

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: April 4, 2002
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. EXECUTIVE OFFICER COMMUNICATIONS

- Regional Water Initiative
- Transportation Investment Task Force

4. REGIONAL GREENSPACES SYSTEM UPDATE

5. CONSENT AGENDA

5.1 Consideration of Minutes for the March 28, 2002, Metro Council Regular Meeting.

6. ORDINANCES - FIRST READING

6.1 **Ordinance No. 02-942**, For the Purpose of Adding a New Chapter 2.20 to the Metro Code Creating the Office of Chief Operating Officer.

7. RESOLUTIONS

7.1 **Resolution No. 02-3178**, For the Purpose of Adopting the FY 2002-2005 Metropolitan Transportation Improvement Program (MTIP) and Consolidating Actions of Resolution No. 01-3029A (2002 MTIP Project Selection Procedures) and No. 01-3098A (Allocation of FY 2004-2005 STP/CMAQ Funds). Monroe

Agenda Item Number 5.1

Consideration of the March 28, 2002 Regular Metro Council Meeting minutes.

**Metro Council Meeting
Thursday, April 4, 2002
Metro Council Chamber**

Agenda Item Number 6.1

Ordinance No. 02-942, For the Purpose of Adding a New Chapter 2.20 to the Metro Code Creating the Office of Chief Operating Officer.

First Reading

**Metro Council Meeting
Thursday, April 4, 2002
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING A NEW) Ordinance No. 02-942
CHAPTER 2.20 TO THE METRO CODE)
CREATING THE OFFICE OF CHIEF) Introduced by Executive Officer Mike
OPERATING OFFICER) Burton and Presiding Officer Carl Hosticka
) at the request of the Metro Transition
) Advisory Task Force

WHEREAS, on November 7, 2000, the electors of Metro approved Ballot Measure 26-10 amending the Metro Charter; and

WHEREAS, the Metro Charter amendments, adopted on November 7, 2000, require the Metro Council to create the offices of Chief Operating Officer and to define the duties and responsibilities of the Chief Operating Officer; and

WHEREAS, the Executive Officer and the Presiding Officer created a Metro Transition Advisory Task Force consisting of 12 members for the purpose of advising the Executive Officer and Council on issues related to the transition to the new charter provisions adopted in November 2000; and

WHEREAS, the Transition Advisory Task has recommended that the Metro Council create the Office of the Chief Operating Officer and describe the duties and responsibilities of the Chief Operating Officer as set forth in a recommended Metro Code Chapter and the Executive Officer and Presiding Officer recommend that the Metro Council implement this recommendation; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Office of Chief Operating Officer is created and the duties and responsibilities of the Chief Operating Officer shall be as described as set forth in Metro Code Chapter 2.20, attached hereto as Exhibit A.
2. The amendments to the Metro Code adopted by this ordinance shall take effect on January 6, 2003.

ADOPTED by the Metro Council this _____ day of March 2002.

Carl Hosticka, Presiding Officer

Attest:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, General Counsel

**EXHIBIT A
METRO CODE AMENDMENT CREATING THE
OFFICE OF CHIEF OPERATING OFFICER**

CHAPTER 2.20

CHIEF OPERATING OFFICER

[BECOMES EFFECTIVE JANUARY 6, 2003]

SECTIONS	TITLE
2.20.010	Creation of Office
2.20.020	Appointment and Removal
2.20.030	Power and Duties of the Chief Operating Officer
2.20.040	Council Not to Interfere with Appointments or Removals
2.20.050	Emergencies
2.20.060	Bond
2.20.070	Compensation
2.20.080	Vacancy

2.20.010 Creation of Office.

The office of Chief Operating Officer is hereby created pursuant to Metro Charter, Section 26.

2.20.020 Appointment and Removal.

(a) The Chief Operating Officer shall be appointed by the Council President subject to confirmation by the Council. The Council President shall involve the Council in all aspects of the hiring process. The Chief Operating Officer shall be chosen solely on the basis of executive and administrative qualifications with special reference to actual experience in or knowledge of accepted practice in respect to the duties of the office set forth in this Chapter. At the time of appointment, the appointee need not be a resident of Metro or the state, but during the Chief Operating Officer's tenure of office, shall reside within Metro's corporate boundaries. No Council member shall receive such appointment during the term for which the Council member shall have been elected nor within one year after the expiration of the Council member's term.

(b) The Chief Operating Officer serves at the pleasure of the Council and is subject to removal by the Council President with the concurrence of the Council.

2.20.030 Power and Duties of the Chief Operating Officer.

The Chief Operating Officer shall be the chief administrative officer of Metro, may head one or more departments, and shall be responsible to the Metro Council for the proper administration of

all affairs of Metro. To that end, except as otherwise provided by Charter or ordinance, the Chief Operating Officer shall have the power and shall be required to:

(a) Appoint, supervise, discipline, or remove all officers and employees of Metro. The Chief Operating Officer may authorize the head of a department or office to appoint, supervise, discipline, or remove subordinates in such department or office.

(b) Prepare the budget annually and submit it to the Metro Council together with a message describing the important features and be responsible for its administration after adoption.

(c) Prepare and submit to the Council as of the end of the fiscal year a complete report on the finances and administrative activities of Council for the preceding year.

(d) Keep the Metro Council advised of the financial condition and future needs of Metro, and make such recommendations as may be deemed desirable.

(e) Recommend to the Metro Council a standard schedule of pay for each appointed office and position in Metro service, including minimum, intermediate, and maximum rates.

(f) Recommend to the Metro Council adoption of such measures as may be deemed necessary or expedient for the health, safety, or welfare of the region or for the improvement of administrative services.

(g) Direct and supervise the administration of all departments, offices, and agencies of Metro.

(h) Consolidate or combine offices, positions, departments, or units under the Chief Operating Officer's jurisdiction, with the approval of the Metro Council. The Chief Operating Officer may be the head of one or more departments.

(i) Attend all meetings of the Metro Council unless excused by the Council President, and may take part in the discussion of matters coming before the Council. The Chief Operating Officer shall be entitled to notice of all regular and special meetings of the Council.

(j) Supervise the purchase of all materials, supplies, and equipment for which funds are provided in the budget and let contracts necessary for operation or maintenance of Metro services pursuant to Metro Code Title II Chapter 2.04 (Metro Contract Policies).

(k) Shall, after authorization from the Council, conduct all aspects of real property transactions on behalf of the Metro Council.

(l) Work with the Metro Attorney to ensure that all laws and ordinances are duly enforced.

(m) Investigate the affairs of Metro or any Metro department or division. Investigate all complaints in relation to matters concerning the administration of the government of Metro and in regard to Metro services, and see that all franchises, permits, and privileges granted by Metro are faithfully observed.

(n) Devote full time to the discharge of all official duties.

(o) Perform such other duties as may be required by the Council, not inconsistent with Metro Charter, law, or Ordinances.

2.20.040 Council Not to Interfere with Appointments or Removals.

Neither the Council nor any of its members shall direct or request the appointment of any person to, or removal from, office by the Chief Operating Officer or any of the Chief Operating Officer's subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative services of Metro. Nothing in this section shall prevent the Council President or individual councilors from participating with the Chief Operating Officer in the assignment and performance review of Council staff. The Metro Council shall direct staff resources through the Chief Operating Officer.

2.20.050 Emergencies.

In case of accident, disaster, or other circumstance creating a public emergency, the Chief Operating Officer may award contracts and make purchases for the purpose of meeting the emergency; but the Chief Operating Officer shall file promptly with the Council a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures.

2.20.060 Bond.

The Chief Operating Officer shall furnish a surety bond to be approved by the Council, said bond to be conditioned on the faithful performance of all the Chief Operating Officer's duties. The premium of the bond shall be paid by Metro.

2.20.070 Compensation.

The Chief Operating Officer shall receive such compensation as the Council shall fix from time to time by contract.

2.20.080 Vacancy.

Any vacancy in the office of the Chief Operating Officer shall be filled with all due speed. During any vacancy or incapacity, the Council President may appoint an acting Chief Operating Officer subject to confirmation by the Council.

Agenda Item Number 7.1

Resolution No. 02-3178, For the Purpose of Adopting the FY 2002-2005 Metropolitan Transportation Improvement Program (MTIP) and Consolidating Actions of Resolution No. 01-3029A (2002 MTIP Project Selection Procedures) and No. 01-3098A (Allocation of FY 2004-2005 STP/CMAQ Funds).

**Metro Council Meeting
Thursday, April 4, 2002
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE FY 2002-2005) RESOLUTION NO. 02-3178
METROPOLITAN TRANSPORTATION IMPROVEMENT)
PROGRAM (MTIP) AND CONSOLIDATING ACTIONS OF) Introduced by:
RESOLUTION NO. 01-3029A (2002 MTIP PROJECT) Councilor Rod Monroe
SELECTION PROCEDURES) AND NO. 01-3098A) JPACT Chair
(ALLOCATION OF FY 2004-2005 STP/CMAQ FUNDS))

WHEREAS, planning regulations of the U.S. Department of Transportation identify Metro as the Metropolitan Planning Organization (MPO) for the Portland urban area; and

WHEREAS, pursuant to federal regulations Metro, acting as the Portland-area MPO, has prepared an FY 2002-2005 Metropolitan Transportation Improvement Program (MTIP) that is shown in Exhibit A; and

WHEREAS, the MTIP lists all projects authorized to obligate federal funds in the following three years for improvement and maintenance of transportation facilities according to project, or project category, funding type, phase of work and year of intended obligation; and

WHEREAS, Metro has also approved a fourth year of projects for federal informational purposes; and

WHEREAS, Metro recognizes the fourth year of projects as regional commitments; and

WHEREAS, projects included in the first three years must rely only upon funds which the MPO reasonably anticipates will be available; and

WHEREAS, the fourth year of an MTIP may exceed reasonably anticipated revenues; and

WHEREAS, the MTIP schedule of projects assumes availability of carryover funds and limitation from prior years of the program, including repayment to the region of \$1.275 million of STP funds, at 100 percent limitation, borrowed from the region by the Oregon Department of Transportation (ODOT) at the end of FY 1992 and \$2.8 million of Transportation Enhancement authority, also at 100 percent limitation, assigned by ODOT for Metro allocation in the 2000 MTIP, and against which project authority was programmed but was deferred in FY 2002 and FY 2003 until FY 2004 or later, in order to increase statewide funding of urgent maintenance activity; and

WHEREAS, Metro expects approximately \$30.9 million of Regional Surface Transportation Program funds (STP) and \$19.8 million of Congestion Mitigation/Air Quality funds (CMAQ) to be appropriated over federal fiscal years 2004 and 2005; and

WHEREAS, ODOT has requested that the Region 1 local program exceed limitation authority in FY 2002 and potentially in FY 2003 to assist with timely drawdown of statewide federal aid funding; and

WHEREAS, some projects intended for early obligation have slipped and projects intended to rely on later appropriations are ready to advance; and

WHEREAS, the MTIP must also describe significant transportation projects reliant on non-federal funds in sufficient detail to permit modeling of potentially adverse or beneficial air quality effects; and

WHEREAS, Metro has prepared an air quality Conformity Determination showing that all funds approved in the MTIP conform to the State (Air Quality) Implementation Plan for attainment and maintenance of air quality standards; and

WHEREAS, the Conformity Determination has been the subject of a 30-day public comment period in which no significant public or agency comments have been received to dispute the Conformity finding; and

WHEREAS, Metro has provided opportunity for public involvement at all significant points during its development of the MTIP; and

WHEREAS, the MPO must consider the relationship of the MTIP to Environmental Justice policies issued by Executive Order 12898; and

WHEREAS, the MTIP must describe the project selection procedures which implement policies and priorities of the Regional Transportation Plan during MTIP project selection; and

WHEREAS, the MPO is required to list major projects implemented from the previous MTIP and to discuss obstacles to planned implementation of major projects; now, therefore

BE IT RESOLVED:

1. The lists of regional and state highway and transit projects and obligation authority shown in Exhibit A, including its text and appendices, is approved as the Portland-area FY 2002-2005 MTIP.
2. The Priorities 2002 allocations of regional flexible funds approved in the MTIP are conditioned upon terms listed in Appendix 10 of the MTIP.
3. The revenue projections shown on page 3 of the MTIP, and which are discussed in greater detail in Appendix 2 of the MTIP demonstrate fiscal constraint of the approved program, knowing that programming intentionally exceeds projected revenue due to ODOT's commitment of statewide revenue and limitation.
4. The Conformity Determination included in Appendix 6 of the MTIP is approved.
5. The Public Involvement summary shown in Appendix 3 of the MTIP shows that its adoption complies with both federal planning regulations and Metro's own public involvement policies.
6. Appendix 7 of the MTIP shows that the MTIP allocations address federal Environmental Justice mandates, as well as can be determined at this time, given limited demographic data and absence of approved policy guidance.
7. The MTIP discussion of Project prioritization and project selection contained in pages 7-9 of the MTIP and in Appendix 4, adequately summarize JPACT and Metro Council approved MTIP project selection procedures that were formally approved in Metro Resolution No. 01-3025A and which are designed to reinforce Metro's 2040 Growth Concept land use objectives and RTP multimodal transportation system objectives.

8. Metro staff is authorized to coordinate final programming of projects and project phases with ODOT and local agency staff within dollar limits herein approved; consistent with adopted MTIP Management Guidelines.

ADOPTED by the Metro Council this _____ day of _____, 2002.

Carl Hosticka, Presiding Officer

APPROVED AS TO FORM:

Dan Cooper, General Counsel

I:\trans\tp\share\2002-05 MTIP Res.doc

**FY 2002 – 2005
PORTLAND METROPOLITAN AREA
TRANSPORTATION IMPROVEMENT PROGRAM**

March 7, 2002

Exhibit A to Resolution No. 02-3178

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 02-3178 FOR THE PURPOSE OF ADOPTING THE FY 2002-2005 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) AND CONSOLIDATING ACTIONS OF RESOLUTION NO. 01-3029A (2002 MTIP PROJECT SELECTION PROCEDURES) AND NO. 01-3098A (ALLOCATION OF FY 2004-2005 STP/CMAQ FUNDS)

Date: February 21, 2002

Prepared by: Mike Hoglund
Planning Department

This resolution would approve the FY 2002-2005 Metropolitan Transportation Improvement Program (MTIP). It would integrate the Priorities 2002 allocations of FY 2004-2005 Surface Transportation Improvement Program (STP) funds (\$30.8 million) and Congestion Mitigation/Air Quality (CMAQ) funds (\$19.8 million), with funds already programmed in the FY 2000-2003 MTIP. It would approve the Oregon Department of Transportation (ODOT) programming of freeway expansion, pavement preservation, bridge rehabilitation, safety and operations funds proposed for obligation on projects within the Portland urban area. It would also approve programming of transit funds proposed by Tri-Met, including fixed guideway New Start funds (e.g., Interstate MAX and South Corridor planning and engineering), rail and bus maintenance funds and other miscellaneous transit categories (but excluding the bulk of Tri-Met general funds).

BACKGROUND AND ANALYSIS

Content and Timing of the MTIP.

Metro is the Portland-area's designated Metropolitan Planning Organization (MPO). Under federal regulations, Metro must develop an MTIP every two years. The MTIP must identify all projects that are approved to obligate federal transportation funds, their phases, the type of funds authorized for expenditure and the year in which each phase of work is approved to spend money. The MTIP must also describe "significant" non-federally funded transportation projects in sufficient detail that their potential negative or positive regional air quality effects can be modeled.

The MTIP covers four federal fiscal years of funding (October 1, 2001 to September 30, 2005). The first three years of projects rely on funding that is "reasonably anticipated." Federal regulations allow a fourth year to be included for information purposes. The fourth year does not need to be constrained to expected funding. The 2002 MTIP includes a fourth year of programming and, although some degree of overprogramming occurs, projects approved are considered to be regional commitments that will be honored with the next available regional funds. Tables listing the total program of regionally approved projects are shown in Section 2 of the MTIP that is included as Exhibit 1 of the Resolution.

Federally Mandated MTIP Elements

Federal planning regulations stipulate that a number of issues must be addressed in the MTIP, including:

- MTIP constraint to reasonably anticipated revenue;
- Project Prioritization (i.e., project selection criteria);
- Basis for project selection (i.e., how projects are chosen to advance each year);
- Air Quality Conformity;
- Environmental Justice;

- Public involvement opportunities; and
- MTIP relationship to implementation of Regional Transportation Plan (RTP) policies and reconciliation of competing RTP modal trade-offs.

The first 30 pages of the MTIP address these requirements and will not be further summarized here. The 2002 MTIP is constrained to reasonably anticipated revenue. Its project prioritization criteria fully reflect regional transportation and land use policies. Annual selection of projects to advance is achieved by a consensus process in consultation with ODOT and all the region's effected operating agencies. All project allocations have been found to conform with quantitative and qualitative considerations of the State Air Quality Implementation Plan. The current MTIP allocations reflect consideration of federally mandated Environmental Justice factors and have been made with ample opportunity for agency and public review and comment. Finally, the history of MTIP allocations and project implementation show a distinct record of consistent, focussed progress in achievement of RTP multi-modal system goals.

RECOMMENDED ACTION

Approval of Resolution No. 02-3178.

I:\trans\tp\share\02-05 MTIP stf.doc

Agenda Item Number 8.1

Resolution No. 02-3172, For the Purpose of Exempting the Procurement of a Personal Services Contract with the Oregon Environmental Council from the Competitive Procurement Requirements of Metro Code.

Contract Review Board

**Metro Council Meeting
Thursday, April 4, 2002
Metro Council Chamber**

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF EXEMPTING THE) RESOLUTION NO. 02-3172
PROCUREMENT OF A PERSONAL SERVICES)
CONTRACT WITH OREGON) Introduced by:
ENVIRONMENTAL COUNCIL FROM THE) Mike Burton, Executive Officer
COMPETITIVE PROCUREMENT)
REQUIREMENTS OF METRO CODE)

WHEREAS, Metro is responsible for ensuring proper disposal of solid waste in the region and for reducing the amount and toxicity of that waste; and,

WHEREAS, disposal of fluorescent light tubes into the solid waste stream releases mercury, a persistent toxin, into the waste stream and the environment; and,

WHEREAS, Oregon Environmental Council (OEC) proposed that Metro sponsor a grant application to the Oregon Department of Environmental Quality (DEQ) for a grant by which OEC, under the direction of Metro, would perform work to increase the recycling of fluorescent light tubes from businesses in the Metro region; and,

WHEREAS, Metro submitted that application to DEQ, naming OEC as the entity that Metro would supervise and to which Metro would direct grants funds if such funds were awarded; and,

WHEREAS, DEQ has awarded the grant to Metro in the amount of \$18,000 for Metro's subsequent transmittal of the grant funds to OCE; and,

WHEREAS, Metro Code Section 2.04.062 provides that Metro may enter a contract with a service provider for an amount greater than \$2,500 without public bidding or alternate procurement if there is only one qualified provider of the required service and the contract review board specifically exempts such contract from the public bidding or alternate procurement requirement;

WHEREAS, for the justifications set forth in the attached Exhibit "A", the Metro Contract Review Board finds that OEC is such a qualified provider and that allowing award of a contract during FY 2002-03 to OEC meets the requirements of Metro Code Section 2.04.062.

