Clark County is interrelated to all other work elements. In particular, the MTP provides planning support for the TIP and relates to ISTEAs management systems. In Transportation Management Areas (TMAs), such as the Clark County region, no federally-funded project which will add capacity for single-occupant-vehicles will be permitted unless it is part of the ISTEAs Congestion Management System and transportation alternatives have been considered.

**FY98 Products**

1. MTP update for Clark County meeting GMA standards and ISTEAs requirements. The MTP will include a description of the proposed regional transportation system, including the number of lanes proposed for highway segments so that clean air conformity analysis assumptions are clear. The updated Plan will include more specific policy recommendations, actions and implementation measures, particularly in regards to non-motorized modes, freight transportation, Transportation Demand Management (TDM) measures and will address how these are incorporated into the planning process. A summary matrix, showing how the ISTEAs-required sixteen planning factors, are incorporated into RTC's regional transportation planning process will be updated
2. An updated financial plan will show the application of fiscal constraint in development of the MTP. It will provide an analysis of revenue estimation and clearly document operations, maintenance and system preservation costs as well as system improvement costs. Information from C-TRAN's Transit Development Plan (TDP) will be included with transit financing information.
3. The updated Plan will identify and discuss transportation enhancement activities.
4. The updated Plan will describe public involvement activities carried out by RTC as part of the regional transportation planning process and Plan Development.
5. A description of Major Investment Study (MIS) procedures will be provided in the updated Plan. RTC's adopted procedures will use the MIS procedures developed by WSDOT and procedures adopted by Metro as their basis.
6. Clean Air Act Amendments (CAAA) conformance analysis documentation.
7. Performance monitoring which compares system performance with the levels of service established in the GMA planning process as part of the concurrency requirement.

8. Initial application of a Least Cost Planning methodology, implementing SHB 1928, in development of the MTP.
9. A fully maintained Traffic Congestion Management System will serve as a tool for performance evaluation and support for transportation policy decisions, as well as identification of transportation strategies to relieve and/or manage congestion. Use of results from the Management Systems will enhance the region's MTP in terms of transportation strategies, system and capital needs.

**FY98 Expenses:**

	<b>\$</b>
RTC	79,962
	<hr/>
Total	79,962

**FY98 Revenues:**

	<b>\$</b>
FY98 PL	35,000
FIA, FY98	10,000
RTPO	12,000
Local	22,962
	<hr/>
	79,962



**I. REGIONAL TRANSPORTATION PLANNING PROGRAM****B. Regional Transportation Improvement Program**

The regional Transportation Improvement Program (TIP) is a three-year program of transportation projects having a federal funding component. In order for transportation projects to receive federal funds they must be included in the metropolitan TIP. Projects programmed in the TIP should implement the Metropolitan Transportation Plan (MTP). The TIP is developed by the MPO in a cooperative and coordinated process involving local jurisdictions, the Washington State Department of Transportation (WSDOT) and C-TRAN. Projects listed in the metropolitan TIP should have financial commitment and Clean Air Act conformity analysis must be carried out on the TIP.

**Work Element Objectives**

1. Adoption of 1998-2000 Transportation Improvement Program (TIP), consistent with the requirements of ISTEA. The awaited successive legislation to ISTEA may require that the TIP process be modified to comply with new project funding requirements contained in the new Act.
2. Review and implementation of project selection criteria used to evaluate projects proposed for federal highway and transit funding in order to prioritize projects. Projects for the following three years will be programmed in the 1998-2000 TIP. Project selection criteria reflects the multiple policy objectives of the regional transportation system (e.g. maintenance and operation of existing system, reduction of Single Occupant Vehicles (SOVs), capacity improvements, transit expansion and air quality improvement).
3. Address programming of Congestion Mitigation/Air Quality (CM/AQ) funds for 1998-99 TIP, with consideration given to emissions reduction benefits of such projects.
4. Work with local agencies to put together a regional package of projects to compete for statewide federal competitive Surface Transportation Program (STP) funds, federal Transportation Enhancement funds and state Transportation Improvement Account (TIA) funds.
5. Development of a realistic financial plan as part of the 1998-99 TIP which addresses costs for operation and maintenance of the transportation system.
6. Analysis of air quality impacts and Clean Air Act conformity documentation.
7. Review of project selection process.
8. Amendment of TIP, where necessary.
9. Monitoring of TIP implementation.
10. Maintain State Transportation Improvement Program (STIP) database.

**Relationship To Other Work Elements**

The TIP provides the link between the MTP and project implementation. The process to prioritize TIP projects will draw from data from the transportation database and regional travel forecasting model output. It relates to the Public Involvement element described in section III of the FY98 UPWP.

**FY98 Products**

1. An adopted 1998-2000 Transportation Improvement Program to reflect the programming of federal funds, clarification of project selection procedures and exercise of fiscal constraint to ensure that revenues and costs are balanced. The TIP will provide analysis/documentation for Operations and Management (O&M) costs and will provide an explanation of the adequacy/inadequacy of funds for such costs. A summary of significant public comments received during the public review period will be provided.
2. Clean Air Act conformity analysis and documentation.
3. Updated STIP database.
4. Opportunity for public involvement in TIP development.

**FY98 Expenses:**

	\$
RTC	37,903
	_____
Total	37,903

**FY98 Revenues:**

	\$
FY98 PL	17,000
FTA, FY98	5,000
RTPO	7,000
Local	8,903
	_____
	37,903

**I. REGIONAL TRANSPORTATION PLANNING PROGRAM****C. Congestion Management Monitoring**

The RTC Board of Directors adopted the Congestion Management System (CMS) for the Clark County region in May of 1995. The CMS focuses on vehicular travel, transit, and TDM performance in congested roadway corridors. ISTEA requires that any federally-funded project which significantly expands single occupancy vehicle capacity must come from a CMS. It also requires that all reasonable alternatives to the single occupant vehicle must be considered first. Congestion Management Monitoring continues implementation of the data collection, and congestion monitoring element of the Congestion Management System.

**Work Element Objectives**

1. Build from FY97's Congestion Management Monitoring work element which accomplished a major update of the regional traffic count database, allowed for re-calibration of the regional travel forecasting model and provided an updated congestion corridor index.
2. Collection of traffic counts, turning movements, vehicle classification counts, travel delay, and other key data to assist implementation of the adopted CMS program. The focus will be on the collection and analysis of traffic count data in identified CMS corridors, as well as at locations throughout the regional transportation network. This would expand on last year's traffic counts and collect data at missing locations, locations where major projects have been completed, and other locations to allow for analysis of growth from 1996 to 1997.
3. Analyze traffic count data, turn movements, vehicle classification counts and travel delay data to get an up-to-date picture of system performance, including an evaluation of congestion on the Columbia River Bridges in Clark County.
4. Coordinate with local jurisdictions and local agencies to ensure consistency of data collection, data factoring and ease of data storage/retrieval. Coordination will be a key element to ensure the traffic count and turn movement data will support local and regional transportation planning studies and Concurrency Management programs
5. Collection, validation, factoring and incorporation of traffic count data into the existing count program. The data will be separated into 24 hour and peak hour categories, and utilized for travel model calibration.
6. Once traffic count data analysis has been completed it will be applied to measure and analyze the performance of the transportation corridors in the CMS network. This system performance information will be used to help identify system needs and solutions. The data will also be used to support Growth Management Act concurrency analysis.

**Relationship To Other Work**

The Transportation System Performance Monitoring element is closely related to the data management and travel forecasting model elements. Monitoring will support development of the MTP, TIP, implementation of concurrency management, ISTEA transportation management systems, including the Traffic Congestion Management System required in Transportation Management Areas (TMAs) and regional travel forecasting model development. Congestion

monitoring is a key component of the regional transportation planning process and supports local jurisdictions in their concurrency management process.

**FY98 Products**

1. Traffic counts, turning movement, vehicle classification counts, travel delay and other key data for numerous locations throughout Clark County.
2. Analysis of traffic data to provide system performance indicators and support for GMA concurrency analysis and CMS implementation.
3. Identification of system needs and solutions.

	Continuation of a FY97 UPWP element		
<b><u>FY98 Expenses:</u></b>		<b><u>FY98 Revenues:</u></b>	
	Estimated carry-over to FY98		
	\$		\$
		CM/AQ	55,000
RTC	63,584	Local	8,584
Total	<u>63,584</u>		<u>63,584</u>

The full project budget, begun in FY97, is for \$100,000 in federal CM/AQ funds and \$15,607 in local MPO funds for a total project budget of \$115,607.

**I. REGIONAL TRANSPORTATION PLANNING PROGRAM****D. Regional High Occupancy Transportation Study**

High growth rates and limited funding for infrastructure investment have led to increasing levels of congestion in Clark County and on the two interstate bridges crossing the Columbia River. Efficient management of travel demand on Clark County and bi-state transportation corridors is critical to providing mobility within the region. A high-occupancy-vehicle (HOV) program can improve overall mobility in the most congested parts of our region by increasing the people-moving efficiency and capacity of freeways and arterials. HOV facilities have the potential to reduce travel times, encourage mode shift, manage congestion, improve transit mobility, increase corridor capacity, improve travel flow and reduce the need to expand highway vehicle-carrying capacity. A comprehensive regional and bi-state HOV/HCT study that examines needs/demand, feasibility, design, potential corridors, cost and public acceptance is to be developed. The study is scheduled for completion in 1998 and will result in a HOV facility implementation plan to include specific HOV projects, supported by a system plan. The Study will pay particular attention to travel needs within the I-5 and I-205 bi-state transportation corridors. RTC will coordinate the study and will have a Management Team for guidance, a Technical Advisory Committee comprised of the RTC member jurisdictions and full participation of bi-state partners. Local community input and review will occur through a citizens advisory committee and a broader citizen outreach process.

**Work Element Objectives**

1. Work with local jurisdictions, agencies and the community to develop a High Occupancy Vehicle/High Capacity Transit (HOV/HCT) strategy for Clark County. Work will be coordinated with C-TRAN's Transit Development Program and WSDOT's HOV Policy and State Highway System Plan. Bi-state issues affecting the HOV Study would be coordinated with Oregon Department of Transportation (ODOT) and Metro. These issues include the I-5 Capacity Reconnaissance being conducted by ODOT and I-5 north pricing alternatives for the Traffic Relief Options (TRO) Study. This study will also be coordinated with other regional transportation study activities currently under consideration, such as the I-5 Capacity Study and the Commuter Rail Study.
2. Define overall approach for regional HOV development and objectives of a Clark County HOV system. Work will include review of state and federal policies regarding HOV, the consistency of HOV policies with local land use plans, determination of transportation objectives for HOV facilities in Clark County, identification of transportation problems in Clark County and bi-state corridors that HOV facilities are intended to mitigate (such as recurring congestion and traffic bottlenecks). Fundamental issues critical to successful HOV facilities, such as the level of recurring congestion and the nature of commute patterns and distances, will be addressed.
3. Identify transportation corridors for evaluation. A two tier evaluation system will be used. First, screening criteria will be applied to identify corridors and facilities that have HOV potential. Thresholds for HOV viability such as travel time savings, congestion levels, corridor travel demand and travel demand between residential origins and activity centers, as well as the physical characteristics of the roadway will be considered. The second tier of evaluation criteria will be more detailed and use quantitative data to assess viable HOV corridors. Criteria will address transportation impacts, operational assessment, design considerations, and other factors.
4. Examine low-cost short-term HOV improvements that could be implemented to provide immediate mobility improvements.

5. Develop approach for addressing the function of Intelligent Transportation Systems (ITS) to supplement or complement HOV facilities or provide additional mobility to the transportation system.
6. Conduct screening process to determine viable or potential HOV corridors. Preliminary assessment of regional freeway and arterial corridors will be made. Viability thresholds and criteria will be compared with available transportation data and other qualitative information to assess the potential HOV corridors and identify corridors for further study. Candidate HOV corridors should meet viability thresholds including, adequate travel time savings, sufficient travel demand, and reasonable potential for successful implementation and operation. Information and data will be gathered for this activity. Factors conducive to HOV utilization such as congestion levels, optimal trip distances, travel time savings will be considered and base and forecast data for potential HOV corridors including: congestion, transit demand, trip length, travel time, average speed, vehicle occupancy, origin/destination data, trip density, and potential HOV travel sheds.
7. Determine types of HOV facilities for consideration in Clark County. For freeway HOV facilities this might include concurrent, contra-flow, movable barriers, queue bypass, reversible and barrier-separated facilities. For arterial HOV facilities the options might include bus-only, right-lane, middle-lane and contra-flow facilities.
8. Develop alternatives for potential HOV corridors. The range of appropriate HOV treatment and types for both auto and transit will be considered. Alternatives definition will also include facility design, access location, enforcement, operations, and support facilities.
9. Evaluate HOV alternatives. Design considerations, transportation model impacts, operational assessment, support facilities and programs, coordination with bi-state activities and long-term use of the corridor will all be considered.
10. Recommend HOV system alternatives for implementation. The comprehensive HOV system plan for Clark County will include phasing of proposed corridors, design (type and treatment) and a financial plan.

#### Relationship To Other Work

The HOV Facility Study relates to other specific UPWP elements such as MTP, TIP, and Regional Transportation Data and Travel Forecasting as well as to ongoing transportation studies in the metropolitan area such as the ODOT I-5 and I-205 Capacity Reconnaissance and the Metro's Traffic Relief Options (TRO) Study and other regional transportation studies currently under consideration such as an I-5 Capacity Study and Commuter Rail Study.

#### FY98 Products

1. A High Occupancy Vehicle/High Capacity Transit region-wide system plan for Clark County that defines policies and objectives, identifies the need and benefits, and identifies the location of possible corridors and/or facilities.

Continuation of a FY97 UPWP element			
<b><u>FY98 Expenses:</u></b>		<b><u>FY98 Revenues:</u></b>	
	Estimated carry-over to FY98		
	\$		\$
		CM/AQ	170,000
RTC	196,759	Local	26,759
Total	<u>196,759</u>		<u>196,759</u>

The full project budget, begun in FY97, is for \$216,000 in federal CM/AQ funds and \$34,000 in local MPO funds for a total project budget of \$250,000.

I. REGIONAL TRANSPORTATION PLANNING PROGRAM

E. Commuter Rail

The concept of a bi-state commuter rail system has been discussed for a number of years. The issue was studied as part of the alternatives narrowing process for the South/North Transit Corridor Study. However, the issue drew new attention through the Transportation Futures process. The Transportation Futures Committee identified commuter rail in their findings as an option for increasing bi-state capacity while utilizing existing facilities. This project will focus on operational issues and estimated costs for commuter rail implementation. Work will be coordinated with C-TRAN.

Work Element Objectives

1. Determine the feasibility of commuter service between Vancouver and Portland.
2. Examine a wide range of issues relating to potential implementation of commuter rail including identifying critical issues to consider and resolve. These issues will include reliability, operations, shared use of track with freight and inter-city passenger use, capital and operating costs, ridership and transit service objectives.
3. Examine how commuter rail integrates with other components of the transportation system including bus service, transit centers, and park and ride service.
4. Examine whether commuter rail can be a short-term or long-term strategy for bi-state travel needs.
5. Assess how commuter rail meets the regional transportation goals contained in the MTP and jurisdictional comprehensive plans
6. Coordinate the study with other commuter rail corridor studies in the Portland metro area.

Relationship To Other Work

The Commuter Rail Study relates to MTP development and will use data from the regional transportation database and regional travel forecasting model. It is a bi-state issue that will require coordination between Oregon and Washington transportation agencies. Work will be coordinated with C-TRAN.

FY98 Products

1. Report on the feasibility of a commuter rail system in Clark County and between Clark County and Portland.

Continuation of FY96 Element

<u>FY98 Expenses:</u>		<u>FY98 Revenues:</u>	
	\$		\$
RTC, Consultant	250,000	HCTA	200,000
		Local	50,000
Total	<u>250,000</u>		<u>250,000</u>



**I. REGIONAL TRANSPORTATION PLANNING PROGRAM****F. I-205 Six-Point Access Report**

The I-205 and East-West Arterials Study recommendations were endorsed by the RTC Board in August, 1996. The planning/conceptual design study examined traffic operations, transportation demand management, transit alternatives and traffic congestion in the I-205 corridor between the I-205/SR-500 interchange and the Glenn Jackson Bridge and on east/west arterials, between Andresen Road and 162<sup>nd</sup>/164<sup>th</sup> Avenue. Study recommendations are to build a split diamond interchange at 18<sup>th</sup> Street and Burton/NE 28<sup>th</sup> Street, together with a package of arterial improvements to include widening of Burton Road to 3 lanes, extension of a 3-lane NE 18<sup>th</sup> Street segment west to NE 87<sup>th</sup> Avenue, and widening of NE 18<sup>th</sup> Street to 5 lanes from I-205 to NE 162<sup>nd</sup> Avenue. The next step is to submit a Six-Point Access Report to the Federal Highways Administration (FHWA). FHWA approval is required before access can be added to the Interstate System. The I-205 and East-West Arterials Study report will be used as a basis for the Report.