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

BE IT RESOLVED:

1. That the Metro Contract Review Board adopts as its findings the justifications, information and reasoning set forth in Exhibit "A" and incorporated by reference into this Resolution as if set forth in full; and,
2. That based upon such findings, the Metro Contract Review Board exempts a contract with OEC from the competitive procurement requirements of the Metro Code.

ADOPTED by the Metro Council this _____ day of _____ 2002.

Carl Hosticka, Presiding Officer

Approved as to form:

Daniel B. Cooper, General Counsel

EXHIBIT "A"

FINDINGS SUPPORTING THE EXEMPTION A PERSONAL SERVICES CONTRACT WITH OREGON ENVIRONMENTAL COUNCIL FROM THE COMPETITIVE PROCUREMENT REQUIREMENTS OF METRO CODE

1. BACKGROUND

Each year, the Oregon Department of Environmental Quality (DEQ) conducts a competitive grant program to fund local solid waste management and waste reduction projects. Local governments are allowed to perform the work themselves or pass through the funds to others (e.g., community groups, non-profit organizations), which will work under contract and the direction of the local agency.

For the year 2001 grant round, the Oregon Environment Council (OEC), a non-profit organization, asked Metro to apply for a grant to conduct a project to increase the recycling of fluorescent lights from businesses. After review and discussion with OEC staff, Metro submitted an application to the DEQ for \$20,000. The grant application specified that the Metro would supervise the project and the Oregon Environmental Council would perform the work. In January 2002, a grant was awarded to Metro slightly modifying the scope of work and revising the cost of the project downward to \$18,000. Metro and DEQ will enter into a contract for the project. Metro is contracting with the OEC to perform the project.

Metro Code Section 2.04.062 provides that Metro may enter a contract with a service provider for an amount greater than \$2,500 without public bidding or alternate procurement if there is only one qualified provider of the required service and the contract review board specifically exempts such contract from the public bidding or alternate procurement requirement.

2. FINDINGS

2.1. Findings supporting the exemption of personal services contract from the competitive procurement requirements of the Metro Code.

The Metro Contract Review Board finds that there is only one qualified provider of the services required and exempts a contact with OEC from the applicable procurement procedures of Metro Code Section 2.04.042. This finding and exemption is supported by the fact that the contract is for work to be performed by the Oregon Environmental Council under terms of a grant that was awarded to Metro by the State of Oregon's Department of Environmental Quality. The grant was awarded to Metro on the understanding that OEC would be contracted with to perform the work.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 02-3172, FOR THE PURPOSE OF EXEMPTING THE PROCUREMENT OF A PERSONAL SERVICES CONTRACT WITH OREGON ENVIRONMENTAL COUNCIL FROM THE COMPETITIVE PROCUREMENT REQUIREMENTS OF METRO CODE

Date: February 26, 2002

Prepared by: Scott Klag

BACKGROUND

Each year, the Oregon Department of Environmental Quality (DEQ) conducts a competitive grant program to fund local solid waste management and waste reduction projects. Local governments are allowed to perform the work themselves or pass through the funds to others (e.g., community groups, non-profit organizations) who will work under contract to the local agency.

For the year 2001 grant round, the Oregon Environment Council (OEC), a non-profit organization, asked Metro to apply for a grant to conduct a project to increase the recycling of fluorescent lights from businesses. Disposing fluorescent light tubes into the garbage releases mercury, a persistent bioaccumulative toxin, into the environment. The project was designed to reach out to building owners and managers within the region about why they should and how they can recycle these lights.

After review and discussion with OEC staff, Metro submitted an application to the DEQ for \$20,000. The grant application specified that the Metro would supervise the project and the Oregon Environmental Council would perform the work. In January 2002, a grant was awarded to Metro slightly modifying the scope of work and revising the cost of the project downward to \$18,000.

Metro Code Section 2.04.062 provides that Metro may enter a contract with a service provider for an amount greater than \$2,500 without public bidding or alternate procurement if there is only one qualified provider of the required service and the contract review board specifically exempts such contract from the public bidding or alternate procurement requirement.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition to this resolution.

2. Legal Antecedents

The objectives of the project are consistent with the goals and objectives of adopted Regional Solid Waste Management Plan (RSWMP) (Ordinance No. 95-624) as amended by the new recommended strategies for the management of hazardous waste (Ordinance No. 00-815B). The RSWMP promotes protection of the environment through educating residents about the proper disposal of hazardous products.

3. Anticipated Effects

Approval of the resolution will enable Metro to enter into a contract with the OCE to carry out the grant project. The project is expected to result in a decrease in the disposal of and an increase in the recycling of fluorescent light tubes.

4. Budget Impacts

Funds for the contract will be reimbursed by the DEQ. Sufficient staff resources to oversee the grant have been budgeted for.

RECOMMENDED ACTION

The Executive Officer recommends approval of Resolution 02-3172.

Fax _____

Telephone & Fax _____

THE PARTIES AGREE AS FOLLOWS:

ARTICLE I: LIABILITY AND INDEMNITY

CONTRACTOR is an independent contractor and assumes full responsibility for its performance and assumes full responsibility for all liability for bodily injury or physical damage to persons or property arising out of or related to this Contract, Contractor shall indemnify, defend and hold harmless METRO, its elected officials, officers, employees and agents, from any and all claims, demands, damages, actions, losses, and expenses, including attorney's fees, whether before the commencement of litigation at trial or on appeal, arising out of or in any way connected with its performance of this Contract. CONTRACTOR is solely responsible for paying CONTRACTOR's subcontractors and nothing contained herein shall create or be construed to create any contractual relationship between any subcontractor(s) and METRO. CONTRACTOR is solely responsible for the acts and omissions of its' agents, employees, subcontractors, and/or representatives and for all claims.

ARTICLE II: TERMINATION

METRO may terminate this Contract upon giving CONTRACTOR seven (7) days' written notice. In the event of termination, CONTRACTOR shall be entitled to payment for goods received prior to the date of termination. METRO shall not be liable for any indirect or consequential, or any other damages whatsoever. Termination by METRO shall not waive any claim or remedies it may have against CONTRACTOR.

ARTICLE III: INSURANCE

CONTRACTOR shall purchase and maintain, at CONTRACTOR's expense, the following types of insurance covering the CONTRACTOR, its employees and agents. Insurance coverage shall be a minimum of \$1,000,000 per occurrence.

A. Broad form comprehensive general liability insurance covering personal injury, property damage, and bodily injury with automatic coverage for premises and operation and product liability. The policy must be endorsed with contractual liability coverage. METRO, its elected officials, departments, employees, and agents shall be named as an ADDITIONAL INSURED.

B. Automobile bodily injury and property damage liability insurance. METRO, its elected officials, departments, employees, and agents shall be named as an ADDITIONAL INSURED.

This insurance as well as all workers' compensation coverage for compliance with ORS 656.017 must cover CONTRACTOR'S operations under this Contract, whether such operations are by CONTRACTOR or by any subcontractor or anyone directly or indirectly employed by either of them.

CONTRACTOR shall provide METRO with a certificate of insurance complying with this article and naming METRO as an additional insured within fifteen (15) days of execution of this Contract or twenty-four (24) hours before services under this Contract commence, whichever date is earlier. Notice of any material change or policy cancellation shall be provided to METRO thirty days (30) prior to the change.

ARTICLE IV: PUBLIC CONTRACTS

All applicable provisions of ORS chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the State of Oregon, are hereby incorporated as if such provision were a part of this Agreement, including, but not limited to, ORS 279.310 to 279.320.

ARTICLE V: ATTORNEY'S FEES

In the event of any litigation concerning this Contract, the prevailing party shall be entitled to reasonable attorney's fees and court costs, including fees and costs on appeal to any appellate courts.

ARTICLE VI: QUALITY OF GOODS

Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of excellent quality. All workers and subcontractors shall be skilled in their trades. CONTRACTOR guarantees all work against defects in material or workmanship for a period of one (1) year from the date of acceptance or final payment by METRO, whichever is later. All guarantees and warranties of goods furnished to CONTRACTOR or subcontractors by any manufacturer or supplier shall be deemed to run to the benefit of METRO.

In addition to any express warranties provided by the CONTRACTOR, all implied warranties covered by ORS Chapter 72 shall apply to any goods provided under this contract, and are hereby expressly not disclaimed.

ARTICLE VII: SAFETY

If services of any nature are to be performed in connection with the providing goods pursuant to this agreement, CONTRACTOR shall take all necessary precautions for the safety of employees and others in the vicinity of the services being performed and shall comply with all applicable provisions of federal, state and local safety laws and building codes, including the acquisition of any required permits. All applicable MSD sheets shall accompany the goods.

ARTICLE VIII: RIGHT TO WITHHOLD PAYMENTS

METRO shall have the right to withhold from payments due CONTRACTOR such sums as necessary, in METRO's sole opinion, to protect METRO against any loss, damage or claim which may result from CONTRACTOR's performance or failure to perform under this agreement or the failure of CONTRACTOR to make proper payment to any suppliers or subcontractors.

ARTICLE IX: COMPLIANCE

CONTRACTOR shall comply with federal, state, and local laws, statutes, and ordinances relative to the execution of the work. This requirement includes, but is not limited to, non-discrimination, safety and health, environmental protection, waste reduction and recycling, fire protection, permits, fees and similar subjects.

ARTICLE X: INTEGRATION OF CONTRACT DOCUMENTS

All of the provisions of any proposal documents including, but not limited to, the Advertisement for Proposal, General and Special Instructions to Proposers, Proposal, Scope of Work, and Specifications which were utilized in conjunction with the bidding of this Contract are hereby expressly incorporated by reference. Otherwise, this Contract represents the entire and integrated agreement between METRO and CONTRACTOR and supersedes all prior negotiations, representations or agreements, either written or oral. This Contract may be amended only by written instrument signed by both METRO and CONTRACTOR. The law of the state of Oregon shall govern the construction and interpretation of this Contract.

ARTICLE XI: ASSIGNMENT

CONTRACTOR shall not assign any rights or obligations under or arising from this Contract without prior written consent from METRO, which consent shall not be unreasonable withheld.

**ATTACHMENT TO PERSONAL SERVICES AGREEMENT
(Attachment "A" to Staff Report for Resolution No. 02-3172)**

SCOPE OF WORK

PROJECT

Metro is contracting with The Oregon Environmental Council (OEC) to carry out a mercury waste prevention and recycling grant awarded to Metro and the OEC by the Oregon Department of Environmental Quality (DEQ). (See attached "DEQ SWPRG Agreement No. 102-02" hereafter referenced as the "Grant Agreement.") The goal of the project will be to reduce mercury pollution through increased recycling of commercial fluorescent light tubes.

CONTRACTOR'S RESPONSIBILITIES

Contractor is responsible for performing the work in accordance with the provisions of the Grant Agreement. Contractor will perform project activities for the amount and as described in the Grant Agreement's Exhibit D - Approved Application, Exhibit E - Amended Project Work Plan and Schedule, Exhibit F-Amended Budget and Exhibit G - Amended Project Description.

Contractor shall prepare all reports or other deliverables on project activities required under, and in the form prescribed by, the Grant Agreement including Project Progress Reports and the final report. Contractor will submit all such reports or other deliverables to Metro for review and approval. Metro will submit these reports to the DEQ.

Contractor shall provide Metro with information necessary for Metro to meet requirements of the Grant Agreement including, but not limited to, the preparation of "Payment and Expenditure Reports".

METRO'S RESPONSIBILITIES

Metro will be responsible for submitting to the DEQ all reports or other deliverables required under the Grant Agreement. Metro will also provide assistance on the project as described in the Grant Agreement.

AMENDMENTS

This agreement may be amended consistent with Metro contract requirements and upon written agreement of both parties. Any amendments to the Grant Agreement between Metro and the DEQ shall require an amendment to this agreement before they are considered as incorporated into this agreement.

PAYMENT

Contractor will invoice Metro on a quarterly basis using the Grant Agreement's "Payment and Expenditure Report" form.

PROJECT MANAGERS

- Metro: Andrew Staab, REM, 2001 Washington St, Oregon City, OR 97045, (503) 655-0480, ext 231; (503) 655-2699 (fax), staaba@metro.dst.or.us
- Oregon Environmental Council: Laura Weiss, 520 S.W. 6th Ave Suite 940, Portland OR, 97204 (503) 222-1963, fax (503) 222-1405; laura@orcouncil.org

STATE OF OREGON
Solid Waste Planning and Recycling Grant Program Agreement

DEQ SWPRG AGREEMENT NO. 102-02

This agreement is between the State of Oregon, acting by and through its Department of Environmental Quality (DEQ), and Metro (Recipient).

RECIPIENT DATA	DEQ DATA
Project Officer: Andrew Staab	DEQ Grant Officer: Dave Kunz
Title: Hazardous Waste Facility Supervisor	Title: Solid Waste Technical Assistant Department of Environmental Quality Northwest Region
Organization: Metro South Household Hazardous Waste Facility	2020 SW. Fourth Avenue, Suite 400 Portland, OR 97201-4987
Address: 2001 Washington Street Oregon City, OR 97045	
Phone: 503-655-0480	Phone: (503) 229-6237
E-mail: Staaba@metro.dst.or.us	E-mail: Kunz.David@deq.state.or.us

WHEREAS, the award of financial assistance, which is the subject of this agreement, is authorized by Oregon Revised Statute 459A.120(2)(e) and Oregon Administrative Rules 340-83-010-100; and,

WHEREAS, DEQ has reviewed the recipient's application in a competition and determined the project is feasible and merits funding; and,

WHEREAS, DEQ is willing to provide a grant of \$18,000.00 to the recipient on the terms and conditions of the agreement;

THEREFORE, the parties agree as follows:

1. Description of Project

The project is described in the "Application for Grant Funds," which is attached as Exhibit D and is made a part of this agreement. If recipient will distribute grant funds to another agency or contractor, all conditions of this agreement will apply to that agency or contractor.

- a. Recipient agrees to the following schedule for the project, which is shown in Exhibit D, Section 7 – Project Work Plan and Schedule or, if applicable, Amended Project Work Plan and Schedule (Exhibit E):

Begin Date: When the last required signature is obtained, but not before March 1, 2002.

End Date: February 28, 2003

- b. Grant funds approved may be less than requested. If partial funding is approved, the project work plan and schedule shown in Exhibit D, Section 7 is modified and attached as Exhibit E. If applicable, an Amended Budget will be attached as Exhibit F. Any other modifications to the project budget, work plan, or schedule must be approved in writing by DEQ. Requests for amendments must be made at least 30 days before this agreement expires.

2. Grant Distribution Terms

- a. Subject to the terms and conditions of the agreement and in reliance upon recipient's approved application and certifications made by the recipient in it, DEQ agrees to provide funds not to exceed \$18,000.
- b. DEQ will not be obligated to provide any portion of the grant if there has been a change in the legislation affecting DEQ's ability to provide funds under the Solid Waste Planning and Recycling Grant Program.
- c. The transfer of funds from DEQ to the recipient will be made upon receipt and approval of semi-annual "Project Progress Report" (Exhibit A) and "Payment Request and Expenditure Report" (Exhibit B) forms. Recipient may submit a written request for the release of partial funds upon acceptance of a fully executed grant agreement. These requests should be sent to the DEQ grant officer listed on page 1 and should state how much is needed and why funds are needed at the beginning of the project. This can be up to 90% of total funds, if funds are needed to purchase equipment, for example. Routine grant expenses will be paid on a reimbursement basis, after project progress reports and payment requests are approved by the DEQ grant officer.
- d. DEQ will withhold 10 percent of the funds for the project until the recipient has submitted, and DEQ has approved, a final report on a form provided by DEQ. Project status will be determined by periodic inspection by the DEQ grant officer or Solid Waste Planning and Recycling Grant Program coordinator.

3. Procurement and Contracting Procedures

Recipients may use their own or DEQ's procurement and contracting procedures. If working with a contractor, recipient must select a contractor through a competitive bidding process or be able to document that the contractor selected is a unique source of the services, supplies, etc.

4. Eligible Activities

The use of the grant is expressly limited to the activities in the Approved Application, Exhibit D. DEQ will require reimbursement of any grant funds used for ineligible activities and may, at its sole discretion, terminate this agreement if grant funds are used for ineligible activities.

5. Ineligible Activities

The use of the grant is expressly prohibited for:

- disposal site engineering, design or hydrogeologic study required by DEQ permit or enforcement action
- costs for which payment has been or will be received under another financial assistance program
- capital expenditures for solid waste planning
- costs incurred prior to issuance or after the expiration date of this agreement
- license applications or permit fees
- ordinary operating expenses that are not directly related to the project
- unauthorized activities for rolling stock, purchased in whole or in part with the grant, during its expected service life (Unauthorized activities are any activities not related to pursuing the goals or results of the project.)
- costs incurred for landfill closures.

6. Matching Non-Grant Resources

Recipient has provided non-grant resources with a total value of \$9,000, which are available and committed to the project.

7. Amendments

The terms of the agreement, including time frames for project completion, will not be waived, altered, modified, supplemented, or amended in any manner except by written instrument signed by both parties of this agreement. Such written modification will be made a part of this agreement and subject to all other agreement provisions. Requests for amendments must be made at least 30 days before this agreement expires.

8. Termination

This agreement may be terminated by mutual consent of both parties, or by either party upon 30 days' notice, in writing and delivered by certified mail or in person.

DEQ may terminate this agreement effective upon delivery of written notice to the recipient, or at a later date, if DEQ funding from state or other sources is not obtained and continued at levels sufficient to allow for continuation of the project. The agreement may be modified to accommodate a reduction in funds.

Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

By written notice to the recipient, DEQ may terminate the whole or any part of the agreement if:

- the recipient uses grant funds for ineligible activities; or
- the recipient fails to perform any of the provisions of the agreement; or
- so fails to pursue the work as to endanger performance of the agreement in accordance with its terms; and
- after receipt of written notice from DEQ, fails to correct such failures within 10 days or such longer period as DEQ may authorize.

The rights and remedies of DEQ provided in the above clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this agreement. Such remedies may include, but are not limited to, termination of the agreement, stop payment on or return of the grant, payment of interest earned on the grant, declaration of ineligibility for the receipt of future grants from the SWPRG account, and withholding of other DEQ funds due the recipient.

9. Financial Records and Inspection

- a. All financial records, source supporting documents, and all other records pertinent to this grant must be retained by the recipient for three (3) years after the project is completed.
- b. The recipient gives DEQ and any authorized representative of DEQ access to and the right to examine all books, records, papers, or documents relating to this grant.

10. Reports/Deliverables

- a. The recipient will submit a Project Progress Report (Exhibit A) and Payment Request and Expenditure Report (Exhibit B) to DEQ on a semi-annual basis on forms provided by DEQ. Semi-annual reports shall cover the periods January 1 to June 30, and July 1 to December 31. Progress and expenditure reports are due within 30 days following the end of each reporting period.
- b. The recipient will submit a Final Report (Exhibit C) and Payment Request and Expenditure Report (Exhibit B) on forms provided by DEQ within 60 days following project completion. The Final Report will include complete results of the project, including evaluation and measurement data.
- c. With the Final Report, grantee will make available copies of any materials developed in the project or related to it, such as brochures, public service announcements, news clippings, or reports.
- d. If the grant is for a household hazardous waste (HHW) plan, grantee will submit a copy of the plan with the final report. Guidelines for writing an HHW plan may be obtained from the DEQ grant officer.
- e. Grantee agrees to provide on request additional information needed by DEQ to evaluate the effectiveness of the project.
- f. Grantee agrees to make information on project processes and results available to DEQ for adoption by others.

11. Compliance with Applicable Law

The recipient shall comply with all federal, state, and local laws, regulations, executive orders, and ordinances applicable to the work under this agreement. Without limiting the generality of the foregoing, the recipient expressly agrees to comply with: (i) Title VI of Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659.425; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations. Agency's

performance under this agreement is conditioned upon recipient's compliance with the provisions of ORS 279.312, 279.314, 279.316, 279.320, and 279.555, which are incorporated by reference herein.

12. Indemnity

To the extent permitted by law, the recipient shall defend, save, and hold harmless the State of Oregon and DEQ, its officers, agents, employees, and members, from all claims, suits, or actions of whatsoever nature resulting from or arising out of the activities of the recipient or its sub-contractors, agents, or employees in connection with this grant or the project.

13. Ownership of Project

Unless prior written exceptions are given by DEQ, all equipment, materials, and other capital goods purchased in full or in part with grant funds must be used only for the purposes specified in Exhibit D. The recipient shall retain ownership of the property and materials of this project. Recipient shall account for property and materials upon termination of this agreement and shall obtain written permission from DEQ before selling or transferring them. Information, processes, results, and technologies developed under the agreement are public information.

14. Recycled Paper

Recipient agrees to use recycled-content paper, printed on both sides, for all grant reports, even when recycled-content paper costs more than virgin paper.

15. Attorney Fees

The prevailing party in any dispute arising from this agreement shall be entitled to recover from the other its reasonable attorney's fees at trial and appeal.

16. Force Majeure

Recipient shall not be held responsible for delay or default caused by fire, riot, acts of God, and war, which was beyond the recipient's reasonable control.

17. Severability

If any provision of this agreement shall be held invalid or unenforceable by any court or competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision.

The parties agree that if any term or provision of this agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the parties will be construed and enforced as if the agreement did not contain the particular term or provision held to be invalid.

18. Waiver

Failure of DEQ to enforce any provision of this agreement shall not constitute a waiver by DEQ of that or any other provision.

19. Merger Clause

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

Signatures

RECIPIENT

STATE OF OREGON by and through its
DEPARTMENT OF ENVIRONMENTAL
QUALITY

BY

BY

Signature of Authorized Representative

Division Administrator

Name and Title of Representative

Date

Date

Exhibit A - PROJECT PROGRESS REPORT—1 of 2

INSTRUCTIONS: Please use the space at the bottom and back of this form to describe the progress you made on grant project activities and any results you achieved during this reporting period. Please include information on all project activities included on your approved grant application that were scheduled to occur during this reporting period (e.g., solicited three bids for purchasing baler; chose baler from [name of company] based on lowest bid, etc.). If established objectives were not met, please explain why.

Please provide an analysis and explanation of any cost overruns and include any additional pertinent information. You may attach additional sheets if necessary.

Be sure to sign and date this report.

RECIPIENT DATA		DEQ DATA	
Recipient	Metro	DEQ Grant Officer:	Dave Kunz
Grant No.	102-02	Title:	Solid Waste Technical Assistant
Reporting Period			
Project Officer:	Andrew Staab		Dept. of Environmental Quality
Title:	Hazardous Waste Facility Supervisor		Northwest Region
Organization:	Metro South Household Hazardous Waste Facility		2020 SW. Fourth Avenue, Suite 400
Address:	2001 Washington Street Oregon City, OR 97045		Portland, OR 97201-4987
Phone:	503-655-0480	Phone:	(503) 229-6237
E-mail:	Staaba@metro.dst.or.us	E-mail:	Kunz.David@deq.state.or.us

I hereby certify that, to the best of my knowledge, this report, including any attached information on grant activities and results, is true and correct as of this date.

Project Officer Signature: _____ Date: _____

Exhibit B - PAYMENT REQUEST AND EXPENDITURE REPORT—1 of 2

- Use this form with quarterly or semi-annual progress reports and final reports to request reimbursement for eligible costs.
- You must provide copies of invoices with this request for reimbursement.
- Even if no monies are being requested, this form must be completed and submitted according to schedule.
- Complete tables A - D (next page) to arrive at subtotals needed for the total expenditures table, below.

Grantee Name: Metro DEQ Grant Number: 102-02

Project Name: Mercury Pollution Prevention Through Commercial Fluorescent Tube Recovery

Project Officer: Andrew Staab Reporting Period: from _____ to _____

TABLE - TOTAL EXPENDITURES					
EXPENDITURE SUMMARY	GRANT MONEY EXPENDITURES		MATCHING RESOURCES EXPENDITURES		TOTAL EXPENDITURES TO DATE
	THIS PERIOD	TO DATE	THIS PERIOD	TO DATE	
A. Personnel	\$	\$	\$	\$	\$
B. Professional Services	\$	\$	\$	\$	\$
C. Capital Outlay (e.g., equipment, property, rolling stock, etc.)	\$	\$	\$	\$	\$
D. Services & Supplies	\$	\$	\$	\$	\$
E. Other (Specify)	\$	\$	\$	\$	\$
TOTAL	\$	\$	\$	\$	\$

RECEIPTS AND REQUESTS

E. Total Amount of Grant \$ 18,000.00
 F. Total Grant Money Received to Date _____
 G. Cash on Hand as of this Report _____
 H. Amount of Grant Money Requested _____

CERTIFICATION

I certify that this report is true and correct to the best of my knowledge and that all expenditures and obligations reported herein have been made in accordance with the budget agreed upon and with other provisions contained in the grant agreement.

X _____
 Authorized Signature Title and Date

DEQ USE ONLY	Approved for Payment
Signature _____	Title _____ Date _____
Amount Approved \$ _____	Payee _____
Organization _____	
Mailing Address/Town/State/Zip _____	

Exhibit B - PAYMENT REQUEST AND EXPENDITURE REPORT—2 of 2

Table A. PERSONNEL SERVICES. (List principals by name. Include all payments for insurance, retirement, Social Security, etc.)

NAME	HOURLY RATE	NO. OF HOURS SPENT ON PROJECT	DEQ GRANT FUNDS EXPENDED	MATCHING RESOURCES EXPENDED	TOTAL EXPENDITURES
1.	\$		\$	\$	\$
2.	\$		\$	\$	\$
3.	\$		\$	\$	\$
4.	\$		\$	\$	\$
5.	\$		\$	\$	\$
6.	\$		\$	\$	\$
Subtotal	\$		\$	\$	\$

Table B. PROFESSIONAL SERVICES (List all subcontracts for design, construction, repair, or maintenance and fees for legal, financial, artistic, or other professional services.)

NAME	HOURLY RATE	NO. OF HOURS SPENT ON PROJECT	DEQ GRANT FUNDS EXPENDED	MATCHING RESOURCES EXPENDED	TOTAL EXPENDITURES	SERVICES PROVIDED
1.	\$		\$	\$	\$	
2.	\$		\$	\$	\$	
3.	\$		\$	\$	\$	
4.	\$		\$	\$	\$	
5.	\$		\$	\$	\$	
6.	\$		\$	\$	\$	
Subtotal	\$		\$	\$	\$	

Table C. CAPITAL OUTLAY (List all items of equipment purchased.)

NAME	FUNDS EXPENDED	DEQ GRANT FUNDS EXPENDED	MATCHING TOTAL EXPENDITURES	EQUIPMENT PURCHASED
1.	\$	\$	\$	
2.	\$	\$	\$	
3.	\$	\$	\$	
4.	\$	\$	\$	
5.	\$	\$	\$	
6.	\$	\$	\$	
Subtotal	\$	\$	\$	

Table D. SERVICES AND SUPPLIES (Include computer services, duplicating, postage, materials/supplies, publication charges, telephone, fuel, automobile operations, etc. Please list all items in reasonable detail.)

NAME	FUNDS EXPENDED	DEQ GRANT FUNDS EXPENDED	MATCHING TOTAL EXPENDITURES	SERVICES & SUPPLIES PROVIDED
1.	\$	\$	\$	
2.	\$	\$	\$	
3.	\$	\$	\$	
4.	\$	\$	\$	
5.	\$	\$	\$	
6.	\$	\$	\$	
Subtotal	\$	\$	\$	

Exhibit C - FINAL REPORT—1 of 2

Please include Payment Request and Expenditure Report (Exhibit B) with this report.

RECIPIENT DATA		DEQ DATA	
Recipient	Metro	DEQ Project Officer:	Dave Kunz
Grant No.	102-02	Title:	Solid Waste Technical Assistant
Grant Amount	\$18,000.00		
Project Officer:	Andrew Staab		Dept. of Environmental Quality
Title:	Hazardous Waste Facility Supervisor		Northwest Region
Organization:	Metro South Household Hazardous Waste Facility		2020 SW. Fourth Avenue, Suite 400
Address:	2001 Washington Street Oregon City, OR 97045		Portland, OR 97201-4987
Phone:	503-655-0480	Phone:	(503) 229-6237
E-mail:	Staaba@metro.dst.or.us	E-mail:	Kunz.David@deq.state.or.us

Project Name:

Mercury Pollution Prevention Through Commercial Fluorescent Tube Recovery

Project Location (City and/or County)

Project Period (start/end dates): _____ to _____

I hereby certify that, to the best of my knowledge, this report is true and correct as of this date.

Project Officer's Signature:

Date: _____

Exhibit C - FINAL REPORT—2 of 2

- Please answer these questions on separate sheets of paper.
- If available, please include pictures of the site and activities developed as a result of this grant and copies of materials used or developed by the project.

1. Describe the project accomplishments in terms of:

(A) Project goals and objectives as set out in the Grant agreement (Exhibit D).

If a baseline assessment was done, please describe how it was done and what was learned.

Did you meet your goals? Why or why not?

What did you learn from the baseline survey about business owners'/managers': awareness of problems with disposal of fluorescent tubes containing mercury; current purchasing practices for lighting; fluorescent tube recycling practices; barriers to recycling fluorescent tubes?

How did the project's educational activities impact business owners'/managers': awareness of problems with disposal of fluorescent tubes containing mercury; purchasing practices for lighting; fluorescent tube recycling practices; barriers to recycling fluorescent tubes?

What impact did the project have on the purchase and recycling of low-mercury lamps?

What did you learn about the feasibility and cost-effectiveness of using fluorescent tube recycling as an "offset" for mercury emissions?

(B) Additional project accomplishments not included in the original goals and objectives.

2. Briefly describe all significant problems encountered during project design and implementation and how these problems resulted in a change in project design, implementation (including timetable), or expected accomplishments.
3. Describe the most and least successful components of the project and explain why they were or were not successful.
4. Briefly discuss any cost overruns and explain why they happened.
5. Discuss the technical and economic feasibility of others carrying out a similar project. Were any efforts made to transfer the results of the project to other jurisdictions? For example, were any brochures or handouts developed that could be shared with others? Identify what you would do differently if you were to carry out a similar project again, and why.
6. Provide a final inventory of real property, if applicable (i.e., land and structures and appurtenances to them), and equipment with an acquisition cost of at least \$1,000. Explain what controls are in place to ensure that the real property and equipment will be used for purposes specified in the grant agreement.
7. Any additional comments, suggestions, or ideas for the DEQ grant program? Feel free to comment on both the internal grant procedure as well as the project itself.

Exhibit D – APPROVED APPLICATION



DEQ

State of Oregon
Department of
Environmental
Quality

Oregon Solid Waste Grant Program APPLICATION FOR GRANT FUNDS

2001

SECTION I: Applicant Information

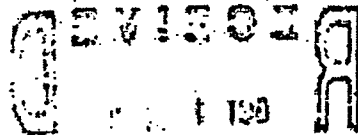
Applicant Name: METRO Project Name: Mercury Pollution Prevention Through Commercial Fluorescent Tube Recovery Type of Grant: <input checked="" type="checkbox"/> Focus <input type="checkbox"/> SW <input type="checkbox"/> HHW	Type of Applicant: <input type="checkbox"/> City <input type="checkbox"/> County <input checked="" type="checkbox"/> Other Local Govt. (please specify) METRO
Mailing Address: 600 NE Grand Avenue Portland, OR 97232	Name/Address to which payments should be sent: Regional Environmental Management
County: Multnomah	Federal Tax ID Number:
Contact Person (Project Officer) and Title: Sally Koch, Senior Safety Analyst	State Legislative Districts - House: Senate:
Contact Phone (Include Area Code): 503-797-1853	List any other participating jurisdictions, contact persons, and contact persons' phone numbers.
Contact E-mail Address: kochs@metro.dst.or.us	
Contact Fax (Include Area Code): 503-797-1795	Have you received any previous DEQ grants? If so, date and type of grant(s): Similar grants have included: 1997, Dinihanian MFG, \$11,000 1998, A Teachers Space, \$20,000 1999, A Teachers Space, \$18,500
Website Address:	

RECEIVED
OCT 1 2001

DEPT OF ENVIRONMENTAL QUALITY
NORTHWEST REGION

Exhibit D – APPROVED APPLICATION

SECTION 2: Contractor Information	
<i>Note: Complete this section only if you will pass on grant funds to an individual or group that will conduct the grant project under your direction.</i>	
Contractor Contact Person and Title: <i>Laura Weiss, Program Director</i>	Contractor Business Name: <i>Oregon Environmental Council</i>
Contractor Mailing Address: <i>520 SW 6th Ave. Suite 940 Portland, OR 97204</i>	Type (e.g., private individual, non-profit organization, business, Chamber of Commerce, school, other - please specify): <i>non-profit organization</i>
Contractor Phone/FAX (Include area code): <i>503-222-1983 x111 503-222-1405 FAX</i>	
Contractor E-mail Address: <i><u>laura@orcouncil.org</u></i>	
SECTION 3: Project Information	
PROJECT TITLE <i>Mercury Pollution Prevention Through Commercial Fluorescent Tube Recovery</i>	PROJECT LOCATION <i>Portland Metropolitan Area</i>
AMOUNT OF FUNDS REQUESTED <i>\$20,000</i>	PROJECT START DATE <i>March 2002</i>
TYPE OF GRANT APPLIED FOR <input checked="" type="checkbox"/> Focus – Waste Prevention or Reuse <input type="checkbox"/> General Solid Waste <input type="checkbox"/> Household Hazardous Waste	PROJECT END DATE <i>February 2003</i>



Y:\org\apps\grants\251128
2002-10-01

Exhibit D – APPROVED APPLICATION

PROJECT DESCRIPTION

Provide a brief description of the project.

This project requests \$20,000 for a mercury waste prevention and reuse project targeted at commercial office buildings in the Portland metropolitan area. This project will lead to an increase in recycling of fluorescent light tubes, thereby preventing mercury pollution. It will also provide policy-makers at the local and state level with information that will be crucial for designing policies and programs to encourage greater recycling across the state.

Fluorescent lamps contain mercury. Mercury is a persistent and toxic pollutant, which stays in the environment for decades and increases in concentration as it moves up the food chain. In Oregon, state health officials have identified over 435 miles of rivers and streams throughout Oregon that do not meet minimum standards of safety for fish consumption due to mercury contamination. Mercury has been identified as a priority problem for Oregon – in DEQ's strategic plan; via Governor Kitzhaber's Executive Order committing Oregon to zero discharge of mercury and other Persistent Bioaccumulative Toxins by 2020; and through the work of the Mercury Solution Team directed by OEC (in which the City of Portland, Metro, and DEQ have been participants).

According to a DEQ fact sheet, several million fluorescent lamps are discarded by business and government in Oregon each year, making these lamps one of the largest sources of mercury in our solid waste stream, accounting for about 210 pounds of mercury each year. Some 80% of all fluorescent tubes are used by commercial buildings. When a lamp is broken, or placed in a landfill or incinerator, the mercury is released into the environment and can contaminate the air, surface or groundwater.

This project will rely on the following strategies:

- Face-to-face interviews with at least five of the region's largest building owners/managers in one-on-one meetings, to promote recycling and identify barriers.
- An educational brochure, to be jointly developed and marketed with recycling firms, and distributed in cooperation with the Building Owners and Managers Association (BOMA).
- Articles and public service announcements in industry publications and media highlighting the dangers of mercury and the importance of recycling fluorescent tubes.
- Public recognition for buildings that successfully increase recycling rates, in OEC materials and via donated advertising space in the *Daily Journal of Commerce*.
- A pilot project to provide free or subsidized tube recycling in at least one building.
- Discussions with point sources of mercury (such as PGE) to explore their interest in funding fluorescent tube recycling programs to "offset" those emissions, which would support continued high recycling rates beyond the grant period.