**Work Element Objectives**

1. Prepare a report requesting FHWA approval for additional access to/from I-205 covering the six points described below:
  - Point 1: Demonstrate the need for the additional access. Show that design year traffic cannot be accommodated by existing transportation facilities or by improvements to the existing facilities and that the proposed access will accommodate regional traffic rather than local traffic.
  - Point 2: Demonstrate that all reasonable alternatives for design options, location, modes and transportation system management type improvements have been assessed.
  - Point 3: The report should include operational analyses of existing and proposed future Interstate and surface system, as well as an accident analysis.
  - Point 4: Address interchange spacing, access connections and design standards.
  - Point 5: Demonstrate that the proposed access is consistent with local and regional land use and transportation plans.
  - Point 6: The proposal should demonstrate coordination between the interchange improvements and the necessary connecting local circulation system.
2. Provide regional travel forecasting model output for the report.

**Relationship To Other Work**

The I-205 and East-West Arterials Study recommendations were incorporated into the December 1996 MTP. Completion of an access report is the next step toward being able to program recommended projects in the TIP.

**FY98 Products**

1. A Six-Point Access Report to submit to Federal Highways Administration (FHWA).

Continuation of a FY97 UPWP element			
<u>FY98 Expenses:</u>	<u>Estimated carry-over to FY98</u>		<u>FY98 Revenues:</u>
	\$		\$
RTC	<u>5,000</u>	State	<u>5,000</u>
Total	5,000		5,000

The full project budget, begun in FY97, is for \$19,000 in funds from WSDOT.

**I. REGIONAL TRANSPORTATION PLANNING PROGRAM****G. Skamania County RTPO**

Work by the RTPO on a transportation planning work program for Skamania County began in FY 90. The Skamania County Transportation Policy Committee meets monthly to discuss local transportation issues and concerns. Work in FY97 focused on development of the SR-14 Corridor Plan and will continue into FY98. Review of the Skamania County Regional Transportation Plan (initially adopted in April, 1995) will begin in FY97 and continue with update in FY98. The regional transportation planning database for Skamania County will be further developed and RTC staff will continue to provide transportation planning technical assistance for Skamania County.

**Work Element Objectives**

1. Continue regional transportation planning process.
2. Review of the Transportation Plan for Skamania County's regional transportation system using regional transportation planning program guidelines formulated by WSDOT for RTPOs. To comply with state standards and to incorporate the provisions of revised RCW 47.80 (SHB 1928 codified) the updated MTP must include the following components:
  - a. A statement of the goals and objectives of the Plan.
  - b. A statement of land use assumptions upon which the Plan is based.
  - c. A statement of the regional transportation strategy employed with the region.
  - d. A statement of the principles and guidelines used for evaluating and development of local comprehensive plans.
  - e. A statement defining the least cost planning methodology employed within the region.
  - f. Designation of the regional transportation system.
  - g. A discussion of the needs, deficiencies, data requirements, and coordinated regional transportation and land use assumptions used in developing the Plan.
  - h. A description of the performance monitoring system used to evaluate the plan, including Level of Service (LOS) parameters consistent with federal management systems, where applicable, on all state highways at a minimum.
  - i. An assessment of regional development patterns and investments to ensure preservation and efficient operation of the regional transportation system.
  - j. A financial section describing resources for Plan development and implementation.
  - k. A discussion of the future transportation network and approach.
  - l. A discussion of high capacity transit and public transportation relationships, where appropriate.
3. The transportation database for Skamania County, developed since the inception of the RTPO, is used as input to the *Regional Transportation Plan*.
4. Continuation of transportation system performance monitoring program.
5. Assistance to Skamania County in implementing ISTEA, and its anticipated successor legislation. This will include continued assistance in development of federal and state-wide grants and development of the 1998-2003 TIP.

6. Continued assessment of public transportation needs, including specialized transportation, in Skamania County.
7. Assistance to Skamania County in conducting regional transportation planning studies.
8. In FY96, the *SR-14 Corridor Strategy and Action Plan* was drafted by RTC staff. RTPO members, the Gorge Commission, and public provided comments on the draft. In FY97, WSDOT staff used the Strategy Plan as a basis for development of the SR-14 Corridor Plan which combines a strategy and action plan, design guidelines, and Route Development Plan. A historic survey and truck survey, completed in FY97, are used as input to the Corridor Plan. Work on the Plan should be completed by FY98 and adoption is anticipated in FY98. RTC staff assisted in development of the Corridor Plan.

**Relationship To Other Work Elements**

The RTPO work program activities for Skamania County will be tailored to their specific needs and issues and, where applicable, coordinated across the RTPO.

**FY98 Products**

1. Continued development of a coordinated, technically sound regional transportation planning process in Skamania County.
2. Continued development of a technical transportation planning assistance program.
3. Update of the Regional Transportation Plan for Skamania County. This will include incorporating the provisions of RCW 47.80 (SHB 1928 codified ) which requires that plans adopted after June 30, 1996, include a transportation strategy, assessment of regional development patterns, established planning principles and guidelines for local comprehensive plan development and use of a Least Cost Planning methodology. The SR-14 Corridor Plan will be addressed in the Plan update.
4. Preparation for 1998-2003 Regional Transportation Improvement Program (RTIP) for incorporation into the State Transportation Improvement Program (STIP).

**FY98 Expenses:**

	\$
RTC	34,944
Total	<u>34,944</u>

**FY98 Revenues:**

	\$
RTPO	16,944
STP	<u>18,000</u>
	34,944

**I. REGIONAL TRANSPORTATION PLANNING PROGRAM****H. Klickitat County RTPO**

Work by the RTPO on a transportation planning work program for Klickitat County began in FY 90. The Klickitat County Transportation Policy Committee meets monthly to discuss local transportation issues and concerns. Work in FY97 focused on development of the SR-14 Corridor Plan and will continue into FY98. Review of the Klickitat County Regional Transportation Plan (initially adopted in April, 1995) will begin in FY97 and continue with update in FY98. The regional transportation planning database for Klickitat County will be further developed and RTC staff will continue to provide transportation planning technical assistance for Klickitat County.

**Work Element Objectives**

1. Continue regional transportation planning process.
2. Review of the Transportation Plan for Klickitat County's regional transportation system using regional transportation planning program guidelines formulated by WSDOT for RTPOs. To comply with state standards and to incorporate the provisions of revised RCW 47.80 (SHB 1928 codified) the updated MTP must include the following components:
  - a. A statement of the goals and objectives of the Plan.
  - b. A statement of land use assumptions upon which the Plan is based.
  - c. A statement of the regional transportation strategy employed with the region.
  - d. A statement of the principles and guidelines used for evaluating and development of local comprehensive plans.
  - e. A statement defining the least cost planning methodology employed within the region.
  - f. Designation of the regional transportation system.
  - g. A discussion of the needs, deficiencies, data requirements, and coordinated regional transportation and land use assumptions used in developing the Plan.
  - h. A description of the performance monitoring system used to evaluate the plan, including Level of Service (LOS) parameters consistent with federal management systems, where applicable, on all state highways at a minimum.
  - i. An assessment of regional development patterns and investments to ensure preservation and efficient operation of the regional transportation system.
  - j. A financial section describing resources for Plan development and implementation.
  - k. A discussion of the future transportation network and approach.
  - l. A discussion of high capacity transit and public transportation relationships, where appropriate.
3. The transportation database for Klickitat County, developed since the inception of the RTPO, is used as input to the *Regional Transportation Plan*.
4. Continuation of transportation system performance monitoring program.
5. Assistance to Klickitat County in implementing ISTEA, and its anticipated successor legislation. This will include continued assistance in development of federal and state-wide grants and development of the 1998-2003 TIP.

6. Continue assessment of public transportation needs, including specialized transportation, in Klickitat County.
7. Assistance to Klickitat County in conducting regional transportation planning studies. In particular, there is need to conduct a Highway 35 Columbia River Crossing Feasibility Study. The Hood River Bridge across the Columbia connects Bingen/White Salmon, Washington to Hood River, Oregon. The bridge was built in 1924 and is experiencing serious maintenance, safety, and capacity problems. The proposal is to conduct a study of a new bridge's feasibility; to address preliminary design, environmental, and financial issues.
8. In FY96, the *SR-14 Corridor Strategy and Action Plan* was drafted by RTC staff. RTPO members, the Gorge Commission, and public provided comments on the draft. In FY97, WSDOT staff used the Strategy Plan as a basis for development of the SR-14 Corridor Plan which combines a strategy and action plan, design guidelines, and Route Development Plan. A historic survey and truck survey, completed in FY97, are used as input to the Corridor Plan. Work on the Plan should be completed by FY98 and adoption is anticipated in FY98. RTC staff assisted in development of the Corridor Plan.

**Relationship To Other Work Elements**

The RTPO work program activities for Klickitat County will be tailored to their specific needs and issues and, where applicable, coordinated across the RTPO.

**FY98 Products**

1. Continued development of a coordinated, technically sound regional transportation planning process in Klickitat County.
2. Continued development of a technical transportation planning assistance program.
3. Review and update of the Regional Transportation Plan for Klickitat County. This will include incorporating the provisions of RCW 47.80 (SHB 1928 codified ) which requires that plans adopted after June 30, 1996, include a transportation strategy, assessment of regional development patterns, established planning principles and guidelines for local comprehensive plan development and use of a Least Cost Planning methodology. The SR-14 Corridor Plan will be addressed in the Plan update.
4. Preparation for 1998-2003 Regional Transportation Improvement Program (RTIP) to be incorporated into the State Transportation Improvement Program (STIP).