Goals and Expected Outcomes:

- An increase in recycling rates of fluorescent tubes in office buildings. We expect to prevent at least 15,000 tubes from reaching the waste stream, thus preventing over ½ pound of mercury from contaminating the environment.
- Increased awareness among building owners and managers of mercury pollution and the importance of recycling fluorescent tubes.
- Increased understanding among local government officials and other decision makers about the level of knowledge among building managers, current recycling rates, and the barriers (perceived and real) to recycling, which will strengthen the design of future programs and policies.
- An evaluation of the feasibility and cost-effectiveness of using fluorescent tube recovery as a voluntary "offset" project for point sources of mercury pollution.

We will measure results by working with two or three of the largest fluorescent light recycling companies in the area to gather information about recycling rates from this sector before and after the project. We will write a report describing the results of our outreach for policy makers and will provide specific recommendations to reduce barriers and increase recycling rates for fluorescent light tubes.

SECTION 4: Project Personnel

Please identify all of the people involved in the project and the roles they will play. What are the related experiences, accomplishments, and qualifications of the project officer and key personnel? If you have partners, please name them and describe what their roles in the project will be.

APPLICANT

Metro, Regional Environmental Management Department. Metro is the directly elected regional government that serves more than 1.3 million residents in Clackamas, Multnomah and Washington counties, and the 24 cities in the Portland, Oregon, metropolitan area. Metro is responsible for coordinating the solid waste and recycling services in the region and overseeing a regional solid waste plan committed to aggressive waste prevention, recycling and recovery goals. Metro has a very strong interest in reducing the toxicity of the solid waste stream. Metro owns two transfer stations, regulates four others and manages a disposal contract with a landfill that takes the majority of the region's solid waste. Metro conducts an extensive series of household hazardous waste collection events and owns and operates two hazardous waste facilities.

Sally Koch, Senior Safety Analyst, Engineering and Environmental Services Division. Sally Koch will be Metro's project manager for this grant. She has worked at Metro for almost ten years on hazardous waste health and safety programs for Metro's transfer stations and hazardous waste facilities. Jim Quinn, supervisor of Metro's hazardous waste program and knowledgeable of scientific and regulatory issues concerning mercury containing products, will support her on the project. She will be supervised by Jim Watkins, manager of the Engineering and Environmental Services Division.

Vicki Kolberg, Supervisor, Waste Reduction, Planning and Outreach Division. Vicki Kolberg, supervisor of the Outreach section, including Metro's Recycling Information hot-line, will be point of contact for the section. She has extensive experience in developing and implementing waste reduction education and outreach programs. The Contractor will be responsible for developing the educational message and materials with Metro staff providing review and comment.

CONTRACTOR

The Oregon Environmental Council. Incorporated in 1968, the Oregon Environmental Council (OEC) is the oldest statewide environmental organization in Oregon and has a strong reputation for credibility, collaboration, and creative problem-solving. As Governor John Kitzhaber, a former OEC board member, put it, "Probably more than any other organization in this state, OEC has helped guide the development of sound public policy in the natural resource arena."

OEC has played a leadership role in efforts to prevent mercury pollution, working with Governor Kitzhaber to draft an executive order committing Oregon to zero discharge of persistent toxics by 2020; creating a unique "Mercury Solution Team" of stakeholders to develop a zero discharge strategy for mercury; passing the Mercury Reduction Act in the recent Oregon Legislature; and designing a pilot project to voluntarily replace mercury switches in over 5,000 cars.

Laura Weiss, Program Director, Oregon Environmental Council. Laura Weiss leads OEC's work on mercury and other toxic chemicals, including the Mercury Solution Team and OEC's current project to voluntarily swap mercury switches in cars, and will be the primary project officer for this project as well. She holds a Masters in Public Health from UC-Berkeley and previously worked at the Washington State Department of Ecology as a regulatory toxicologist and hazardous waste specialist for six years.

Jeff Allen, Executive Director, OEC. Jeff Allen will provide strategic guidance to the project and assist in incentive design. He holds a Master's degree in public policy from the University of California, Berkeley and graduated Phi Beta Kappa from the University of Michigan. His diverse policy experience includes design of take-back programs for lawn mowers; pollution trading projects; and economic incentives.

Exhibit D – APPROVED APPLICATION

SECTION 4: Project Personnel, continued

OTHER PARTNERS

The Daily Journal of Commerce. This key trade publication is media sponsor for OEC's Forum for Business and the Environment, and has donated advertising space. OEC plans to use approximate \$2000 of this in-kind donation to publicize this project and to recognize buildings that improve recycling rates.

Rick Volpel, Hazardous Waste Specialist, Land Quality Division, Oregon Department of Environmental Quality. Rick Volpel has extensive experience in hazardous waste programs for small business. He will provide technical assistance on regulations and advice on working with businesses.

SECTION 5: Grant Application Questions

On a separate sheet of paper, please answer the following questions applicable to your project. Limit your responses to a total of 6 pages. You may submit additional pages for photographs, diagrams, and supporting attachments.

BASIC QUESTIONS – All applicants must answer these 7 questions

- 1) What community or environmental need does the project respond to, how was the need determined, and how will your project contribute toward solving the need?

This project responds to the need to reduce, and eventually eliminate, mercury pollution in Oregon. Mercury is a persistent and toxic pollutant, which stays in the environment for decades and increases in concentration as it moves up the food chain. In Oregon, state health officials have identified over 435 miles of rivers and streams throughout Oregon that do not meet minimum standards of safety for fish consumption due to mercury contamination.

Mercury has been identified as a priority problem for Oregon, and its reduction flagged as a major need, through several venues – in DEQ's strategic plan; via Governor Kitzhaber's Executive Order committing Oregon to zero discharge of mercury and other persistent bioaccumulative toxins by 2020; and through the work of the Mercury Solution Team directed by OEC (in which the City of Portland, Metro, and DEQ have been participants).

Specifically, this project contributes to solving this need by increasing recycling rates for fluorescent tubes and lamps, which contain mercury. When a lamp is broken, or placed in a landfill or incinerator, the mercury is released into the environment and can contaminate the air, surface or groundwater. According to a DEQ fact sheet, several million fluorescent lamps are discarded by business and government in Oregon each year. OEC's Solution Team report estimates that these lamps contribute approximately 210 pounds of mercury pollution to Oregon's environment each year, making them one of the largest sources of mercury in our solid waste stream, and a larger source than such traditional "point sources" as coal-fired power plants or incinerators.

To address the problem, OEC and Metro with advice from DEQ determined a project was needed that addressed the barriers faced by businesses in recycling fluorescent lamps (e.g. cost or lack of knowledge of available recycling services). The project would also need to develop an education and outreach program designed with these barriers in mind.

This project will lead to an increase in recycling of fluorescent light tubes, thereby preventing a measurable amount of mercury pollution. It will also provide businesses and policy-makers at the local and state level with information that will be crucial for developing programs and policies to encourage greater recycling across the state.

Exhibit D – APPROVED APPLICATION

- 2) Were other participants involved in identification of the project need and development of the grant proposal? If so, briefly describe the process and identify the participants.

Participants involved in identification of the need for the project included the OEC, METRO, the City of Portland, DEQ, the Association of Lighting and Mercury Recyclers, and Portland General Electric. These stakeholders, and several others, have been participants in OEC's Mercury Solution Team. Convened a year ago, the Solution Team has been meeting to develop a comprehensive zero-discharge strategy for mercury. The team's recommendations for fluorescent tubes recognize the energy-efficiency benefits of such tubes, and the lack of completely mercury-free alternatives, by calling for stepped-up efforts to increase recycling rates. Minnesota, for example, estimates that it has a recycling rate of over 80% for fluorescent tubes, compared to an estimated recycling rate of roughly 20% in Oregon.

Analysis completed for PGE during the Solution Team process evaluated options for residential compact fluorescent recycling programs. However, there is a real possibility of "mixed messages" when the utility is also encouraging people to buy compact fluorescent bulbs. Furthermore, roughly 60% of fluorescent tubes are used in commercial buildings, and individual commercial buildings may generate dozens of tubes. For these reasons, this project was designed to focus on commercial buildings.

- 3) How will you measure the success of the project? What evaluation steps do you plan to take?

The Contractor will look specifically at the ability of the project to increase recycling rates of fluorescent tubes in office buildings. It is expected to prevent at least 15,000 tubes from reaching the waste stream, thus preventing over 1/2 pound of mercury from contaminating the environment. The Contractor will evaluate and measure results by working with the two or three of the largest fluorescent light recycling companies in the area to gather information about recycling rates from this sector before and after the project.

The Contractor will also assess the impact of the project in providing:

- Increased awareness among building owners and managers of mercury pollution and the importance of recycling fluorescent tubes.
- Increased understanding among local government officials and other decision makers about the level of knowledge among building managers, current recycling rates, and the barriers (perceived and real) to recycling, which will strengthen the design of future programs and policies.
- An evaluation of the feasibility and cost-effectiveness of using fluorescent tube recovery as a voluntary "offset" project for point sources of mercury pollution.

The Contractor will write a report describing and evaluating the results of our outreach for policy makers and will provide specific recommendations to reduce barriers and increase recycling rates for fluorescent light tubes.

- 4) Describe future plans for your project. How will the activities continue, or how will you build on the success of the project, after grant funds are expended? Identify anticipated future funding sources.

If, as expected, this project produces effective tools that lead to an increase in fluorescent lamp recycling, businesses and state and local governments will be better able to prioritize waste prevention resources most effectively. Partners in this project will encourage local governments and waste management agencies to use these tools and findings to encourage increased fluorescent tube recycling in other areas of the state.

The Contractor will also evaluate the feasibility and cost-effectiveness of fluorescent tube collection programs as "offset" strategies for point sources of mercury, such as PGE, that may have very high control costs or no feasible mercury-free alternatives for their own operations. If feasible, funding from such point sources could

Exhibit D – APPROVED APPLICATION

provide continuing support to increase collection and recycling rates in an expanding number of commercial buildings well beyond the metro area, and well beyond the grant period.

In the long run, the aim is to catalyze lasting change in the behavior of building managers and tenants, such that fluorescent tube recycling continues as a standard business practice and outreach efforts will not need to continue indefinitely. The final evaluation report will identify additional activities, steps, and measures to encourage such lasting change.

6) Briefly describe how the project will be integrated into other waste management programs in place.

During the project period, the Contractor will seek to integrate educational and promotional efforts into existing public education and promotion efforts in the Metro area, particularly those targeting commercial building owners and tenants. DEQ has been working to keep Universal Wastes out of the wastestream via several venues within their waste management programs. One specific project DEQ is planning involves conducting education and outreach and technical assistance to lighting contractors on fluorescent light tubes. However, they have no specific plans to conduct outreach to the audiences targeted by this project.

Over time, the expectation is that fluorescent tube recycling will be integrated into commercial buildings' existing waste management procedures and contracts, becoming a regular part of the way they do business.

6) Describe how your project will use volunteer labor, in-kind services, existing education and promotion materials, etc. to promote cost efficiency.

First, in promoting this project and recognizing high-performing buildings, the Contractor will use donated in-kind advertising space from the Daily Journal of Commerce. The Contractor will also seek "earned" media coverage for the issue in both trade and general-circulation press; the Contractor has substantial media experience and expects to secure such coverage quite readily.

The Contractor will also increase the efficiency of its efforts by promoting this project through its existing network of business leaders. Through OEC's Forum for Business and the Environment, a series of breakfast events on various environmental topics, the Contractor has developed an email network as well as regular attendance of 100+ at breakfast events. The Contractor will spread the word about the importance of fluorescent tube recycling through this existing network. The Contractor has already discussed this project with at least one member of its network (Ashforth Pacific) which has expressed interest.

Finally, the Contractor will work directly with existing fluorescent tube recycling companies. By providing them with information, publicity, and educational materials, they will be effectively strengthening their marketing and sales effort. In exchange, the Contractor expects they will provide key sales and marketing support in addition to the actual collection and recycling services themselves.

7) (H/W proposals: do not answer) Does your jurisdiction have an updated Integrated Solid Waste Management Plan? If not, describe how your project fits into the state's solid waste hierarchy of "Prevent, Reuse, Recycle, Compost, Energy Recovery, Disposal." If your answer is yes, please provide the date of the last update and whether or not the plan identifies your project as a priority. Please explain.

Metro's Regional Solid Waste Management Plan was adopted in 1995. The Plan identifies both waste prevention and reducing the toxicity of the waste stream as priorities.

Exhibit D – APPROVED APPLICATION

SUPPLEMENTAL QUESTIONS – Waste Prevention or Reuse Grants

WP-1) Describe how your project will conserve resources (such as materials, water, and energy) and prevent waste generation. Include estimates of resources saved, amount of waste prevented, target audience, and your goals.

During the grant period, this project will prevent the disposal of at least 15,000 fluorescent tubes, leading to the prevention of at least 0.5 pounds of mercury waste. This will be accomplished through a targeted program using education, outreach, interviews, public recognition, and economic incentives to increase recycling rates for fluorescent tubes in commercial office buildings.

WP-2) If your project involves education and awareness campaigns or technical assistance, describe how you will implement them.

This project will include implementation of the following strategies:

- Face-to-face interviews with at least five of the region's largest building owners/managers in one-on-one meetings, to promote recycling and identify barriers.
- An educational brochure, to be jointly developed and marketed with recycling firms.
- Articles and public service announcements in industry publications and media highlighting the dangers of mercury and the importance of recycling fluorescent tubes.
- Public recognition for buildings that successfully increase recycling rates, in OEC materials and via donated advertising space in the *Daily Journal of Commerce*.
- A pilot project to provide free or subsidized tube recycling in at least one building.
- Discussions with point sources of mercury (such as FGE) to explore their interest in funding fluorescent tube recycling programs to "offset" those emissions, which would support continued high recycling rates beyond the grant period.

WP-3) If the project includes backyard composting, describe how you will measure composting levels and how many households are actually composting after the project is implemented.

N/A

WP-4) How will you evaluate the effectiveness of your project?

The Contractor will look specifically at the ability of the project to increase recycling rates of fluorescent tubes in office buildings. We expect to prevent at least 15,000 tubes from reaching the waste stream, thus preventing over 1/2 pound of mercury from contaminating the environment. The Contractor will evaluate and measure results by working with the two or three of the largest fluorescent light recycling companies in the area to gather information about recycling rates from this sector before and after the project.

The Contractor will also assess the impact of the project in providing:

- Increased awareness among building owners and managers of mercury pollution and the importance of recycling fluorescent tubes.
- Increased understanding among local government officials and other decision makers about the level of knowledge among building managers, current recycling rates, and the barriers (perceived and real) to recycling, which will strengthen the design of future programs and policies.
- An evaluation of the feasibility and cost-effectiveness of using fluorescent tube recovery as a voluntary "offset" project for point sources of mercury pollution.

We will write a report describing and evaluating the results of our outreach for policy makers and will provide specific recommendations to reduce barriers and increase recycling rates for fluorescent light tubes.

Exhibit D – APPROVED APPLICATION

SECTION 6 – Budget Information

(A) PERSONNEL SERVICES (List principal project personnel by name directly on this form. Include salaries, quoted payments for insurance, retirement, social security, etc.). Be sure to total grant funds requested, matching resources, and total costs in the space provided.

(A) Personnel Services	Hourly Rate	Hours Requested	Requesting Agency	Matching Resources	Total Costs
1. Koch		40	None		
2. Kolberg		8	None		
3.					
4.					
5.					
6.					
SUBTOTAL					

(B) PROFESSIONAL SERVICES (List consultants, contractors, etc.) Be sure to total grant funds requested, matching resources, and total costs in the space provided.

(B) Professional Services	Hourly Rate	Estimated Hours	Requesting Agency	Matching Resources	Total Costs
1. Weiss - OEC	\$40	400	\$12,000	\$4,000	\$16,000
2. Allen - OEC	\$50	40	\$1,000	\$1,000	\$2,000
3. OEC support staff	\$25	80	\$2,000		\$2,000
4.					
5.					
6.					
SUBTOTAL			\$15,000	\$5,000	\$20,000

(C) CAPITAL OUTLAY (List all items to be purchased with a value greater than \$100. Include equipment, land, structures, and items pertaining to them. Be sure to total grant funds requested, matching resources, and total costs in the space provided.)

(C) Capital Outlay	Requesting Agency	Matching Resources	Total Costs
1.			
2.			
3.			
4.			
5.			
6.			
SUBTOTAL			

** "Matching Resources" includes cash or in-kind contributions. "In-kind contributions" includes any documented contribution, such as real estate, goods or services, and labor, and should be valued using a defensible method. For example, rates for volunteers should be consistent with those paid for similar work in other states or local government activities; donated supplies should be assigned a reasonable value not to exceed lowest fair market value.*

Exhibit D – APPROVED APPLICATION

SECTION 6 – Budget Information, continued

- (D) **SERVICES AND SUPPLIES** - Include items not itemized in "Personnel Services," "Professional Services," and "Capital Outlay." Examples are computer services, duplicating, materials/supplies, postage, publication charges, telephone, fuel, automobile mileage, travel, etc. Be sure to total grant funds requested, matching resources, and total costs in the space provided.

Item Description	DEQ Grant Funds Requested	Matching Resources	Total Cost
1. Advertising space		\$2,000	\$2,000
2. Educational material design & printing	\$2,000	\$500	\$2,500
3. Printing, postage, phone	\$1,500	\$1,000	\$2,500
4. Mileage & travel	\$500	\$500	\$1,000
5. Incentives/subsidies for recycling pilot	\$1,000		\$1,000
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
SUBTOTAL	\$5,000	\$4,000	\$9,000

- (E) **PROJECT BUDGET SUMMARY** - Fill in all applicable spaces. Be sure to total grant funds requested, matching resources, and total costs. Providing matching resources is not mandatory to be considered for a grant but is a measure of cost effectiveness of your proposal.

Item Description	DEQ Grant Funds Requested	Matching Resources	Total Cost
A. Personnel Services	\$15,000	\$5,000	\$20,000
B. Professional Services	0	0	0
C. Capital Outlay	0	0	0
D. Services and Supplies	\$5,000	\$4,000	\$9,000
E. Total DEQ Grant Funds Requested	\$20,000		
F. Total Matching Resources Committed to the Project		\$9,000	
G. Total Project Cost			\$29,000

* "Matching Resources" includes cash or in-kind contributions. "In-kind contributions" includes any documented contribution, such as real estate, goods or services, and labor, and should be valued using a defensible method. For example, rates for volunteers should be consistent with those paid for similar work in other states or local government activities; donated supplies should be assigned a reasonable value not to exceed lowest fair market value.