**FY98 Expenses:**

	\$
RTC	36,700
Total	36,700

**FY98 Revenues:**

	\$
RTPO	18,700
STP	18,000
	36,700

## II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

### Introduction

Data Management and Travel Forecasting Process work elements include: (A) Regional Transportation Data Base and Travel Forecasting Process, (B) Air Quality Planning, and (C) Commute Trip Reduction.

The Regional Transportation Data and Travel Forecasting element includes: transit operations and ridership data, census data, transit/highway networks, population/employment allocations, traffic counts, origin/destination travel survey data, the further application of GIS technology for regional transportation planning purposes, and model update/refinement activities including analysis and inclusion of household travel survey data from the Metro-led survey carried out in FY95/96. Of continued significance in FY98 will be the use of model data as a tool in assessing transportation system needs to meet GMA concurrency requirements. A continued emphasis will be on provision of model data and applications to MPO/RTPO member agencies.

State and federal air quality conformity requirements are major considerations in the development of transportation plans and programs therefore an Air Quality Planning element is included in the FY98 UPWP. The transportation conformity requirements contained in the Federal Clean Air Act Amendments and the State Clean Air Act mandate that transportation plans and programs are to be a part of air quality improvement strategies. RTC will continue to work with Washington and Oregon agencies to coordinate mobile source air quality planning for the Clark County portion of the Portland-Vancouver region.

Commute Trip Reduction (CTR) is likely to play a significant part in providing for future mobility needs of Clark County's population. RTC's role will be in providing local agencies with data to assess the impacts of the CTR program.

## II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

### A. Regional Transportation Data and Travel Forecasting

This element includes the development, maintenance and management of the regional transportation database to support the regional transportation planning program. Use of the data includes measuring system performance, evaluating level of service standards, calibration of the regional travel forecasting model, functional classification of roadways, routing of trucks, support for studies by local jurisdictions and air quality analysis. Work will continue on developing a Geographic Information System (GIS) transportation database and technical assistance will be provided to MPO/RTPO member agencies and other local jurisdictions, as needed. RTC will continue to assist local jurisdictions in implementing Growth Management Act (GMA) plans. The GMA requires that transportation infrastructure is provided concurrent with the development of land. The regional travel model serves as the forecasting tool to estimate and analyze future transportation needs. EMME/2 software is used to carry out travel demand and traffic assignment steps. RTC continues to use Metro's model with a refined zone system for Clark County and coordinates closely with Metro to ensure the model is kept up to date. In FY98, RTC will coordinate with WSDOT in their efforts to establish the Washington Travel Demand Forecasting Framework (WTDF).

#### Work Element Objectives

1. Maintain an up-to-date transportation data base and map file for transportation planning and regional modeling.
2. Collection, analysis and reporting of regional transportation data.
3. Maintain a comprehensive, continuing, and coordinated traffic count program.
4. Analyze growth trends and relate these to future year population and employment forecasts.
5. Coordinate with Metro on their work and procedures for forecasting the region's population and employment data for future years and work with Clark County jurisdictions to allocate the region-wide growth total to Clark County's transportation analysis zones.
6. Maintain and update the region's highway network GIS layer, as necessary.
7. Continue to incorporate transportation planning data elements into the Arc/Info GIS system and use ArcView to enhance RTC's GIS capabilities.
8. Incorporate transit ridership statistics and transit-related data developed by C-TRAN into the regional transportation database which are used for input to regional plans, travel forecasting model and for map-making.
9. Maintain designated regional transportation system, functional classification system of highways and freight routes GIS layers.
10. Assistance to local jurisdictions relating to data and information from the regional transportation data base and in implementation of GMA plans, including implementation of Concurrency Management programs.
11. Collaboration with Metro to analyze travel survey data to enhance the regional transportation database and regional travel forecasting model.
12. Update computer equipment.



13. Work with local agencies to allow access to model use and to expand model applications for use in regional plans, local plans, transportation demand management planning and transit planning.
14. Continue local Transportation Model Users' Group (TMUG).
15. Increase the ability of the existing travel forecasting procedures to respond to increased information needs placed on the forecasting process. The model needs to be able to respond to emerging issues, including air quality, growth management, and life-style, as well as the more traditional transportation issues. The model needs to effectively handle trips by non-motorized mode.
16. Develop and maintain the regional travel model to include: periodic update and re-calibration, network changes, speed-flow relationships, link capacity review, turn penalty review, land use changes, and interchange/intersection refinements. Develop model to cover the twenty-year planning horizon required for the MTP as well as review of base year calibration (1996).
17. Coordinate the utilization, development and refinement of the Clark County regional travel forecasting model with Metro and other local agencies.
18. Coordinate with WSDOT in their efforts to establish the Washington Travel Demand Forecasting Framework (WTDF). The WTDF is to consist of a set of policies and procedures that will provide guidance to transportation professionals involved in travel forecasting. WSDOT relies on MPO travel demand forecasting as the basis for identifying mobility deficiencies on all transportation facilities, both state- and locally-owned.
19. Further develop procedures to carry out post-processing of results from travel assignments.
20. Continue to develop data on vehicle miles traveled (VMT) and vehicle occupancy measures for use in air quality and Transportation Demand Management (TDM) planning.
21. Assist local agencies by supplying regional travel model output for use in local planning studies and development reviews.

#### Relationship To Other Work Elements

This element is the key to interrelating all data activities. Output from the database is used by local jurisdictions and supports the development of the MTP, TIP and Transit Development Plan. Traffic counts are collected as part of the Congestion Management Monitoring program and are coordinated by RTC. This is an ongoing data activity that is valuable in understanding existing travel patterns and future travel growth. The program is also a source of county-wide historic traffic data, and is used to calibrate the regional travel forecasting model in EMME/2. Development and maintenance of the regional travel forecasting model is vital as the most significant tool for long-range transportation planning. It relates to the MTP, TIP, management systems, traffic count, transit planning, and air quality planning.

#### FY98 Products

1. Maintenance and update of the regional transportation database.
2. Work on future population and employment forecasts.

3. Allocation of future population and employment forecast data to Clark County transportation analysis zones.
4. Transportation planning data and GIS Arc/Info data integration.
5. Maintenance and update of the geographically correct highway network and local street system in a GIS coverage.
6. Integration of freight traffic data into the regional transportation database as it is collected and analyzed.
7. Update of traffic count database.
8. Technical assistance to local jurisdictions.
9. Analysis of results from the travel behavior surveys carried out in collaboration with Metro to be used to enhance the regional travel forecasting model.
10. Purchase of updated computer equipment with RTPO revenues.
11. Continued implementation of interlocal agreement relating to use of model in the region.
12. Model Users' Group meetings.
13. Refined travel forecasting methodology using EMME/2 program.
14. Documentation of the regional travel forecasting model procedures.
15. Re-calibration of model as necessary.
16. Review and update of model networks.
17. Model for use in MTP development.
18. Use of six-year model for concurrency management programs and six-year transportation strategy in MTP.
19. Data for air quality data analysis and documentation.
20. Post-processing techniques.
21. Development of regional model alternative scenarios, running of alternative network assignments and modeled turning movement data, to assist local agencies in their planning studies and concurrency analysis.

**FY98 Element Expenses:**

	\$
RTC	86,114
Computer Equipment (use of RTPO revenues)	7,000
	93,114
Total	93,114

**FY98 Element Revenues:**

	\$
FY98 PL	60,000
FTA, FY98	11,000
RTPO	10,000
Local	12,114
	93,114

## II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

### B. Air Quality Planning

In an effort to improve and/or maintain air quality, the federal government enacted the Clean Air Act Amendments in 1990. The Vancouver region was classified in 1990 as a 'moderate' nonattainment area for carbon monoxide air pollutants and a 'marginal' nonattainment area for ozone. In 1992, the Vancouver area came into technical attainment based on monitored emissions data. Maintenance Plans for ozone and carbon monoxide have been submitted to the Environmental Protection Agency (EPA). In October 1996, the Carbon Monoxide Maintenance Plan was approved by EPA. Mobile source strategies contained in the Maintenance Plans have been endorsed for implementation by the RTC Board of Directors (Resolution 02-96-04). Mobile emissions are a significant source of the region's air quality problems. As a result, transportation planning and project programming cannot occur without consideration of air quality impacts; indeed transportation conformity requirements contained in the Federal Clean Air Act Amendments and the State Clean Air Act mandate that transportation plans and programs are to be a part of air quality improvement strategies. The MPO will monitor federal and state activity on the Clean Air Act and seek to implement any necessary transportation measures to attain and maintain national ambient air quality standards. RTC assists the region's air quality planning program in providing demographic forecasts, development of a VMT grid, and monitoring changes in VMT. RTC also analyzes air quality implications through the EPA Mobile Emissions model and measures project-level air quality impacts. The EPA are scheduled to set new ozone standards by June of 1997 which may impact this region.

#### Work Element Objectives

1. Monitor federal guidance on the Clean Air Act.
2. Monitor state Clean Air Act legislation.
3. Develop a MTP which is responsive to mobile emissions budgets established in the Maintenance Plans. If needed, Transportation Control Measures (TCMs) will be identified in the MTP.
4. Programming of any identified TCMs in the Transportation Improvement Program (TIP).
5. Cooperate and coordinate with State Department of Ecology in their research and work on air quality in Washington State.
6. Coordinate with Southwest Washington Air Pollution Control Authority in carrying out the provisions established in the Memorandum of Understanding (MOU) between RTC and SWAPCA, adopted by the RTC Board in January, 1995 [RTC Board Resolutions 01-95-02]. RTC's responsibilities include conformity determination for regional plans and programs and for adoption of TCMs for inclusion in the MTP and TIP. Also, the MOU seeks to ensure that inter-agency coordination requirements in the State Conformity Rule are followed.
7. Tracking of mobile emission strategies required in the Maintenance Plans. Strategies equate to emissions benefits. If a strategy cannot be implemented then alternatives have to be sought and substituted.
8. Use data and analysis methodologies to meet Federal Clean Air Act requirements.
9. Use data and analysis methodologies to meet State Clean Air Act requirements.

10. Prepare and provide data for DOE in relation to the car exhaust and maintenance (I/M) program implemented in the designated portion of the Clark County region.
11. When evaluating TCM's, RTC will take advantage of the upgraded version of TCM Tools which can be used with the Excel spreadsheet. TCM Tools was developed for the Puget Sound region and allows for measurement of the effectiveness of potential TCMs in terms of travel and emissions reductions. In addition, TCM Tools can be used to quantify the Carbon Monoxide air quality benefits of projects proposed for TIP programming.
12. To provide for consistency within the region, RTC will provide project level conformity analysis for local jurisdictions.

**Relationship to Other Work Elements**

This work element relates to the Metropolitan Transportation Plan, the Transportation Improvement Program, Transit Development Program activities and planning for high occupancy vehicle modes of travel.

**FY98 Products**

1. Monitoring and implementation activities relating to the federal and State Clean Air Acts.
2. Implementation and tracking of Ten Year Air Quality Maintenance Plans.
3. Data analysis resulting in conformity analysis and documentation for updated MTP (scheduled for adoption in winter 1997), and 1998-2000 TIP (scheduled for adoption in fall, 1997) as required by the Clean Air Act Amendments of 1990.
4. Coordination with local agencies, South West Washington Air Pollution Control Authority (SWAPCA), the Washington State Department of Ecology (DOE), Metro and Oregon Department of Environmental Quality (DEQ) relating to air quality activities.
5. Project level air quality conformity analysis as requested.

**FY98 Expenses:**

	\$
RTC	20,747
	_____
Total	20,747

**FY98 Revenues:**

	\$
FY98 PL	16,000
FTA, FY98	1,000
RTPO	1,000
Local	2,747
	_____
	20,747

## II. DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS

### C. Commute Trip Reduction

In 1991, the Washington State legislature passed the Commute Trip Reduction (CTR) Law requiring that local jurisdictions with major employers adopt a Commute Trip Reduction Ordinance and that employers who have 100 or more employees arriving at work between 6 a.m. and 9 a.m. should establish a commute trip reduction program for their employees. The Law established goals of a 15% reduction in trips by 1995, a 25% reduction by 1997 and a 35% reduction by 1999. All affected Clark County jurisdictions have now adopted CTR ordinances. RTC's role in the CTR program includes providing technical assistance to jurisdictions in implementing and measuring the impacts of their CTR programs. CTR is a form of Transportation Demand Management (TDM).

#### Work Element Objectives

1. Provide technical assistance to local jurisdictions in implementing, measuring and evaluating CTR impacts and to the local participants in Partners for Smart Commuting.
2. Training of Employer Transportation Coordinators (ETCs).
3. Continue to integrate CTR into the regional transportation planning process including MTP, TIP, Transportation Management Systems and Regional Transportation Data Base and Forecasting Model.
4. Coordination with local jurisdictions, participation in the Clark County Regional TDM Planning Team and coordination with Oregon TDM activities, notably the Transportation Planning Rule (TPR) requirements.

#### Relationship To Other Work Elements

CTR is a form of Transportation Demand Management (TDM) and relates to MTP development, the TIP and uses data from the regional transportation database. TDM provides strategies for reducing trips on the transportation system and is addressed in the adopted Congestion Management System.

#### FY98 Products

1. Review of annual TDM survey results and comparison with prior years.
2. Continue to use the travel model and Transportation Control Measure (TCM) Tools planning software, in conjunction with CTR survey results, to determine the impacts of employer programs on CTR zone and regional Single Occupant Vehicle (SOV) usage and Vehicle Miles Traveled (VMT), as well as travel speed impacts and air quality impacts.
3. Updated maps and graphics showing affected employer distribution, travel patterns, and survey results.
4. Participation in the annual training of Employer Transportation Coordinators (ETCs) from affected employers.

5. Participate in Clark County Regional TDM Planning Team; the Strategic Planning Group (SPG).
6. Reporting to Clark County, the lead agency for this work activity, on RTC's CTR activities.
7. Continue monitoring implementation of Washington State's CTR program and compare with Oregon's Transportation Planning Rule.

**FY98 Expenses:**

	\$
RTC	5,000
Total	<u>5,000</u>

**FY98 Revenues:**

	\$
WA State	5,000
	<u>5,000</u>

**NOTE:**

Clark County and other local jurisdictions also use money for commute trip reduction planning and implementation (see Section 4 of this FY98 UPWP)

### III. TRANSPORTATION PROGRAM COORDINATION AND MANAGEMENT

#### Introduction

The third section of the FY98 UPWP includes one main element, **Regional Transportation Program Coordination and Management** which encompasses overall regional transportation program coordination and management, bi-state coordination, public involvement and federal compliance.

Transportation Program Coordination and Management includes the development of meeting packets, minutes and reports for RTAC and the RTC Board, maintenance and development of the computer system, staff training, development of an annual Unified Planning Work Program (UPWP), production of quarterly and annual progress reports and review of RTPO certification that the local governments' comprehensive land use plans conform with the requirements of Section 7 of the Growth Management Act and that local transportation elements are consistent with the MTP. The Coordination element will include participation with Metro's transportation technical and policy committees, as well as coordination of air quality, growth allocation and regional development issues. Public Involvement includes activities related to ensuring public input on the MTP, TIP and other major regional transportation planning activities. Federal Compliance addresses compliance with ISTEA, Title VI, ADA, competitive services planning and emergency preparedness planning.

### III. TRANSPORTATION PROGRAM MANAGEMENT

#### A. Regional Transportation Program Coordination and Management

This work element provides for the overall coordination and management of regional transportation planning program activities. It includes coordination with local transportation planning studies and committees and relates to coordination required by the following program areas: Intermodal Surface Transportation Efficiency Act, Growth Management Act, Commute Trip Reduction, High Capacity Transit and Air Quality. Bi-state coordination includes participation with Metro's transportation technical and policy committees as well as coordination of air quality and Portland-Vancouver metropolitan area growth allocation issues. The element also provides for public participation in the regional transportation planning process. Federal compliance addresses issues relating to compliance with ISTEA, the Clean Air Act Amendments of 1990, the ADA, Title VI, competitive services planning, emergency preparedness planning and other federal requirements.

#### Work Element Objectives

##### Program Coordination and Management

1. Participate in and coordinate with special purpose state/local transportation committees such as the C-TRAN Board, the Vancouver Chamber of Commerce Transportation Committee, WSDOT Committees such as the RTPO/MPO Advisory Committee, the Transportation Improvement Board (TIB) who carries out STP-competitive, Transportation Improvement Account (TIA), and Urban Arterial Trust Account (UATA) project selection and the Transportation Enhancement Advisory Committee (EAC) who carries out STP-enhancement project selection and others.
2. Coordinate local transportation plans and projects.
3. Coordinate with State Department of Ecology in their research and work on air quality in Washington State.
4. Coordinate the transportation planning process with environmental resource agencies to ensure a coordinated approach to environmental issues relating to transportation. The MPO should be represented at transportation project and planning EIS scoping meetings.
5. Manage the regional transportation planning program.
6. Develop meeting packets, agenda, minutes, and reports/presentations for the RTC Board, Regional Transportation Advisory Committee, Skamania County Transportation Policy Committee and Klickitat County Transportation Policy Committee.
7. Monitor new legislative activities as they relate to regional transportation planning and certification requirements.
8. Certify that the transportation elements of local governments' comprehensive land use plans conform with the requirements of the Growth Management Act and certify that local transportation elements are consistent with the MTP.
9. Participate in key transportation seminars and training.
10. Certification of the transportation planning process required by ISTEA.
11. Annually develop and adopt a UPWP that describes all transportation planning activities to be carried out in the Washington portion of the Portland-Vancouver metropolitan area.