Exhibit D – APPROVED APPLICATION

SECTION 7 – Project Work Plan and Schedule

Please make sure that you identify all major activities required for project completion. You may attach additional pages as necessary. Assume that grant funds will be available on March 1, 2002.

Planned Project Beginning Date: March 1, 2002 Planned Project Ending Date: March 1, 2003

Activity	Estimated Start Date	Estimated End Date	Responsible Party
Contract executed, funds available	3/1/02	3/15/02	Metro/DEQ/OEC
Face-to-face interviews with at least five of the region's largest building owners/managers	4/15/02	6/15/02	OEC (LW)
Draft educational brochure	4/15/02	6/1/02	OEC (LW, suppl)
Meet with major recyclers, review recycling rates	4/15/02	6/15/02	OEC (LW)
Review & revise brochure with input from building managers, recyclers	6/1/02	7/15/02	OEC (LW)
Produce & distribute final brochure	7/15/02	12/15/02	OEC (LW, suppl)
Place PSAs, articles, DJC ads, media stories	7/1/02	3/1/03	OEC (LW)
Design & test subsidy pilot	8/1/02	12/15/02	OEC (LW, JA)
Analyze project impacts	12/15/02	2/1/03	OEC (LW, JA)
Recognize success stories	12/1/02	2/1/03	OEC (LW)
Analyze feasibility of "offset" projects & discuss with point sources of mercury	8/1/02	2/1/03	OEC (LW, JA)
Review findings with building managers, recyclers, METRO staff, other stakeholders	1/15/03	2/15/03	OEC (LW)
Write final report with specific recommendations and analysis of "offset" project feasibility	2/15/03	3/1/03	OEC (LW, JA)

Exhibit D – APPROVED APPLICATION

SECTION 8 – Signature

The authorized representative of the local government applying for a grant must sign the application. This is an official who has the authority to obligate the applicant's resources and is usually an elected official such as chair of the county commission, county executive, mayor, city manager, or chair of the city council. For multi-jurisdiction applications, you must have signatures of authorized representatives from each jurisdiction applying.

I certify that to the best of my knowledge, the information provided in this application and its attachments is correct and true. I understand and agree that if grant money is subsequently awarded as a result of this application, I will comply with all applicable statutory provisions and with applicable terms, conditions, and procedures of the DEQ grant agreement.

Signature of Applicant's

Authorized Representative (Applicant #1)



10/11/01

Title _____

Telephone Number _____

Date _____

Signature of Applicant's

Authorized Representative (Applicant #2) _____

Title _____

Telephone Number _____

Date _____

Signature of Applicant's

Authorized Representative (Applicant #3) _____

Title _____

Telephone Number _____

Date _____

Exhibit E – AMENDED PROJECT WORK PLAN AND SCHEDULE

Please make sure that you identify all major activities required for project completion. You may attach additional pages as necessary. Assume that grant funds will be available on March 1, 2002.

Planned Project Beginning Date: March 1, 2002 Planned Project Ending Date: March 1, 2003

Task or Activity	Beginning Date for Each Task or Activity	Ending Date for Each Task or Activity	Person/Group Responsible for Completion
Contract executed, funds available	3/1/02	3/15/02	Metro/DEQ/OEC
Design and administer face-to-face interviews with at least five of the region's largest building owners/managers	3/15/02	6/15/02	OEC
Draft educational brochure	4/15/02	6/1/02	OEC
Review & revise brochure with input from building managers, recyclers, Metro, DEQ	6/1/02	7/15/02	OEC
Produce and distribute final brochure	7/15/02	12/15/02	OEC
Place PSAs, articles, DJC ads, media stories	7/1/02	12/15/02	OEC
Analyze project impacts; design and administer second survey	12/15/02	2/1/03	OEC
Recognize success stories	7/1/02	3/1/03	OEC
Analyze feasibility of "offset" projects & discuss with point sources of mercury	8/1/02	2/1/03	OEC
Review findings with building managers, recyclers, METRO staff, other stakeholders	1/15/03	2/15/03	OEC
Write final report with specific recommendations and analysis of "offset" project feasibility	2/15/03	3/1/03	OEC

Exhibit F – AMENDED BUDGET

(A) PERSONNEL SERVICES (List principal project personnel by name directly on this form. Include salaries, quoted payments for insurance, retirement, social security, etc.). Be sure to total grant funds requested, matching resources, and total costs in the space provided.

(A) List Project Personnel	Hourly Rate	Est. Hours to be Spent on Project	DEQ Grant Funds Requested	Matching Resources	Total Costs
1. Staab		40	None		
2. Kolberg		8	None		
3.					
4.					
5.					
6.					
SUBTOTAL					

(B) PROFESSIONAL SERVICES (List consultants, contractors, etc.) Be sure to total grant funds requested, matching resources, and total costs in the space provided.

(B) List Consultants or Contractors	Hourly Rate	Est. Hours to be Spent on Project	DEQ Grant Funds Requested	Matching Resources	Total Costs
1. Weiss – OEC	\$40	380	\$11,200	\$4,000	\$15,200
2. Allen – OEC	\$50	36	\$800	\$1,000	\$1,800
3. OEC support staff	\$25	80	\$2,000		\$2,000
4.					
5.					
6.					
SUBTOTAL			\$14,000	\$5,000	\$19,000

(C) CAPITAL OUTLAY (List all items to be purchased with a value greater than \$100. Include equipment, land, structures, and items pertaining to them. Be sure to total grant funds requested, matching resources, and total costs in the space provided.)

(C) List Capital Outlay Items	DEQ Grant Funds Requested	Matching Resources	Total Costs
1.			
2.			
3.			
4.			
5.			
6.			
SUBTOTAL			

*** "Matching Resources" includes cash or in-kind contributions. "In-kind contributions" includes any documented contribution, such as real estate, goods or services, and labor, and should be valued using a defensible method. For example, rates for volunteers should be consistent with those paid for similar work in other state or local government activities; donated supplies should be assigned a reasonable value not to exceed lowest fair market value.**

Exhibit F – AMENDED BUDGET

(D) **SERVICES AND SUPPLIES** - Include items not itemized in "Personnel Services," "Professional Services," and "Capital Outlay." Examples are computer services, duplicating, materials/supplies, postage, publication charges, telephone, fuel, automobile mileage, travel, etc: Be sure to total grant funds requested, matching resources, and total costs in the space provided.

(D) List Services and Supplies	DEQ Grant Funds Requested	Matching Resources	Total Costs
1. Advertising space		\$2,000	\$2,000
2. Educational material design & printing	\$2,000	\$500	\$2,500
3. Printing, postage, phone	\$1,500	\$1,000	\$2,500
4. Mileage & travel	\$500	\$500	\$1,000
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
SUBTOTAL	\$4,000	\$4,000	\$8,000

(E) **PROJECT BUDGET SUMMARY** - Fill in all applicable spaces. Be sure to total grant funds requested, matching resources, and total costs. Providing matching resources is not mandatory to be considered for a grant but is a measure of cost effectiveness of your proposal.

(E) Project Budget Summary	DEQ Grant Funds Requested	Matching Resources	Total Costs
A. Personnel Services	\$0	\$0	\$0
B. Professional Services	\$14,000	\$5,000	\$19,000
C. Capital Outlay	\$0	\$0	\$0
D. Services and Supplies	\$4,000	\$4,000	\$8,000
E. Total DEQ Grant Funds Requested	\$18,000		
F. Total Matching Resources Committed to the Project		\$9,000	
G. Total Project Cost			\$27,000

* **"Matching Resources"** includes cash or in-kind contributions. **"In-kind contributions"** includes any documented contribution, such as real estate, goods or services, and labor, and should be valued using a defensible method. For example, rates for volunteers should be consistent with those paid for similar work in other state or local government activities; donated supplies should be assigned a reasonable value not to exceed lowest fair market value.

Exhibit G – AMENDED PROJECT DESCRIPTION

PROJECT TITLE Mercury Pollution Prevention Through Commercial Fluorescent Tube Recovery	PROJECT LOCATION Portland Metropolitan Area
AMOUNT OF FUNDS REQUESTED \$18,000	PROJECT START DATE March 2002
TYPE OF GRANT APPLIED FOR <input checked="" type="checkbox"/> Focus – Waste Prevention or Reuse <input type="checkbox"/> General Solid Waste <input type="checkbox"/> Household Hazardous Waste	PROJECT END DATE March 2003
PROJECT DESCRIPTION Provide a brief description of the project. Include information on the nature of the project, the project's goal or goals, how the project will be conducted, and how results will be measured. Be sure to include the environmental impact of your project and who will benefit from the project (include geographic area or number to be served, etc., if known). This project requests \$18,000 for a mercury waste prevention and recycling project targeted at commercial office buildings in the Portland metropolitan area. This project will lead to an increase in recycling of fluorescent light tubes and an increase in the market share of low mercury tubes (relative to standard tubes), thereby preventing mercury pollution. It will also provide policy-makers at the local and state level with information that will be crucial for designing policies and programs to encourage greater recycling across the state. Fluorescent lamps contain mercury. Mercury is a persistent and toxic pollutant, which stays in the environment for decades and increases in concentration as it moves up the food chain. In Oregon, state health officials have identified over 435 miles of rivers and streams throughout Oregon that do not meet minimum standards of safety for fish consumption due to mercury contamination. Mercury has been identified as a priority problem for Oregon – in DEQ's strategic plan; via Governor Kitzhaber's Executive Order committing Oregon to zero discharge of mercury and other Persistent Bioaccumulative Toxins by 2020; and through the work of the Mercury Solution Team directed by OEC (in which the City of Portland, Metro, and DEQ have been participants). According to a DEQ fact sheet, several million fluorescent lamps are discarded by business and government in Oregon each year, making these lamps one of the largest sources of mercury in our solid waste stream, accounting for about 210 pounds of mercury each year. Some 80% of all fluorescent tubes are used by commercial buildings. When a lamp is broken, or placed in a landfill or incinerator, the mercury is released into the environment and can contaminate the air, surface or groundwater. This project will rely on the following strategies: <ul style="list-style-type: none"> • Face-to-face interview with at least five of the region's largest building owners/managers in one-on-one meetings, to promote recycling and identify barriers. • Development of an educational brochure that will be distributed in cooperation with the Building Owners and Managers association (BOMA). • Articles and public service announcements in industry publications and media highlighting the dangers of mercury and the importance of using low mercury lamps, handling spent lamps properly, and recycling fluorescent tubes. • Public recognition for buildings that use low mercury lamps and recycle their lamps, in OEC materials and via donated advertising space in the <i>Daily Journal of Commerce</i>. • A survey, following the implementation of educational activities, to determine the effectiveness of these activities, changes in awareness and lamp purchasing and recycling/disposal practices among building owners/managers, and barriers to improvement. • Discussions with point sources of mercury (such as PGE) to explore their interest in funding fluorescent tube recycling programs to "offset" those emissions, which would support continued high recycling rates beyond the grant period. Goals and Expected Outcomes: <ul style="list-style-type: none"> • An increase in the purchase of low mercury lamps (relative to regular fluorescent tubes) and an increase in recycling rates of fluorescent tubes in office buildings. We expect to prevent at least 15,000 tubes from reaching the waste stream, thus preventing over ½ pound of mercury from contaminating the environment. • Increased awareness among building owners and managers of mercury pollution and methods to prevent it, including the importance of recycling fluorescent tubes. • Increased understanding among local government officials and other decision makers about the level of knowledge among building managers, current lamp purchasing practices, current recycling rates, and the barriers (perceived and real) to use of low mercury lamps and recycling, which will strengthen the design of future programs and policies. • An evaluation of the feasibility and cost-effectiveness of using fluorescent tube recovery as a voluntary "offset" project for point sources of mercury pollution. We will measure results through the use of a survey. Metro and DEQ have volunteered assistance in survey design and data interpretation. We will try to conduct the survey via telephone, if possible, although other options will be considered including a mailed survey followed by telephone calls if needed to obtain an adequate number of responses. The survey will attempt to obtain at least enough responses to obtain results with errors no greater than ±10% at the 90% confidence level. We will write a report describing the results of our outreach for policy makers and will provide specific recommendations to reduce barriers and increase recycling rates for fluorescent light tubes.	

Agenda Item Number 8.2

Resolution No. 02-3173, For the Purpose of Authorizing the Executive Officer to Execute Change Order No. 28 to the Contract Between Metro and CSU Transport, Inc. Regarding Waste Transport Services.

Contract Review Board

**Metro Council Meeting
Thursday, April 4, 2002
Metro Council Chamber**

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 02-3173
THE EXECUTIVE OFFICER TO EXECUTE CHANGE)
ORDER NO. 28 TO THE CONTRACT BETWEEN)
METRO AND CSU TRANSPORT, INC., REGARDING) Introduced by Mike Burton,
WASTE TRANSPORT SERVICES) Executive Officer

WHEREAS, Metro's Waste Transport Services Contractor, CSU Transport, Inc., is required to provide replacement shuttle equipment for Metro Central Station per Change Order No. 7 to Contract No. 900848; and,

WHEREAS, Change Order No. 7 provides that Metro is to reimburse the Contractor for replacement of two shuttle vehicles financed over a nine year period; and,

WHEREAS, a nine year lease or other financing option is not available to the Contractor to acquire the replacement equipment; and,

WHEREAS, for the reasons stated in the staff report accompanying this resolution, a five year lease/purchase option is the most advantageous to Metro of the lease options available to the Contractor; and,

WHEREAS, the five year option authorized by Change Order 28 to the Waste Transport Services Contract No. 900848, attached hereto as Exhibit "A", should result in savings to Metro over other options; and,

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

BE IT RESOLVED, that the Metro Council authorizes the Executive Officer to execute Change Order No. 28 to Contract No. 900848, in a form substantially similar to that set forth as the attached Exhibit "A".

ADOPTED by the Metro Contract Review Board this _____ day of _____, 2002.

Carl Hosticka, Presiding Officer

Approved to form:

Daniel B. Cooper, General Counsel

**MODIFICATION TO THE CONTRACT BETWEEN
METRO AND CSU TRANSPORT, INC.
ENTITLED "WASTE TRANSPORT SERVICES"**

This Change Order No. 28, dated as of the last signature date below (the "Effective Date of Change Order No. 28"), hereby amends Metro Contract No. 900848, entitled "Waste Transport Services," dated March 27, 1989, including all prior amendments (which contract and amendments are collectively referred to as the "Waste Transport Services Agreement").

In exchange for the promises and other considerations set forth in the Waste Transport Services Agreement and in this Change Order No. 28, the parties hereby agree as follows:

A. Purpose

This purpose of this Change Order No. 28 is to amend certain equipment payment provisions of Change Order No. 7 of the Waste Transport Services Agreement.

B. Provisions of Change Order No. 28

1. Amendment of Lease Finance Provisions

The provisions of Section B.1(e)(2) of Change Order No. 7 of the Waste Transport Services Agreement are hereby superseded and amended to read as follows:

Within 15 days of the Effective Date of this Change Order, Contractor shall order two replacement shuttle vehicles for use at the Metro Central Transfer Station with the Contractor continuing to provide a third shuttle vehicle. Such vehicles shall have the features and functions that Metro, in its sole discretion, deems satisfactory and acceptable. Contractor shall acquire such vehicles by means of a lease-purchase option agreement under which Contractor shall lease the equipment for five years, at the end of which time Contractor shall have the option of purchasing the equipment by payment of the sum of \$1, which option the Contractor shall exercise. In addition, such lease shall also include the obligation to allow Metro, in the event of any default by Contractor under either the terms of such lease or under this Waste Transport Services Agreement, to assume control of all such leased equipment for a period of one year following any default and termination of the lease or of this Waste Transport Services Agreement. Metro shall reimburse Contractor for Contractor's reasonable costs in leasing such shuttle

vehicles over a five-year period in an amount not to exceed \$1,650 per unit per month. Contractor shall include such reimbursement payment as a line item on the monthly invoice submitted to Metro. In addition, Metro also shall reimburse Contractor for reasonable transportation costs to deliver the leased vehicles to the Metro Central Transfer Station in an amount not to exceed \$3,395; for costs to the Contractor of applicable taxes incurred in acquiring such leased vehicles; and for the cost of Uniform Commercial Code filing fees required by law.

2. No Other Modifications

Except as modified herein, all other terms and conditions of the Waste Transport Services Agreement shall remain in full force and effect. Any conflict between the provisions of this Change Order No. 28, on the one hand, and the original Waste Transport Services Agreement, including other previous amendments and change orders, on the other hand, shall be resolved by reference to and reliance upon this Change Order No. 28.

CSU TRANSPORT, INC.

METRO

Signature

Signature

Gary I. Goldberg, President

Mike Burton, Executive Officer

Date

Date

S:\share\geye\misc\transport\co28

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 02-3173 FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE CHANGE ORDER NO. 28 TO THE CONTRACT FOR WASTE TRANSPORT SERVICES.

March 8, 2002

Drafted by: Chuck Geyer

BACKGROUND

In March 1991, Metro and the Contractor executed Change Order No. 7 to the Waste Transport Services Contract to provide "shuttling" services at Metro Central Station. The services encompass taking an empty container from a staging area, "shuttling" the container to a compactor using a shuttle vehicle (basically a scaled down semi-tractor). Once the container has been loaded with waste by the compactor, the shuttle vehicle returns the loaded container to the staging area. Loaded containers are picked up by tractors arriving from the Columbia Ridge Landfill with empty containers, and then transported to the landfill for disposal.

The original Waste Transport Services Contract contemplated that the transfer station operator would provide shuttling services. However, concerns were raised by the Waste Transport Services Contractor about the handling of its containers by a second party. After consulting with both parties (transporter and station operator), it was agreed to shift shuttling responsibilities from the station operator to the transport contract (this was done for Metro South Station through separate change orders). Metro reduced its payments to the station operator for this deletion of work.

Change Order No. 7 provided the procedures for the transfer of shuttling responsibilities to the Waste Transport Services Contractor, including reimbursement for obtaining and replacing the shuttle vehicles. Three shuttle vehicles were to be provided. Metro was responsible for reimbursing the Contractor for two initially, and for their replacement in 2002.