The UPWP provides the framework for RTC's planning, programming and coordinating activities. Prepare UPWP Annual Report and quarterly progress reports.

12. Preparation of indirect cost proposal.
13. Maintain and upgrade the MPO/RTPO computer system, including review of hardware and software needs to efficiently carry out the regional transportation planning program.
14. Provide computer training opportunities for MPO/RTPO staff.
15. Attendance at Metro's Joint Policy Advisory Committee (JPACT) meetings, participation in Metro's Transportation Policy Alternatives Committee (TPAC) and attendance at Metro's Metro Policy Advisory Committee (MPAC) meetings.
16. Coordination with Metro in regional travel forecasting model development and enhancement.
17. Development of bi-state transportation strategies and participation in bi-state transportation studies. In FY97/98 this includes participation as a member of the Traffic Relief Options (TRO) Study Technical Advisory Committee.
18. Coordination with Metro's South/North Steering Group, South/North Project Management Group and South/North Technical Advisory Committee.
19. Liaison with Metro and Oregon Department of Environmental Quality regarding air quality planning issues.
20. Continue the Bi-State Agreement between Metro and RTC.
21. Coordination with Metro's Region 2040 work activities and regional growth forecasting activities.

#### Public Involvement

24. Public involvement is to be incorporated at every stage of the planning process. RTPOs are to actively recruit public input and consider public comment during the development of the RTP and TIP.
25. Implementation of the adopted Public Involvement Program (adopted by RTC Board Resolution 07-94-18; July 5, 1994). Any changes to the Program requires that the MPO meet the procedures outlined in the Metropolitan Planning regulations relating to ISTEA.
26. Documentation of public involvement and public outreach activities. The documentation can be made available to the public and interested agencies.
27. Conduct public involvement and review process for the MTP update and keep the public informed on TIP amendments and developments.
28. Coordinate MPO/RTPO public involvement program with WSDOT Southwest Region and Headquarters.
29. Continue to update the RTC web site which allows the public to gain information about planning studies being developed by RTC and provides links to other transportation agencies and local jurisdictions.
30. Conduct public involvement process for special projects and studies conducted by RTC.

31. Participate in the public involvement programs for transportation projects of the local jurisdictions of Clark County.
32. Draft press releases to provide communication link with local media.
33. Communications will be mailed to interested citizens, agencies, and businesses and a mailing list of all interested parties will be kept up to date.
34. Participate in transportation information booth at Clark County Fair to ensure that the public is kept well informed of developments in transportation plans for the region.
35. Respond the requests from various groups, agencies and organizations to provide information and give presentations on a series of regional transportation topics. These requests provide an important opportunity to gain public input and discussion on a variety of transportation issues.
36. Continue with public involvement work resulting from completion of the Transportation Futures Committee work. The Transportation Futures Committee was convened in the fall of 1995 and regular meetings were held through July 1996. In December 1996 the findings of the Committee and staff response were presented to the Clark County Commissioners and City of Vancouver council.

#### Federal Compliance

1. Evaluation of transportation system needs to determine whether any potential transportation projects meet the criteria for a Major Investment Study (MIS).
2. Adoption of Major Investment Study (MIS) procedures and guidelines.
3. Understanding of Clean Air Act Amendments conformity regulations as they relate to the State Implementation Plan (SIP). Participation in SIP development process led by the Washington State Department of Ecology (DOE). Implementation of strategies for attaining and maintaining clean air standards by such means as use of Transportation Control Measures (TCMs) to promote emissions reductions. MTP updates will address Transportation Control Measures (TCMs) to ensure the mobile emissions budgets established in the Ten-Year Air Quality Maintenance Plan for Carbon Monoxide and the Ten-Year Air Quality Maintenance Plan for Ozone can be met.
4. In 1990 the federal government enacted the Americans with Disabilities Act (ADA). The Act requires that mobility needs of persons with disabilities are comprehensively addressed. The MPO/RTPO will undertake planning activities, such as data gathering and analysis and map-making, needed to support C-TRAN and local jurisdiction's implementation of ADA's provisions. RTC will review updates to C-TRAN's *ADA Paratransit Service Plan*. The current Paratransit Plan is the *1997 C-TRAN ADA Paratransit Service Plan*, published in January, 1997.
5. Participate as a staff member of C-TRAN's Special Services Advisory Committee (SSAC). The SSAC makes recommendations for the accessibility and paratransit plan required by ADA.
6. FTA Circular 4702.1 outlines reporting requirements and procedures for transit agencies and MPOs to comply with Title VI of the Civil Rights Act of 1964. RTC and C-TRAN will work cooperatively to provide the necessary Title VI documentation, certification and updates to the information. C-TRAN Title VI documentation was updated with the release of 1990 Census data in FY92.

7. Coordination with local agencies in transportation emergency service planning and provision of data from the regional transportation database to assist in planning for routing of hazardous materials, identification of vulnerable transportation links and alternative routes. Provision of data to assist in the development of strategic plans to cope with emergency situations such as earthquakes, volcanic eruptions, flooding, fires and spills of hazardous materials.
8. Address environmental issues at the earliest opportunity in the transportation planning process. Participate in scoping meetings for National Environmental Policy Act (NEPA) process.

#### **Relationship To Other Work Elements**

Regional transportation coordination activities are vital to the success of the regional transportation planning program and interrelate with all UPWP work elements. Program management is interrelated with all the administrative aspects of the regional transportation planning program and to all the program activities. The UPWP represents a coordinated program that responds to regional transportation planning needs. Bi-state coordination relates to regional transportation planning activities and to HCT studies.

#### **FY98 Products**

##### **Program Coordination and Management**

1. Coordination efforts and participation in numerous transportation planning programs and committees.
2. Management of the regional transportation planning program.
3. Organization and administration relating to participation in transportation committees at the regional level.
4. Involvement of the business community in the transportation planning process.
5. Annual report on the FY97 UPWP.
6. FY98 UPWP amendments, as necessary, and quarterly progress reports on FY98 UPWP work activities.
7. An adopted FY99 UPWP.
8. Continued assessment of adopted local GMA plans as amended following Western Washington Growth Management Hearings Board decisions and remands. MPO certification of GMA plans includes ensuring that the transportation elements of local comprehensive land use plans conform with the requirements of Section 7 of the Growth Management Act and that local transportation elements are consistent with the MTP.
9. Indirect cost proposal.
10. Efficient and effective use of existing computer system capabilities and research into future computer hardware and software needs.
11. Participation in Metro's regional transportation planning activities.

##### **Public Involvement**

Increased public awareness and information about regional and transportation issues.

1. Public information and input on transport issues and activities affecting the regional transportation system in Clark County and the Portland area.
2. Public meetings, including meetings relating to the MTP and TIP, coordinated with local jurisdictions and WSDOT Southwest Region and Headquarters.
3. Information publication and distribution on the regional transportation planning program.
4. Documentation of public involvement and public outreach activities carried out by RTC during FY98.
5. Review of the Public Involvement Program for adequacy. RTC will develop a menu of public involvement techniques to be used in implementing its public involvement program.
6. Public notification and comment period for any proposed changes to the Public Involvement Program.

**Federal Compliance**

1. Monitoring of implementation strategies for clean air attainment and maintenance, in collaboration with the state's Department of Ecology and local agencies.
2. Implementation of the requirements of the Americans with Disabilities Act relating to transportation planning and service provision.
3. Assistance, particularly in production of maps and data analysis, to C-TRAN in their efforts to implement ADA and Title VI.
4. Title VI documentation and certification as required by FTA.
5. Review of upcoming transportation projects for meeting MIS criteria. MIS projects will be noted in the MTP.

**FY98 Expenses:**

	\$
RTC	95,285
Total	95,285

**FY98 Revenues:**

	\$
FY98 PL	42,586
FTA, FY98	16,937
RTPO	14,832
Local	20,930
	95,285

#### IV. TRANSPORTATION PLANNING ACTIVITIES OF STATE AND LOCAL AGENCIES

##### Introduction

Federal ISTEA legislation requires that all transportation planning studies to be undertaken in the region are included in the MPO's UPWP regardless of the funding source or agencies conducting the activities. Section IV provides a description of identified planning studies and their relationship to the MPO's planning process. The MPO/RTPO and local jurisdictions coordinate to develop the transportation planning work programs.

##### A. Washington State Department of Transportation, Southwest Region

Washington State Department of Transportation, Southwest Region, publishes the *Washington State Department of Transportation, Southwest Region, FY98 Unified Planning Work Program* which provides details of each of their planning elements.

Key issues and planning activities for the WSDOT Southwest Region are:

1. Continue updating the State Highway Systems Plan (HSP) and refinement of cost estimates.
2. Participating in the financial constraint of the Washington Transportation Plan, including development and implementation of the six year plan in cooperation with Programming and the Olympia Service Center.
3. Corridor and route development planning for SR-14 in the Columbia River Gorge Scenic Area.
4. Continuing multimodal/intermodal planning with participation in the high capacity transit (HCT) planning, high speed rail, and with the MPO's and transit agencies.
5. Partnership planning with the MPOs on air quality, system performance, congestion management, Intelligent Transportation Systems (ITS), livable communities, least cost planning, and major investment studies.

##### WSDOT WORK ELEMENTS:

###### Planning and Administration

###### State Transportation System Planning

Multimodal/Intermodal Planning/Coordination

High Occupancy Vehicle (HOV/High Capacity Transit (HCT) Coordination

State Systems Planning

Route Development Planning

Corridor Planning

Corridor Management Planning

###### Regional and Local Planning

Reviewing Local Comprehensive Plans/County Planning Policies

MPO/RTPO Coordination and Planning

Regional or Local Area/Corridor Studies

Public Transportation Planning

Special Studies

###### Development Review/Access/SEPA/NEPA

###### Public Information /Involvement Data and Research

Data Collection/Analysis

Travel Demand Forecasting

###### Transportation Demand Management (TDM)

Employee Transportation Coordinator

**IV. TRANSPORTATION PLANNING ACTIVITIES OF STATE AND LOCAL AGENCIES****B. C-TRAN**

In addition to coordinating work with RTC C-TRAN has identified the following planning elements for FY98:

- **I-5 Priority Corridor Service Options:** C-TRAN will develop service and facility options which will allow for additional commuter service in the I-5 corridor which was included as a finding in the Transportation Futures Citizen's Committee process.
- **Transit Performance Measurement System Development:** A set of performance measures and standards will be studied to provide improved system performance indicators. Once implemented, this information will be used to analyze service and to allow adjustments to be made to improve overall performance and service to public transit customers.
- **Park and Ride Site Selection Study:** Information from the 1996 Park and Ride Study will be used as the basis for a site selection study to provide the agency with options for the development of additional park and ride facilities.
- **Passenger On-Board Survey:** Information will be gathered through the survey process which allows the agency to determine ridership patterns, conduct route analysis, and to analyze the allocation and distribution of transit amenities. This information will be used to recommend service and facilities improvements.
- **Commute Trip Reduction Program:** C-TRAN is lead agency for Clark County implementation of the State Commute Trip Reduction Program to reduce single occupant vehicle trips to the County's largest employers.

**C. Clark County and other Local Jurisdictions**

The following planning studies have been identified by Clark County:

- **Transportation Improvement Program (TIP), 1998-2003:** will involve work with the Transportation Improvement Program Involvement Team (TIPIT), which includes citizen representatives, to develop the 1998-2002 TIP for Clark County.
- **Concurrency Management System:** includes maintenance of the Concurrency Management System. The work program includes monitoring of existing capacity, capacity reserved for recently approved development and LOS in response to new development proposals. A "state of the system" report will be issued periodically and full system evaluation and update will also be carried out periodically.
- **Access Management and Arterial Mobility Program:** for limited access, principal and specific minor arterials.
- **An Arterial System Classification Map** was adopted in 1996 and relates to the GMA to guide improvements required of developments for existing and future roadway cross-sections. In FY98 the classification system will be implemented and reviewed for currency.

- **The 134<sup>th</sup> Street/179<sup>th</sup> Street Sub-Area Study** will include study of local traffic circulation needs in the sub-area as well as operational analysis of the interchanges.
- **Ward Road/172<sup>nd</sup> Avenue Corridor alignment study.**
- **Fourth Plain/Orchards area local traffic circulation study** to look at impacts associated with the Fourth Plain widening project.
- **Following development of a 1995-2000 Safe Walkways Program** Clark County will continued to involve citizens to solicit and evaluate walkway needs throughout the County.
- **A Bicycle Advisory Committee** assisted Clark County in putting together the **1995-2000 Bikeways Program**. The Advisory Committee continues to meet to evaluate, prioritize and implement bicycle projects.
- **The Urban Arterial Safety Study and Rural Arterial Study** will be used as a basis for determining priority projects to reduce safety deficiencies on the Clark County highway system.
- **Countywide TDM Program (Commute Trip Reduction):** to provide support in program implementation for affected employers to reduce single occupant vehicle trips and vehicle miles traveled. In previous years, the Washington Station Energy Office has provided funding for the program. The element is programmed in the Transportation Improvement Program for Clark County. Work activities will include 1) marketing assistance provided to employers, 2) regional ride-matching service, 3) ETC network support, 4) local partners for smart commuting, 5) community education program, 6) Oil Smart Campaign, 7) technical assistance to employers and 8) administration of the CTR contract and funds.
- **Traffic Impact Fee Program Revision:** to support GMA implementation TIFs for the rural area will be differentiated from the urban TIF program. It is proposed that rural TIFs will include factors based on trip lengths.

The following planning studies have been identified by **CITY OF VANCOUVER**:

- **Concurrency Management System implementation.**
- **Neighborhood Traffic Control Program.**
- **Continued Bicycle Mode Planning**
- **Sub-Area Transportation Planning** including the Esther Short Park sub-area study.

**V. GLOSSARY**

ABBREVIATION	DESCRIPTION
AA	Alternatives Analysis
AADT	Annual Average Daily Traffic
AAWDT	Annual Average Weekday Traffic
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
AQMA	Air Quality Maintenance Area
AVI	Automatic Vehicle Identification
AVO	Average Vehicle Occupancy
BEA	Bureau of Economic Analysis
BMS	Bridge Management System
BN/SF	Burlington Northern/Santa Fe Railroad
C-TRAN	Clark County Public Transportation Benefit Area Authority
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CAC	Citizens' Advisory Committee
CBD	Central Business District
C/D	Collector/Distributor
CFP	Community Framework Plan
CFP	Capital Facilities Plan
CHAP	Community Hardship Assistance Program
CIT	Community Involvement Team
CM/AQ	Congestion Mitigation/Air Quality
CMS	Congestion Management System
CO	Carbon Monoxide
CREDC	Columbia River Economic Development Council
CRIS	County Road Information System
CTPP	Census Transportation Planning Package
CTR	Commute Trip Reduction
DCTED	Washington State Department of Community, Trade and Economic Development
DEIS	Draft Environmental Impact Statement
DEQ	Oregon State Department of Environmental Quality
DNS	Determination of Non-Significance
DOE	Washington State Department of Ecology
DOL	Washington State Department of Licensing
DOT	Department of Transportation
DS	Determination of Significance
EA	Environmental Assessment
EAC	Enhancement Advisory Committee
ECO	Employee Commute Options
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
ETRP	Employer Trip Reduction Program
FEIS	Final Environmental Impact Statement
FHWA	Federal Highways Administration
FMT	Functional Management Team
FONSI	Finding of No Significant Impact
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FY	Fiscal Year
FFY	Federal Fiscal Year
GIS	Geographic Information System
GMA	Growth Management Act
HCM	Highway Capacity Manual
HCT	High Capacity Transit
HCTA	High Capacity Transit Account
HOV	High Occupancy Vehicle
HPMS	Highway Performance Monitoring System
I/M	Inspection/Maintenance



## V. GLOSSARY

ABBREVIATION	DESCRIPTION
IDT	Interdisciplinary Team
IMS	Intermodal Management System
IPG	Intermodal Planning Group
ISTEA	Intermodal Surface Transportation Efficiency Act (1991)
ITS	Intelligent Transportation System
IV/HS	Intelligent Vehicle/Highway System
JPACT	Joint Policy Advisory Committee on Transportation
LCP	Least Cost Planning
LMC	Lane Miles of Congestion
LOS	Level of Service
LPG	Long Range Planning Group
LRT	Light Rail Transit
LTC	Legislative Transportation Committee
MAB	Metropolitan Area Boundary
MIS	Major Investment Study
MP	Maintenance Plan (air quality)
MPO	Metropolitan Planning Organization
MTP	Metropolitan Transportation Plan
MUTCD	Manual on Uniform Traffic Control
MVET	Motor Vehicle Excise Tax
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHS	National Highway System
NOX	Nitrogen Oxides
O/D	Origin/Destination
ODOT	Oregon Department of Transportation
OFM	Washington Office of Financial Management
OMP	Operations, Maintenance and Preservation
OTP	Oregon Transportation Plan
PAC	Policy Advisory Committee
PCE	Passenger Car Equivalents
PE/DEIS	Preliminary Engineering/Draft Environmental Impact Statement
PHF	Peak Hour Factor
PM10	Fine Particulates
PMG	Project Management Group
PMS	Pavement Management System
PNWRC	Pacific Northwest Rail Corridor
POD	Pedestrian Oriented Development
Pre-AA	Preliminary Alternatives Analysis
PTBA	Public Transportation Benefit Authority
PTMS	Public Transportation Management System
PVMATS	Portland-Vancouver Metropolitan Area Transportation Study
RACMs	Reasonable Available Control Measures
RACT	Reasonable Available Control Technology
RDP	Route Development Plan
ROD	Record of Decision
ROW	Right of Way
RTAC	Regional Transportation Advisory Committee
RTC	Southwest Washington Regional Transportation Council
RTFM	Regional Travel Forecasting Model
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPO	Regional Transportation Planning Organization
RUGGO	Regional Urban Growth Goals and Objectives
SEIS	Supplemental Environmental Impact Statement
SEPA	State Environmental Policy Act
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SMS	Safety Management System