Reimbursing the Contractor for replacement of the two shuttles contemplated a nine-year financing period. The Contractor contacted the two major suppliers of such vehicles and found that such a 108-month financing arrangement was not available, because the equipment is amortized over a five year period and therefore may not have enough residual value should the equipment be returned at that point in the lease. Equipment suppliers were willing to consider an 84-month lease, as well as the 60-month lease incorporated into the recommended change order.

The 84-month lease required an advance payment of 25% of the unit price (each unit costs \$80,605) and a \$965 per unit monthly lease payment. The 60-month lease required no advance payment and a \$1,650 per unit monthly lease payment. Both deals included a \$1 per unit purchase option at the end of the lease.

Staff performed a present value analysis of the two deals to compare the difference to Metro in "today's" dollars. The analysis showed that the 60-month lease would result in a slightly better deal (approximately \$2,000 in today's dollars) than the 84-month lease. It should also be noted that the equipment supplier conditioned the longer-term lease, saying "This option may not be available at all, as the length of this lease may exceed the resalable/economic useful life of the equipment."

Based on this analysis, the 60-month deal is recommended.

ANALYSIS/INFORMATION

1. Known Opposition

Staff knows of no opposition to this change order.

2. Legal Antecedents

Metro Code 2.04.058(b) requires that contracts designated as having a significant impact on Metro cannot be amended without the express approval of the Metro Council. Contract No. 900848 was originally designated as having a significant impact on Metro.

3. Anticipated Effects

This resolution would approve Change Order No. 28 to Contract No. 900848 between Metro and CSU Transport, Inc. Provisions of the change order change the financial arrangements through which the Contractor is reimbursed by Metro for replacement of shuttle equipment at Metro Central Station.

4. Budget Impacts

Adequate funds have been budgeted for the work.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 02-3173.

MINUTES OF THE METRO COUNCIL MEETING

Thursday, March 28, 2002
Metro Council Chamber

Councilors Present: Carl Hosticka (Presiding Officer), Susan McLain (by phone), Rod Park, Bill Atherton, David Bragdon, Rod Monroe, Rex Burkholder

Councilors Absent: None.

Presiding Officer Hosticka convened the Regular Council Meeting at 2:06 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. MPAC COMMUNICATIONS

Presiding Officer Hosticka reported that MPAC did not have a quorum last night. Most of discussion was around Resolution No. 02-3179 but they reached no conclusions. They also talked about the 1-5 Corridor Study and economic projections. Councilor Monroe said one of the issue discussed, the I-5 Corridor, was also discussed at the Bi-State Committee this morning. He explained further the specifics of that discussion around transportation and land use planning.

4. CONSENT AGENDA

4.1 Consideration of minutes of the March 21, 2002 Regular Council Meeting.

Motion:

Councilor Bragdon moved to adopt the meeting minutes of the March 21, 2002, Regular Metro Council meeting. Councilor Atherton seconded the motion.
--

Vote:

Councilors Bragdon, Park, Atherton, Burkholder, McLain, Monroe, and Presiding Officer Hosticka voted in support of the motion. The vote was 7 aye, the motion passed.

5. ORDINANCES - SECOND READING

5.1 Ordinance No. 02-939A, For the Purpose of Amending Metro Code Chapter 7.01 to Amend the Metro Excise Tax to Provide Revenues for Metro's Regional Parks and Greenspaces Programs.

Motion:

Councilor Atherton moved adoption of Ordinance No. 02-939A.

Seconded:

Councilor McLain seconded the motion.

Councilor Atherton overviewed the Ordinance. This ordinance would address taking care of the maintenance and operational needs in the Parks and Openspaces program for the short term. He noted what the departmental actions had been to both save money and increase revenues. This measure would raise 1.23 million dollars for FY 02-03. He noted the sunset was in two years.

Presiding Officer Hosticka opened a public hearing on Ordinance No. 02-939A. No one came forward. Presiding Officer Hosticka closed the public hearing and noted the review this ordinance had already had at both the advisory and council committee levels.

Councilor Bragdon said there were several points raised at the joint committee meetings that included the sunset requirement as well as the message of the Green Ribbon Committee.

Councilor Park raised his concerns about using the excise tax to fund the parks department. They could also be utilizing these revenues for other agency needs. His greatest concern was that the eastern part of the region was still subsidizing the rest of the region.

Councilor Monroe thanked the Executive Officer for bringing this proposal to the council. He spoke to the history of the parks. He said much of the solid waste community was supportive of this ordinance. The sunset forced the council to continue looking for long term funding sources.

Councilor McLain agreed with Councilors Monroe and Bragdon concerning funding of the parks. She noted solid waste issues that they would need to address this fall. This was an important first step in taking care of the parks.

Councilor Atherton closed by saying they already had a precedent at Metro for the solid waste fees supporting parks. This measure was appropriate at this time. He urged support.

Vote:

Councilors Bragdon, Park, Atherton, Burkholder, McLain, Monroe, and Presiding Officer Hosticka voted in support of the motion. The vote was 7 aye, the motion passed.

6. RESOLUTIONS

6.1 Resolution No. 02-3160, For the Purpose of Confirming Michael S. McFarland as a Citizen Member Alternate to the Metro Policy Advisory Committee (MPAC).

Motion:	Councilor Atherton moved to adopt Resolution No. 02-3160.
Seconded:	Councilor Bragdon seconded the motion.

Councilor Atherton said this measure confirmed Michael S. McFarland as a citizen member alternate to MPAC. He urged support.

Vote:

Councilors Bragdon, Park, Atherton, Burkholder, McLain, Monroe, and Presiding Officer Hosticka voted in support of the motion. The vote was 7 aye, the motion passed.

6.2 Resolution No. 02-3167, For the Purpose of Approving the FY 2003 Unified Work Program.

Motion:	Councilor Burkholder moved to adopt Resolution No. 02-3167.
Seconded:	Councilor Bragdon seconded the motion.

Councilor Burkholder reviewed the resolution. This would approve the Unified Work Program for 2003. Adoption was required to receive funding from federal transportation agencies. TPAC and JPACT had reviewed this. He urged an aye vote.

Councilor Atherton expressed his support. He explained further the need for funding of Clackamas County projects. Councilor Monroe said this had been through JPACT, he fully supported the resolution.

Vote:

Councilors Bragdon, Park, Atherton, Burkholder, McLain, Monroe, and Presiding Officer Hosticka voted in support of the motion. The vote was 7 aye, the motion passed.

6.3 Resolution No. 02-3168, For the Purpose of Certifying that the Portland Metropolitan Area is in Compliance with Federal Transportation Planning Requirements.

Motion:	Councilor Burkholder moved to adopt Resolution No. 02-3168.
Seconded:	Councilor Bragdon seconded the motion.

Councilor Burkholder explained the certifying process and the specific requirements. Every three years the federal government conducted an audit, the other years it was necessary to do a self-certification.

Presiding Officer Hosticka noted a letter from Dick Jones, MCCI Transportation sub-committee. He spoke to the specifics of the letter.

Councilor Monroe spoke to self-certification requirements. He urged support.

Councilor Atherton asked Andy Cotugno about self-certification. He asked about system preservation and what happened if we were unable to provide the funds to adequately maintain our transportation system. Mr. Cotugno, Planning Director, responded the Councilor Atherton's question. The federal government did not set any minimum standards. Councilor Atherton asked about extraordinary expenditures such as the bridge issue. How was this handled in this process? Mr. Cotugno said if the renewed data showed a worsening condition than anticipated there might be a change in the priorities.

Councilor Burkholder urged an aye vote. He addressed Mr. Jones concerns about the public involvement process and plan. He thought it was a good idea in the future when the federal government conducted their audit that they invite MCCI to be interviewed.

Vote:

Councilors Bragdon, Park, Atherton, Burkholder, McLain, Monroe, and Presiding Officer Hosticka voted in support of the motion. The vote was 7 aye, the motion passed.

6.4 Resolution No. 02-3179, For the Purpose of Directing the Executive Officer to Submit a Petition to Adopt a Rule to the Land Conservation and Development Commission Under 183.390 on the Application of Goals 14 and 2 and ORS 197.298 to the Expansion of the Urban Growth Boundary.

Motion:	Councilor Park moved to adopt Resolution No. 02-3179 with the amended Exhibit A.
Seconded:	Councilor McLain seconded the motion.

Councilor Park passed out the draft rule (a copy of which is found in the meeting record), explained the history of the resolution and why this was before Council today. The resolution requested that LCDC adopt a rule concerning criteria based around centers. He explained further the petition and Item 2.

Presiding Officer Hosticka asked Dan Cooper, General Counsel, about the new Exhibit A and the motion on the table. Mr. Cooper said he assumed the motion that Councilor Park made included the new exhibit. He further clarified the change in the exhibit concerning the sub-regional issue.

Presiding Officer Hosticka opened a public hearing.

Kirstin Greene, Senior Associate with Cogan Owens Cogan, 813 SW Alder, #320, Portland OR 97205 read her letter into the record (a copy of which may be found in the meeting record).

Councilor Park clarified the discussion at the Let's Talk Conference. Ms. Greene responded that sub-regional need should have been part of the conversation at the conference. Councilor Park said the public might not have been interested in the methodology but rather the outcome. Presiding Officer Hosticka acknowledged Ms. Green's comments. He noted MPAC discussion about sub-regional issues, timelines, and the need for a policy discussion.

Jon Holan, Community Development Director, City of Forest Grove, PO Box 326, Forest Grove, OR 97116 read his letter into the record (a copy of which may be found in the meeting record). He expressed support for the council to move forward on this issue.

Councilor Park asked if Forest Grove was pursuing the question of special needs? Mr. Holan responded that they were waiting to see what happened with regards to the Periodic Review issue and then dependent upon the outcome the issue of exchange of lands. If so, they would pursue this through the amendment process. Councilor Park suggested that it might be fruitful to continue both conversations at the same time.

Councilor Atherton asked Mr. Holan about tax considerations in their area. He noted Mr. Holan's statement about tax revenues, suggesting an industrial tax base. Mr. Holan said they needed to have an added tax base that included industrial but needed a balance community in order to achieve that. The issue was not only the composition of the land use but, there was also a degree of growth that allowed for reassessment of vacant land to higher uses which would provide a higher level of revenue to the city rather than redevelopment or simply a continuation of existing developed lands. Because of the current taxing structure within the state there is a component that a growth issue was intertwined with it, particularly for smaller communities in order to sustain its revenue source. There needed to be an adequate revenue source to cover costs in the long term. He spoke to providing basic services such as fire and police which was about 70% to 80% of local jurisdiction's budget.

Councilor Atherton summarized that the property tax couldn't go up fast enough to accommodate the costs of providing basic services. Mr. Holan explained the limitations of property tax in Oregon. Councilor Atherton said he had recently had discussed Forest Grove in a meeting with American Farmland Trust and their concern over the agricultural economy. At some point would

that economy begin to erode? Traditionally, agriculture was an important part of the Forest Grove economy. Mr. Holan said agriculture was an important part of their economy. At this point in time they were not sure there was a need to expand but knew in the future this issue would have to be dealt with.

Councilor Bragdon said he thought they had not paid enough attention to the fiscal system as it relates to the land use planning system. He asked Mr. Holan what the proportion between industrial and residential and the different services levels required versus new assessed valuation brought in? To what extent was it new and old and to what extent was it the matter of the mix between industrial and residential? He thought it would be a little of both. Mr. Holan responded that they needed to have a balance between residential and non-residential lands because of the demands for services by residential lands of local services and the relative lack there of by industrial lands. A significant amount of services were focused on the residential component. In Forest Grove it was particularly heightened because of the number of senior facilities they had in the area.

Councilor Park said the question that was being asked was could you fix fiscal problems of cities with land use system? He asked what percent they were covering with property tax for fire and police services? What tax rate per thousand did Ballot Measure 50 lock them in at? Different cities have a very low tax rate such as Happy Valley versus Cornelius that had a high tax rate. Are we using the right tool to address the problem? Mr. Holan said he didn't know what the exact tax break for Forest Grove but currently their property tax did not cover the fire and police services currently. The issue was not just an immediate issue but a long term one. The question was where they would be in 10 to 15 years down the line if there weren't an allowance for growth under the current tax system.

Councilor McLain reminded that Mr. Holan had spoken in favor the resolution. She explained that this request would help further discussion on this issue.

Cindy Catto, Public Affairs Director, Associated General Contractors, 9450 SW Commerce Circle, Suite 200, Wilsonville, OR 97070 encouraged a yes vote on this resolution. She explained further the agency supported policy level discussion on sub-regional analysis but they needed to find out first whether or not this could be done.

Al Burns, Portland Bureau of Planning, 1900 SW 4th Ave Suite 4100, Portland OR said the matter before Council today was not how much time they spend this year on sub-regions but where they spent the time. These issues may have benefited with more review time at Metro and amongst the regional partners. He made some technical recommendations on the exhibit.

Councilor Park spoke to the other part of Exhibit A that addressed some of Mr. Burns' concerns. Councilor Monroe asked about Mr. Burns' testimony. Mr. Burns said they would like Council to hold off one month on the resolution to have further discussion with MPAC. He thought Metro could send a better product down to LCDC with this discussion and explained why. Councilor Monroe said they had already had testimony that they were already behind the timeline. He asked Mr. Burns if he supported the use of sub-regional analysis in the Council decisions on the Urban Growth Boundary? Mr. Burns said they had not built a common language yet, sub-regional was being defined differently by some partners. The city of Portland had never opposed sub-regional analysis for identifying planning problems or proposing solutions. The concept of looking at equities not for the regional as a whole but for particular parts of the region was a good thing. There were some steps that the region had not gone through. They needed to identify the

problems and then determine which ones can be solved by allocating jobs or housing land and then determine which of these problems should be solved that way.

Councilor Atherton appreciated Mr. Burns testimony. One of the key issues was how they dealt with farmland. Did this resolution allow bringing in farmland to create a complete community? Dick Benner, Senior Assistant Counsel, explained subsection 1, that subsection limited the scope of what Metro could do. It did not use the words complete communities, which was not clearly defined. He explained further the results of it being undefined.

Councilor Atherton said that was what sub-regional analysis was. Mr. Burns responded this his question.

Councilor McLain clarified her understanding of version 3.

Presiding Officer Hosticka said the essence of Mr. Burns' testimony was to spend some time perfecting this discussion before a request was sent to LCDC.

Bob Durgan, Anderson Construction, 6712 N. Cutter Circle, Portland OR 97228 supported the resolution. The time was now to ask LCDC how they balanced the 19 goals and objectives, to make some decisions and give guidance. He felt taxes had nothing to do with this, there was another way to address those issues in community development.

Aleta Woodruff, 2143 NE 95th Place, Portland, OR 97220 read into the record the results of a national poll concerning planning and growth (a copy of which may be found in this meeting record).

Beverly Bookin, Commercial Real Estate Economic Coalition (CREEC) 1020 SW Taylor St #760 Portland, OR 97205 urged adoption of the resolution. She spoke to the need to balance growth. She thought sub-regional issues needed to be resolved. This was a good way to proceed.

Presiding Officer Hosticka closed the public hearing.

Councilor Burkholder said they were not actually going to get an answer about sub-region within the timeframe of making decisions about expansion this year. They would be getting permission to start the sub-regional conversation. He supported this being put forward. He wasn't sure how you would define sub-region.

Presiding Officer Hosticka said this would not resolve the question. The Council was at a point where the issues of what policy objectives the Council was trying to achieve in the land use planning system were coming into conflict with each other to the extent that they might not be able to achieve all of the policy objectives simultaneously. Policy objectives included accommodate growth, allowing for more jobs and more people, protect fish and wildlife, protect livability of neighborhoods, have vital urban core and vital centers, equity within and between communities, efficient transportation, and at the same time protect farmland. He wasn't sure if they could do it all. The policy question was what was going to give which objectives would they emphasize? He felt they needed to have an explicit discussion within the region. He clarified that today's action was to find out what the council action boundaries were.

Councilor McLain stated that they had plenty of time to talk with their regional partners. She clarified what the Council was asking LDCD to respond to. They needed the answers for a number of projects that Metro was working on.

Councilor Park closed by saying that this was going to be a long discussion once they got the ruling back for the Commission. He summarized the testimony they had heard today. This was the first step in a long journey. He spoke to the burdens of the region. He explained the possibilities of the different results. This was a tool to shape the question to begin the discussion.

Vote:

Councilors Bragdon, Park, Atherton, Burkholder, McLain, Monroe, and Presiding Officer Hosticka voted in support of the motion. The vote was 7 aye, the motion passed.

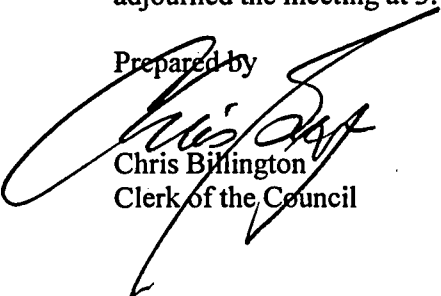
7. COUNCILOR COMMUNICATION

Councilor Burkholder reminded the Council about budget amendments that were due tomorrow. Councilor McLain said she had asked staff to provide those to the Chair.

8. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Hosticka adjourned the meeting at 3:40 p.m.