**V. GLOSSARY**

<b>ABBREVIATION</b>	<b>DESCRIPTION</b>
SMTP	Statewide Multimodal Transportation Plan
SOV	Single Occupant Vehicle
SPG	Strategic Planning Group
SR-	State Route
SSAC	Special Services Advisory Committee
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
SWAPCA	Southwest Washington Air Pollution Control Authority
TAC	Technical Advisory Committee
TAZ	Transportation Analysis Zone
TCM's	Transportation Control Measures
TDM	Transportation Demand Management
TDFP	Transit Development Financial Plan
TDP	Transit Development Program
TFC	Transportation Futures Committee
TIA	Transportation Improvement Account
TIB	Transportation Improvement Board
TIF	Transportation Impact Fee
TIP	Transportation Improvement Program
TIPIT	Transportation Improvement Program Involvement Team
TMA	Transportation Management Area
TMP	Transportation Model Improvement Program
TMS	Transportation Management Systems
TOD	Transit Oriented Development
TPAC	Transportation Policy Advisory Committee
TPR	Transportation Planning Rule (Oregon)
Tri-Met	Tri-county Metropolitan Transportation District
TRO	Traffic Relief Options
TSM	Transportation System Management
UAB	Urban Area Boundary
UATA	Urban Arterial Trust Account
UGA	Urban Growth Area
UGB	Urban Growth Boundary
UPWP	Unified Planning Work Program
V/C	Volume to Capacity
VHD	Vehicle Hours of Delay
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WAC	Washington Administrative Code
WSDOT	Washington State Department of Transportation
WIDFF	Washington Travel Demand Forecasting Framework
WTPI	Washington Transportation Policy Institute

VI. SUMMARY OF EXPENDITURES AND REVENUES  
 A. FY98 Summary Spreadsheet

SOUTHWEST WASHINGTON REGIONAL TRANSPORTATION COUNCIL								
FY98 UNIFIED PLANNING WORK PROGRAM - SUMMARY OF REVENUES/EXPENDITURES BY FUNDING SOURCE								
WORK ELEMENT	PL	FY98 FTA	RTPO	CM/AQ	STP	OTHER (incl. STP match)	MPO Funds	RTC TOTAL
<b>I REGIONAL TRANSPORTATION PLANNING PROGRAM</b>								
A Metropolitan Transportation Plan	35,000	10,000	12,000	0	0	0	22,962	79,962
B Transportation Improvement Program	17,000	5,000	7,000	0	0	0	8,903	37,903
C Congestion Management Monitoring 1	0	0	0	55,000	0	0	8,584	63,584
D High Occupancy Transportation Study 2	0	0	0	170,000	0	0	26,759	196,759
E Commuter Rail 3				0		250,000		250,000
F I-205 6-Point Access Report						5,000		5,000
G Skamania County RTPO 4		0	16,944	0	18,000	0	0	34,944
H Klickitat County RTPO 4			18,700		18,000	5,000		36,700
Sub-Total	52,000	15,000	54,644	225,000	36,000	260,000	67,209	704,853
<b>II DATA MANAGEMENT AND TRAVEL FORECASTING PROCESS</b>								
A Reg. Transp. Data and Travel Forecasting	60,000	11,000	10,000	0	0	0	12,114	93,114
B Air Quality Planning	16,000	1,000	1,000	0	0	0	2,747	20,747
C Commute Trip Reduction 5	0	0	0	0	0	5,000	0	5,000
Sub-Total	76,000	12,000	11,000	0	0	5,000	14,861	118,861
<b>III TRANSPORTATION PROGRAM COORDINATION AND MANAGEMENT</b>								
A Reg. Transp. Program Coord. & Management	42,586	16,937	14,832	0	0	0	20,930	95,285
<b>Totals</b>	<b>170,586</b>	<b>43,937</b>	<b>80,476</b>	<b>225,000</b>	<b>36,000</b>	<b>265,000</b>	<b>103,000</b>	<b>918,999</b>

Jan. 28, 1997

- NOTES: Numbers may not add due to rounding in the spreadsheet program
- PL, FTA & RTPO Allocations (WSDOT Communication, 12/19/96)
  - 1 CM/AQ funding, estimated carry-over from project begun in FY97 (Total CM/AQ = \$100,000, Local = \$34,000)
  - 2 CM/AQ funding, estimated carry-over from project begun in FY97 (Total CM/AQ = \$216,000, Local = \$34,000)
  - 3 High Capacity Transit Account (HCTA) funding and local funds
  - 4 Local match for STP will be provided from RTPO funds
  - 5 State funding through Clark County

**B. FTA GMIS Codes**

<b>GRANTS MANAGEMENT INFORMATION SYSTEM (GMIS)                      EXPENDITURE DETAIL CODES                      FY98 UPWP FTA AND LOCAL MATCH</b>				
Line Item Code	FY98 UPWP Work Element Description	FY98 FTA Sec. 5303	FY98 Local Match for Sec. 5303	FY98 FTA and Local Match Total
41.13.01	Metropolitan Transportation Plan	\$10,000	\$2,500	\$12,500
41.15.00	Transportation Improvement Program	\$5,000	\$1,250	\$6,250
41.13.01	Regional Transportation Data Base & Forecasting	\$11,000	\$2,750	\$13,750
41.16.02	Air Quality Planning	\$1,000	\$250	\$1,250
41.11.00	Regional Transportation Program Coord. & Management	\$16,937	\$4,234	\$21,171
	<b>Total</b>	<b>\$43,937</b>	<b>\$10,984</b>	<b>\$54,921</b>

<b>GRANTS MANAGEMENT INFORMATION SYSTEM (GMIS)                      EXPENDITURE DETAIL CODES                      FY98 UPWP FTA AND LOCAL MATCH</b>				
Line Item Code	FY98 UPWP Work Element Description	FY98 FTA Sec. 5303	FY98 Local Match for Sec. 5303	FY98 FTA and Local Match Total
41.20.01	Personnel	\$43,937	\$10,984	\$54,921
41.20.03	Travel	\$0	\$0	\$0
41.20.05	Supplies	\$0	\$0	\$0
41.20.06	Contractual	\$0	\$0	\$0
	<b>Total</b>	<b>\$43,937</b>	<b>\$10,984</b>	<b>\$54,921</b>

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 97-2464 FOR THE PURPOSE  
OF APPROVING THE FY 1998 UNIFIED WORK PROGRAM

Date: February 18, 1997

Presented by: Andrew C. Cotugno

PROPOSED ACTION

This resolution would: 1) approve the Unified Work Program (UWP) continuing the transportation planning work program for FY 1998 and 2) authorize the submittal of grant applications to the appropriate funding agencies.

TPAC has reviewed the FY 1998 Unified Work Program and recommends approval of Resolution No. 97-2464.

FACTUAL BACKGROUND AND ANALYSIS

The FY 1998 Unified Work Program (UWP) describes the transportation planning activities to be carried out in the Portland-Vancouver metropolitan region during the fiscal year beginning July 1, 1997. Included in the document are federally-funded studies to be conducted by Metro, Regional Transportation Council (RTC), Tri-Met, the Oregon Department of Transportation (ODOT), the City of Portland and local jurisdictions. Major commitments continue to the Traffic Relief Options Study (Congestion Pricing) pilot project, Urban Growth Management, the Westside Corridor project, and the South/North Alternatives Analysis (AA). Also of major priority are the Transit-Oriented Development project, the Southeast Corridor Study, the response to Rule 12 and the Intermodal Surface Transportation Efficiency Act (ISTEA), the Travel-Forecasting Surveys and Research and implementation of the Management System.

The UWP matches the projects and studies reflected in the proposed Metro budget submitted by the Metro Executive Officer to the Metro Council and is subject to revision in the final Metro budget.

Approval will mean that grants can be submitted and contracts executed so work can commence on July 1, 1997 in accordance with established Metro priorities.