Prepared by



Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MARCH 28,
 2002**

ITEM #	TOPIC	DOC DATE	DOCUMENT DESCRIPTION	DOC. NUMBER
4.1	MINUTES	3/14/02	METRO COUNCIL MINUTES OF 3/14/02 SUBMITTED FOR APPROVAL	032802C-01
6.4	PROPOSED RULE	3/26/02	PROPOSED OAR 660.DIVISION 024 URBAN GROWTH BOUNDARY DRAFT 3 RULE TO BE SENT TO LCDC FROM METRO	032802C-02
6.4	LETTER	3/28/02	LETTER FROM JON HOLAN, CITY OF FOREST GROVE TO COUNCIL RE: RES. No. 02-3179	032802C-03
6.4	WRITTEN TESTIMONY	3/28/02	TESTIMONY FROM KIRSTIN GREENE, COGAN, OWENS, COGAN TO METRO COUNCIL RE: RES. NO. 02-3179	032802C-04
6.4	LETTER	3/28/02	LETTER FROM MIKE BURTON TO LCDC RE: PETITION ON RULEMAKING ON SUB-REGIONAL ALLOCATION OF HOUSING AND EMPLOYMENT RELATED TO RES. NO. 02-3179	032802C-05
6.4	MAGAZINE ARTICLE	OCT/NOV 2001	ARTICLE READ INTO THE RECORD BY ALETA WOODRUFF FROM NATIONAL WILDLIFE MAGAZINE "AMERICANS WANT SMART GROWTH"	032802C-06
5.1	LETTER	2/12/02	LETTER FROM RON WILLOUGHBY TUALATIN HILLS PARKS & RECREATION DISTRICT TO MIKE BURTON RE: ORD. NO. 02-939A	032802C-07
6.3	LETTER	3/28/02	LETTER TO METRO COUNCIL FROM DICK JONES, MCCI RE: RESOLUTION No. 02-3168	032802C-08
6.4	EXHIBIT A TO RES. No. 02- 3179	MARCH 2002	AMENDED EXHIBIT A TO RES. NO. 02- 3179 SUBMITTED TO COUNCIL FROM DICK BENNER	032802C-09

Testimony Cards:

Kirstin Greene, Senior Associate with Cogan Owens Cogan, 813 SW Alder, #320, Portland OR
 97205

Jon Holan, Community Development Director, City of Forest Grove, PO Box 326, Forest Grove,
 OR 97116

Metro Council Meeting

03/28/02

Page 9

Cindy Catto, Public Affairs Director, Associated General Contractors, 9450 SW Commerce Circle, Suite 200, Wilsonville, OR 97070

Al Burns, Portland Bureau of Planning, 1900 SW 4th Ave Suite 4100, Portland OR 97201

Bob Durgan, Anderson Construction, 6712 N. Cutter Circle, Portland OR 97228

Aleta Woodruff, 2143 NE 95th Place, Portland, OR 97220

Beverly Bookin, Commercial Real Estate Economic Coalition (CREEC) 1020 SW Taylor St #760
Portland, OR 97205

DRAFT 5
March 25, 2002

Transportation Investment Task Force

The Issue

The region has been growing at historic rates, but investment in the transportation system to accommodate that growth has not occurred. During the 1990s, Metro's population increased by more than 250,000 people and the daily vehicle miles traveled by that growing population increased by more than 6.8 million to approximately 26 million miles per day.

Meanwhile, there has not been an increase in revenues to adequately finance expansion of the transportation system to meet the growing population nor even to maintain the system that exists today. The end result is the following:

- Today, more than 14 percent of the region's freeways are congested during the peak hour. If nothing is done; the percent will increase to more than 38 percent by 2020.
- The hours of delay on the road system due to congestion will cost the freight industry more than \$35 million every year and motorists more than \$255 million per year.
- Roadways are crumbling and bridges are failing. More than \$100 million per year is required to bring the backlog of necessary repair projects to a tolerable level.
- While transit ridership is increasing, it can not grow at a rate that would achieve the region's transportation goals without increases in revenues for more buses and expansion of the light rail system.
- The total requirement to achieve the region's goals is \$7.6 Billion over 20 years, or more than \$380 million per year.

The Charge

The Metro Executive Officer's charge to the Transportation Investment Task Force is to propose a package of transportation projects and matching funding proposals for critical elements of Metro's Regional Transportation Plan. The projects may include road, transit, bicycle or pedestrian components separated into packages that have different funding sources and mechanisms. The mechanisms include the Oregon Legislature, regional or local ballot measures, parking taxes, vehicles registration fees, gasoline taxes, public/private partnerships, or any other the Task Force identifies.

Using the RTP as its framework, the Task Force will have sole responsibility for recommending the list of projects and funding mechanisms. The Task Force will

also decide whether to develop a strategy for funding the entire shortfall contained in the RTP or the most critical elements of the plan. Metro's staff and an independent consultant will provide technical and administrative support for the Task Force.

Timeframe

The Task Force will commence in June 2002 and report its recommendation to the Metro Executive Officer no later than November 1, 2002. The Executive Officer will forward the report of the Task Force to JPACT and the Metro Council for their consideration in time for the Oregon legislature's 2003 session. If the Task Force recommends a regional ballot measure, it would not be submitted to voters before 2003.

Membership

The Task Force will include:

- Eight members from the private sector
- One Metro Councilor
- Two JPACT members selected by JPACT
- Two MPAC members selected by MPAC
- One representative from the trucking industry
- One representative from AAA
- One representative from Tri-Met
- One representative from Clark Co. (ex-officio)
- One chair from the private sector appointed by the Metro Executive Officer

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797

**METRO**

To: All Councilors

From: Councilor Rex Burkholder, Budget and Finance Chair

Re: Consideration of Amendments at the April 9 and April 10 Committee Worksessions

Date: April 4, 2002

I have attached a packet of information related to the budget amendments that are scheduled for consideration and final action at the Budget and Finance Committee worksession on April 9. The packet includes:

- **Technical Amendments**—A total of 20 technical amendments have been submitted by various Metro departments. The packet includes a cover memo from Casey Short, a summary sheet with budgetary impact data and a more detailed description of each amendment. The committee may consider the amendments separately, grouped by department or as a single package. All material related to the technical amendments is printed on green paper.
- **Councilor amendments**—A total of 7 amendments have been submitted by Councilors. The packet includes a summary sheet with budgetary impact data, a detailed description of each amendment, and the estimated effect of the amendments on the cost allocation plan. The committee will consider these amendments separately. All materials related to Councilor amendments is printed on yellow paper

I would encourage you to review this information prior to the worksession. Councilors will have an opportunity to raise any additional amendments or budget issues at the time of the worksession. Following completion of action on all amendments and budget issues the committee will consider Resolution 02-3181 to approve the amended budget for the purpose of sending it to the Tax Supervising and Conservation Commission for its review. Action on this resolution will occur at the April 9 worksession or, if necessary, it will be held over for final action at a tentatively scheduled worksession on April 10.

M E M O R A N D U M



METRO

DATE: April 4, 2002
TO: Metro Councilors
FROM: Casey Short, ^{us} Financial Planning Manager
RE: Technical Amendments to the FY 2002-03 Budget

Attached is a series of technical amendments to the FY 2002-03 budget, which are scheduled to be considered by the Budget Committee at its meeting on April 9. This packet includes a two-page fiscal impact summary of the amendments, and the 17 requested amendments themselves.

Technical adjustments include items such as changes to beginning fund balance, contract carryovers, and changes in resources or expenditures of existing budget items as a result of Executive action, Council action or changing circumstance which do not have policy implications.

Staff from Financial Planning and the departments requesting the amendments will be available at the April 9 meeting to answer questions. If you have questions in the meantime, please feel free to contact me or the assigned Council analyst.

Thank you.

FY 2002-03 PROPOSED BUDGET
Fiscal Impact Summary of Budget Amendment Requests

TECHNICAL ADJUSTMENTS

Page #	Amendment #	Presenter	Analyst	Amendment	Fund/Department	Funding Source	Total Cost	Action by Committee
General Fund and Related								
1	Reg Parks 1	Ciecko	Morrissey	Carry forward Smith & Bybee Lakes Dam Removal CIP project	Smith & Bybee Lakes Fund	Donations	\$410,000	
2	Reg Parks 2	Ciecko	Morrissey	Carry forward funding for Greenspaces Protection Plan public process	Regional Parks Fund	Beginning Fund Balance	\$75,000	
3	Reg Parks 3	Ciecko	Morrissey	Revise revenue projection for \$1.00 per tone excise tax ordinance	Regional Parks Fund	Excise Tax	(\$46,000)	
4	Reg Parks 4	Ciecko	Morrissey	Carry forward Regional Trails Brochure	Regional Parks Fund	Beginning Fund Balance	\$4,596	
5	Reg Parks 5	Ciecko	Morrissey	Carry forward Fanno Creek Trail Study	Regional Parks Fund	Beginning Fund Balance	\$24,300	
6	Reg Parks 6	Ciecko	Morrissey	Carry forward Blue Lake Park Eastside Wetlands Enhancement CIP project	Regional Parks Fund/ Open Spaces Fund	Transfer from Open Spaces (Mult. Ct. local share)	\$188,311	
7	Reg Parks 7	Ciecko	Morrissey	Adjust property tax assessment for landbanked rental properties	Regional Parks Fund	Ending Fund Balance	\$23,000	
8	Reg Parks 8	Ciecko	Morrissey	Reflect purchase of fire insurance for rental properties	Regional Parks Fund	Ending Fund Balance	\$13,200	
9	Reg Parks 9	Ciecko	Morrissey	Carry forward Smith & Bybee Lakes trails mini-master plan project	Smith & Bybee Lakes Fund	Government Contributions	\$15,000	
10	Planning 1	Cotugno	Morrissey	Downgrade vacant part-time Associate Management Analyst position to Assistant Management Analyst and increase FTE from .50 to .75	Planning Fund	Contingency	\$1,800	
11	Planning 2	Cotugno	Morrissey	Carryover ESEE consequences analysis contract	Planning Fund	Beginning Fund Balance	\$60,000	
12	General 1	Sandrock	Houser	Move Transportation Investment Task Force funding from Special Appropriations to the Planning Fund	General Fund Planning Fund	Excise Tax	\$50,000	

FY 2002-03 PROPOSED BUDGET
Fiscal Impact Summary of Budget Amendment Requests

TECHNICAL ADJUSTMENTS

Page #	Amendment #	Presenter	Analyst	Amendment	Fund/Department	Funding Source	Total Cost	Action by Committee
Enterprise & Related								
13	REM 1	Petersen	Houser	Reflect costs for steel drums inadvertently left out of budget.	Solid Waste Revenue Fund	Ending Fund Balance	\$179,508	
15	REM 2	Petersen	Houser	A variety of contract carryovers related to capital improvements, the Recycling Business Assistance Program, Waste Reduction Initiatives, and the Regional solid Waste Management Plan.	Solid Waste Revenue Fund	Beginning Fund Balance	\$2,304,707	
18	ZOO 1	Vecchio	Houser	Carryover to replace the Zoo's telecommunication system	Zoo Operating Fund	Beginning Fund Balance	\$150,000	
19	MERC 1	Enge	Houser	Carryover estimated unspent appropriation for the Oregon Convention Center Expansion Project	Convention Center Project Capital Fund	Beginning Fund Balance	\$22,000,000	
20	MERC 2	Enge	Houser	Carryover capital projects for MERC	MERC Pooled Capital Fund	Beginning Fund Balance	\$1,900,000	

Department	#
Regional Parks	1

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Smith & Bybee Lakes Dam Removal - The dam at the Smith & Bybee Lakes Wildlife Area was scheduled to be replaced with a water control structure in FY 2001-02. At this time, we believe that the project will not be completed until the first quarter of FY 2002-03. This project is being financed by Ducks Unlimited in cooperation with Metro. No Metro funds are being expended on this project; however, because this is an improvement to Metro-owned land, the asset must be booked in the accounting system. To do this, the cost of the dam removal project is recorded as a capital expenditure, with corresponding donation revenue also recorded. This "booking of the asset" will not take place until the project is complete and Metro assumes responsibility for it. For this reason, the budget for this project needs to be carried forward into the FY 2002-03 budget.

This change should also be reflected in the CIP.

<u>AFFECTED DEPARTMENT(S)</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
<i>Resources:</i>				
Regional Parks	Fund 761 – Smith & Bybee Lakes	4750	Donations and Bequests	\$410,000
<i>Requirements::</i>				
Regional Parks	Fund 761 – Smith & Bybee Lakes	5715	Improvement other than Bldgs	\$410,000

PROGRAM/STAFFING IMPACTS

None.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

This is a technical amendment to allow for the booking of the asset. Council directed the Executive Officer to go forward with this project in Resolution 01-3125, approved in November 2001.

Department	#
Regional Parks	2

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Greenspaces Protection Plan Carry Forward – The Regional Parks and Greenspaces Department has been engaged in the development of the Greenspaces Protection Plan. The Plan will identify primarily non-regulatory measures to protect and manage regionally significant parks, natural areas, trails and greenways. Regulatory tools include Goal 5, Title 3 and other related measures. Non-regulatory tools include acquisition, conservation easements, grants, education, best management practices, master planning guidelines, and other tools and incentives. Final adoption by the Metro Council of specific protection strategies is anticipated in FY 2002-03.

The FY 2001-02 budget includes appropriation for the public process associated with the Greenspaces Protection Plan. Some analyses and the associated public processes will not be done until FY 2002-03. This amendment carries forward the budget in FY 02 into FY 03 to complete this work.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
Resources:				
Regional Parks	Fund 160 – Regional Parks Fund	3500	BFB-Project Carry Forward	\$75,000
Requirements:				
Regional Parks	Fund 160 – Regional Parks Fund	5201	Postage	\$6,000
		5201	Meetings (citizen outreach)	1,400
		5205	Promotional Supplies	2,500
		5205	Other Operating Supplies	300
		5240	Contract Professional Services	50,000
		5280	Advertisements & Legal Notices	1,000
		5280	Typesetting/Graphic Reproduction	7,400
		5280	Printing Services	4,000
		5490	Promotional Expenses–Public Inv.	2,400

PROGRAM/STAFFING IMPACTS

None. This project is part of the work plan for FY 2002-03.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

This project has been approved and anticipated by Council for some time. It supports the Greenspaces Master Plan and Regional Framework Plan implementation. It will identify and provide significant tools for local governments and others to protect regionally significant greenspaces. This amendment does not expand the scope of work for this project, it only carries forward the project into the next fiscal year.

Department	#
Regional Parks	3

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Revise revenue projection for "\$1 per ton" excise tax ordinance - The proposed FY 2002-03 budget assumes that the excise tax on solid waste is increased by \$1 per ton through the adoption of Ordinance 02-939 by Council. When the budget was submitted, it was calculated that this proposal would generate \$1,230,000. This was a preliminary number for purposes of drafting the ordinance as the REM department had not yet completed its analysis on the excise tax rate for next year. After completion of the analysis work, it is now estimated that the revenue from adoption of this ordinance will be \$1,184,000. The difference of \$46,000 will result in a projected decrease in the ending fund balance.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
<i>Resources:</i>				
Regional Parks	Fund 160 – Regional Parks Fund	4970	Transfer of Resources	(\$46,000)
<i>Requirements:</i>				
Regional Parks	Fund 160 – Regional Parks Fund	5990	Unappropriated Fund Balance	(\$46,000)

PROGRAM/STAFFING IMPACTS

None.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

This is a technical amendment only and does not impact any programs within the department. It improves the revenue forecast for this new revenue.

Department	#
Regional Parks	4

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Regional Trails Brochure - The Department has planned to create a Regional Trails Brochure in the past, but has not been able to complete this work until the Council has approved an updated Regional Trails Plan map. With the transfer of 0.5 FTE Trails Planner position into the Planning and Education Division from the Open Spaces Acquisition Division in FY 2002-03, this project can be completed. This amendment carries forward the budget for this project from FY 02 to FY 03.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
Resources:				
Regional Parks	Fund 160 – Regional Parks Fund	3500	Beginning Fund Balance - Project Carry Forward	\$4,596
Requirements:				
Regional Parks	Fund 160 – Regional Parks Fund	5280	Printing Services	\$4,596

PROGRAM/STAFFING IMPACTS

None.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

This is a technical amendment. It allows for the printing of the Regional Trails Brochure that was not completed as budgeted in FY 02.

Department	#
Regional Parks	5

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Fanno Creek Trail Study - In FY 01-02, the Regional Parks and Greenspaces Department solicited support from local partners for a feasibility and alignment study in the Fanno Creek Trail corridor. The Department has collected enough donations to pay for this study. This amendment carries the revenue collected in FY 02 into FY 03 and provides the necessary budget for the study.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
<i>Resources:</i>				
Regional Parks	Fund 160 – Regional Parks Fund	3500	Beginning Fund Balance - Project Carry Forward	\$24,300
<i>Requirements:</i>				
Regional Parks	Fund 160 – Regional Parks Fund	5240	Contract Professional Services	\$24,300

PROGRAM/STAFFING IMPACTS

None. This project is in the work plan for FY 2002-03.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

This project has been funded from contributions made by local partners. Metro's contribution is to manage the contract and provide coordination support by the Regional Trails Planner. The contract for this study was executed in March 2002, but the study may not be complete until next fiscal year. This is a technical amendment to carry forward this project into FY 2002-03.

Department	#
Regional Parks	6

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Blue Lake Park Eastside Wetlands Enhancement – The Blue Lake Park Eastside Wetlands Enhancement project is part of the original Multnomah County Local Share projects. Responsibility for these projects now rests with the Metro Regional Parks and Greenspaces Department. This project is funded entirely from the Local Share portion of the Open Spaces Bond Measure.

This project was not completed in FY 2002 as anticipated, in part due to the length of time required for adoption of the Blue Lake Park Economic Feasibility study that will guide planned activities at the park. For this project to be completed in FY 2003, it needs to be added to the CIP and to the budget. This is a technical amendment to carry forward this project from FY 2001-02.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
CIP Additions				
Project 54080 (carry forward 01-02 to 02-03)	Capital Costs	Design & Engineering	\$20,000	
		Construction	166,611	
		1% for Art	1,700	
	Funding Sources	Local Share	\$188,311	
Budget Changes				
Regional Parks	Fund 160 – Regional Parks Fund	4980 5715	Transfer from Open Spaces Improvements other than Bldgs	\$188,311 188,311
	Fund 350 – Open Spaces Fund	3500 5280	Beginning Fund Balance Transfer to Regional Parks Fund	\$188,311 188,311

PROGRAM/STAFFING IMPACTS

None.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

This is a technical amendment to the 2002-03 CIP and proposed budget. This project is being funded completely with Open Space Bond-Local Share proceeds. This amendment carries forward the project from the FY 02 budget and CIP into the next year.

Department	#
Regional Parks	7

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Property Tax Adjustment - In FY 01-02, the Department was notified that several properties in Multnomah County purchased in the Open Spaces Acquisition program had been inappropriately removed from the property tax rolls. These properties have dwellings that the department rents to generate revenue for the Natural Resources Stewardship and Property Management program.

While the proposed budget represents an increase from the previous year in anticipation of this increased tax assessment, the amount is not high enough according to current estimates provided by the County. This amendment increases that line item budget to pay past taxes and an updated estimate of new taxes.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
Regional Parks	Fund 160 – Regional Parks Fund	5990	Ending Fund Balance	(\$23,000)
		5310	Real Property Taxes	\$23,000

PROGRAM/STAFFING IMPACTS

None.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

The proposed budget is not adequate to meet the anticipated property tax assessment.

Department	#
Regional Parks	8

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Property Fire Insurance - When the Open Spaces Acquisition division buys property, that property sometimes comes with a dwelling. In an effort to provide financial support for the Natural Resources Stewardship and Property Management program, many of these dwellings have been rented instead of demolished. Until recently, the department has maintained fire insurance on these dwellings through Metro's comprehensive property insurance policies. Because that insurance has a high deductible (\$100,000), the actual coverage for individual housing units was found to be inadequate. The Risk Management staff and the department worked to rewrite the insurance coverage on a select number of these dwellings that staff identified as likely to be rebuilt in event of a fire. The insurance that was purchased also allows the department not to rebuild the dwelling in the event of catastrophic fire while still collecting for the actual cash value of the loss.

Since the insurance is now separate from other insurance policies and applies only to these dwellings, it is more appropriate to budget for this expense in the department's budget, rather than putting it into the indirect cost plan.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
Regional Parks	Fund 160 – Regional Parks Fund	5990	Ending Fund Balance	(\$13,200)
		5270	Insurance	\$13,200

PROGRAM/STAFFING IMPACTS

None.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

This amendment allows for the continuation of fire insurance on these dwellings, protecting Metro's investment and allows for recovery of losses with or without the requirement to rebuild after a catastrophic fire event.

OPTIONS FOR FUNDING THIS AMENDMENT – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

None.

Department	#
Regional Parks	9

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Charles Ciecko

DRAFTER: Jeff Tucker

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1, 2002

PROPOSED AMENDMENT

Smith & Bybee Lakes "Trails Mini-Master Plan"- The Regional Parks and Greenspaces Department will be managing a contract for a trail alignment plan in the vicinity of the Smith & Bybee Lakes Wildlife Area. The plan is being paid for by the City of Portland Bureau of Parks and Recreation and by the Metro Regional Environmental Management Department. This project is in the FY 2001-02 budget but will not be started until the beginning of FY 2002-03. This amendment carries this project forward into FY 2002-03.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
<i>Resources:</i>				
Regional Parks	Fund 761 – Smith & Bybee Lakes Fund	4145	Government Contributions	\$15,000
<i>Requirements:</i>				
Regional Parks	Fund 761 – Smith & Bybee Lakes Fund	5240	Contract Professional Services	\$15,000

PROGRAM/STAFFING IMPACTS

None.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

This is a technical amendment to carry forward this project into the FY 2002-03 budget.

Department	#
Planning	1

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Andy Cotugno

DRAFTER: Jenny Kirk

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE

PROPOSED AMENDMENT (provide a brief summary of the requested action along with the specific line item affected)

Due to a vacancy of a .50 FTE Associate Management Analyst position, the Administrative Section determined to re-organize the job duties of this position. The proposal is to reclassify the position to a lower classification of an Assistant Management Analyst at .75 FTE. As a result of the cost savings between the higher level Associate Management Analyst and the lower level Assistant Management Analyst positions, adding .25 FTE to this position has minimal cost impact.

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>			
Planning	140 – Planning Fund	5020	Regular Employees (Part-time)		
			Associate Mgmt Analyst	-.50	-\$27,733
			Assistant Mgmt Analyst	.75	29,533
		5999	Contingency		-1,800
Net Change				.25	\$0

PROGRAM/STAFFING IMPACTS Increase the Administrative/Financial Section FTE by .25. The Assistant Management Analyst position will perform a variety of administrative and financial functions including providing technical assistance and support in developing, preparing and managing the department budget, maintaining various databases specific to the program areas, analyzing monthly financial/accounting reports and preparing analysis, monitoring contract status, and maintaining contract database and files.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT (not necessary for technical adjustments)

This position had been a 1.00 FTE in the Growth Management Services Department. The position was reduced to .50 FTE and some of the duties were shifted to Planners, Supervisors and Managers. The duties that were shifted included RFP coordination, contracting administration, budget review and monitoring.

Department	#
PLANNING	2

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Andy Cotugno

DRAFTER: Jenny Kirk

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE

PROPOSED AMENDMENT (provide a brief summary of the requested action along with the specific line item affected) If it becomes necessary, the Department is recognizing the potential contract carryover of Metro's Economic, Social, Environmental and Energy (ESEE) consequences analysis in the development of a regional fish and wildlife habitat protection plan.

<u>AFFECTED DEPARTMENT(S)</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
<i>Resources:</i>				
Planning	140 – Planning Fund	3500	Beginning Fund Balance	\$60,000
<i>Requirements:</i>				
Planning	140 – Planning Fund	5240	Misc. Professional Services	\$60,000

PROGRAM/STAFFING IMPACTS

Some of the staff working on the ESEE contract are also anticipated to be working on the Stormwater/Watershed program. Work levels will require that these staff complete work on ESEE before they begin work on Stormwater/Watershed. Depending on how much of the contract is carried forward and upon the discussions with Metro Council to review and refine the scope of work and tasks for this program area, the Stormwater/Watershed Program could be entirely or substantially reduced for FY03.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT (not necessary for technical adjustments)

Department	#
General	1

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Pete Sandrock

DRAFTER: Kathy Rutkowski

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE

PROPOSED AMENDMENT (provide a brief summary of the requested action along with the specific line item affected)

Move the \$50,000 budgeted in the General Fund, Special Appropriations for the Transportation Investment Task Force to the Planning Fund.

<u>AFFECTED DEPARTMENT(S)</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
Special Appropriations	010 – General Fund	5240	Contracted Professional Services	-\$50,000
		5810	Transfer of Resources to the Planning Fund	\$50,000
Planning Resources	140 – Planning Fund	4970	Transfer of Resources from the General Fund	\$50,000
		5240	Contracted Professional Services	\$50,000
Requirements				

PROGRAM/STAFFING IMPACTS

None.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT (not necessary for technical adjustments)

The Planning Fund will be responsible for coordinating the activities of the Transportation Investment Task Force. In order to provide greater coordination with the Department's work plan and to provide clearer authority for the spending of these funds, it is proposed to move the funding from the General Fund Special Appropriations to the Planning Fund.

Department	#
REM	1

PROPOSED FY 2002-03 BUDGET AMENDMENT

Presenter: Terry Petersen

Drafter:

Date Filed: March 29, 2002

Budget Committee Review Date: April 9, 2002

Proposed Amendment

APPROPRIATION ADJUSTMENT

- Steel Drum Contract (\$179,508) to cover steel drum contract costs inadvertently left out of the proposed budget for FY 2002-03.

<u>Affected Department</u>	<u>Affected Fund(s)</u>	<u>Affected Line Item(s)</u>
Regional Environmental Management	Solid Waste Revenue Fund	Materials & Services

SOLID WASTE REVENUE FUND

Resources

Beginning Fund Balance		
Renewal & Replacement Account		(\$179,508)
Undesignated Fund Balance		179,508
Total Resources	\$	0

Requirements

Operation Contracts		
Operating Account		\$179,508
Unappropriated Balance		
Renewal & Replacement Account		(\$179,508)
Total Requirements	\$	0

Program/Staffing Impacts

None

Arguments in Favor of Proposed Amendment

Steel drums are necessary for the disposal of hazardous waste, and have been a budget line item for several years. They were inadvertently left out of the proposed budget for FY 2002-03. The drums are purchased through a Goods & Supply Contract and this contract is included in the FY 2002-03 contracts list. Approximately 6,000 drums are used each year. The estimated cost for this contract in FY 02-03 is \$179,508.

Department	#
REM	1

Continued

Funding this additional contract will have no impact on the rates. REM proposes to fund this cost from the beginning undesignated fund balance in FY 02/03. REM anticipates that enough extra tonnage revenue will be collected during FY 01/02 to increase the fund balance by at least the \$179,508. Alternatively, in the event that additional tonnage is not available, REM can cover this contract by reducing the FY 01-02 Renewal & Replacement contribution* This second alternative is presented in the Resources and Requirements accounting section of this request.

* This year, REM has sufficient flexibility in its contributions to Renewal & Replacement to cover this cost without affecting the financial health of the reserve. The most recent 3-year, independent review of Transfer Station capital assets by URS Greiner Consultants, Inc. [December 2001] calls for a contribution in FY 01-02 of \$554,400. This is \$186,000 less than the projected contribution for FY 01-02. REM proposes to use \$179,508 of this amount to fund the contract for drums.

Department	#
REM	2

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER: Terry Petersen

DRAFTER:

DATE FILED: March 29, 2002

BUDGET COMMITTEE REVIEW DATE: April 9, 2002

PROPOSED AMENDMENT

CONTRACT CARRYOVERS

<u>Affected Department</u>	<u>Affected Fund(s)</u>	<u>Affected Line Item(s)</u>
Regional Environmental Management	Solid Waste Revenue Fund	Capital Outlay Materials & Services

Resources

Beginning Fund Balance		
Renewal & Replacement Account	\$	484,707
General Account		811,000
Recycling Business Assistance Account		274,000
Operating Account		<u>735,000</u>
Total Beginning Fund Balance	\$	2,304,707

Requirements

Renewal & Replacement Account (Engineering & Environmental Services)

Project	Amount	Reason
MCS Improvements: Replace Metal Roof & Ventilation System (design costs)	\$ 150,000	Design will not be completed until summer 2002.
MCS Improvements: Equipment improvements (Replacement of conveyor on compactor #1)	\$ 334,707	This project was combined with the seismic upgrade and column removal projects to achieve cost savings. Project will be bid upon in April 2002.

Total Renewal & Replacement Account \$ 484,707

Department	#
REM	2

Continued

General Account (Engineering & Environmental Services)

Project	Amount	Reason
MCS Improvements: H2W Expansion	\$ 50,000	Project delayed because ergonomic processing equipment is being evaluated that may be small enough to be installed in the existing space. If so, the building design will only need to accommodate additional storage.
MCS Improvements: Structural Modifications	\$ 100,000	This project was combined with seismic upgrade and conveyor replacement projects. The majority of construction will occur in the summer of 2002.
MCS Improvements: H2W Expansion	\$ 511,000	Project has been delayed until the final assessment of the ergonomic processing equipment that will be delivered in May.
MSS Improvements: Highway 213 Cost-sharing	\$ 150,000	The City of Oregon City is in charge of this project, which is scheduled for February 2003.

Total General Account \$ 811,000

Recycling Business Assistance Account (Waste Reduction & Outreach)

Project	Amount	Reason
Recycling Business Assistance Program	\$ 274,000	It was estimated that about \$274,000 would be loaned in FY 01-02, but no loans will be made in FY 01-02.

Total Recycling Business Assistance \$ 274,000

Operating Account (Waste Reduction & Outreach)

Project	Amount	Reason
Waste Reduction Initiatives <i>Commercial Initiatives</i> <ul style="list-style-type: none"> ▪ Commercial Outreach Campaign Evaluation ▪ Commercial End-use Market Capacity Research ▪ Commercial End-use Market Capacity Expansion ▪ Technical/Legal Assistance on Commercial Model Design Ordinances ▪ Model Design Ordinance for Businesses ▪ Targeted Commercial Outreach 	\$ 175,000	<p>During FY 2001-02, the Commercial Initiative focused on getting all the critical elements of the program in place. These included refining waste reduction audit methods and local governments hiring of additional staff to perform the work. With these elements in place, work can proceed on Outreach and evaluation activities originally scheduled for this year.</p> <p>Under this year's Department restructuring, the Division's Planning section was absorbed into the Waste Reduction section. Before the restructuring, the Division was finding it difficult to staff all the Commercial Initiative projects. With the re-assignments, there now is staff to do additional projects. These projects include work on studying commingled recycling opportunities for commercial generators and commercial recycling model zoning ordinances. Staff is now engaging in the work but it will carry over into the next fiscal year.</p>

Department	#
REM	2

Continued

Project	Amount	Reason
Waste Reduction Initiatives <i>Organics Initiatives</i> <ul style="list-style-type: none"> ▪ Organics Infrastructure Development Grants 	\$ 350,000	An initial round of grant requests early in the fiscal year did not elicit the quality of responses that the Department desired and only a single grant of \$50,000 was awarded. The Division has been working to ensure that the second round of grants will generate a better response. Responses to this second round are due at the end of March 2002. Although the all the grants would be awarded this fiscal year, the contracts under which the funds will be paid out will extend into next fiscal year. The carry over request represents our best estimate of what we might expend this year and what we will need to carry over to next year.
Waste Reduction Initiatives <i>Construction & Demolition Debris Initiatives</i> <ul style="list-style-type: none"> ▪ C&D Recycling Outreach – Expand 	\$ 45,000	The request covers only one project that is being initiated this year and that will not be completed until the next fiscal year.
Regional Solid Waste Management Plan (RSWMP) <ul style="list-style-type: none"> ▪ RSWMP Decision Support Analysis Implementation ▪ Waste Reduction Initiatives Decision Support Analysis ▪ Feasibility and recycling requirements ▪ Stakeholder involvement process 	\$ 75,000	As Council is aware, the effort to revise and update the RSWMP has been moved to 2003. The request is to carry over funds in the FY 2001-02 budget for this effort to FY 2002-03.
Metro Building Landscape Project <ul style="list-style-type: none"> ▪ Organics (Phase II processing capacity) – remaining balance from Contract 922166 	\$ 50,000	The request is to carry over funds remaining from an organics processing capacity project with the City of Portland to fund the planning and installation of a landscape plan for the Metro building. The landscaping will be consistent with natural gardening principles.
Recycling Business Assistance Program Support <ul style="list-style-type: none"> ▪ RSWMP Decision Support Planning ▪ Research and Policy Analysis 	\$ 40,000	The request is to carry over funds that would have been used for planning projects to fund a contract for loan services.

Total Operating Account \$ 735,000

GRAND TOTAL REQUIRMENTS \$2,304,707

Program/Staffing Impacts

Not Applicable

Arguments in Favor of Proposed Amendment

See "Reason" under each item listed above.

Department	#
ZOO	1

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Kathy Kiaunis/Tony Vecchio

DRAFTER: Kathy Kiaunis

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 9, 2002

PROPOSED AMENDMENT (provide a brief summary of the requested action along with the specific line item affected)

Carryover project funds in the Zoo Operating Fund, Construction and Maintenance Division, to replace the Zoo's telecommunication system with new PBX equipment (\$150,000)

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
<i>Resources</i>				
Oregon Zoo	120 – Zoo Operating	3500	Beginning Fund Balance	\$150,000
<i>Requirements</i>				
Oregon Zoo	120 – Zoo Operating	5715	Improvements other than Bldg (CIP)	\$150,000

PROGRAM/STAFFING IMPACTS

This project does not require any additional staff. The project is for the replacement of the zoo's pbx equipment

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT (not necessary for technical adjustments)

Department	#
MERC	1

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Bryant Enge

DRAFTER: Bryant Enge

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE

PROPOSED AMENDMENT (provide a brief summary of the requested action along with the specific line item affected)

Carryover of FY 2001-02 unspent appropriation associated with the Convention Center Expansion Project.

<u>AFFECTED DEPARTMENT(S)</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
<i>Resources:</i>				
MERC	559 – OCC Capital Fund	3500	Beginning Fund Balance	\$22,000,000
<i>Requirements:</i>				
MERC	559 – OCC Capital Fund	5725-576	Capital Outlay-CIP	\$22,000,000

PROGRAM/STAFFING IMPACTS

None

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT (not necessary for technical adjustments)

Department	#
MERC	2

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Bryant Enge

DRAFTER: Bryant Enge

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE

PROPOSED AMENDMENT (provide a brief summary of the requested action along with the specific line item affected)

Carryover unspent appropriation to fund projects not completed in current fiscal year. Projects carried over include the following CIP projects and this action serves to amend the CIP. Other carry-overs are for smaller projects not listed separately:

OCC – Concession Stand “B”	\$100,000
PCPA – Keller – ASCH Fire Alarm Upgrade	\$150,000
PCPA – Keller – Chiller Replacement	\$200,000
PCPA – Keller – Restroom Expansion	\$300,000
PCPA – NTB – Carpet Replacement	\$500,000
PCPA – NTB – Stage Lighting Fixtures	\$55,000
PCPA – ASCH – West Entry Remodel	\$200,000
PCPA – ASCH – Carpet (Increase to Project)	\$100,000
PCPA – Keller – Exterior Signage	\$110,000
PCPA – Keller Lobbies Upgrade (change from carpet replacement and add \$200,000)	\$200,000
PCPA – ARAMARK Donation Costs	\$100,000

<u>AFFECTED DEPARTMENT</u>	<u>AFFECTED FUND(S)</u>	<u>AFFECTED LINE ITEMS</u>		
Resources:				
MERC	551 – MERC Pooled Capital Fund		Beginning Fund Balance	\$1,900,000
Requirements:				
MERC	551 – MERC Pooled Capital Fund	5215	Maintenance & Repairs Supplies	\$319,000
		5260	Maintenance & Repair Services	\$170,000
		5710	Improvements Other thn Bldg	-\$49,000
		5740	Equipment & Vehicles	-\$20,000
		5745	Buildings & Related	\$1,480,000
			Total	\$1,900,000

PROGRAM/STAFFING IMPACTS

None

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT (not necessary for technical adjustments)

M E M O R A N D U M



METRO

DATE: April 3, 2002
TO: Metro Councilors
FROM: Casey Short, ^{es} Financial Planning Manager
RE: Analysis of Councilors' Amendments to FY 2002-03 Proposed Budget

Attached is a brief summary and analysis of the potential impact to the FY 2002-03 Budget of the seven amendments proposed by Councilors. This analysis is contained in two tables. The first shows the effect on the General Fund of each of the amendments. All amendments submitted affect the General Fund or a central service fund; all have some impact on excise tax, either directly through a General Fund amendment or through indirect costs. The second table shows the impact of the amendments to central service funds on each fund that pays for central services through the cost allocation plan.

I have an observation to make regarding the proposed amendments and their potential impact on the General Fund. The Proposed Budget shows an increase in the General Fund ending balance of some \$128,000 over the projected ending balance in FY 2001-02, producing a projected fund balance of \$792,000. While we are planning to increase the ending balance – the reserves – in the General Fund, the budgeted ending balance of \$792,000 is still well short of the target the Council has set of achieving and maintaining \$1 million in General Fund reserves. My point here is simply to note that any additional expenditure of discretionary General Fund resources will make it more difficult for the Council to achieve that target.

**FY 2002-03 PROPOSED BUDGET
Fiscal Impact Summary of Budget Amendment Requests**

SUBSTANTIVE AMENDMENTS FROM COUNCIL

Amendment #	Date Submitted	Presenter	Analyst	Amendment	Fund/Department	Funding Source	Proposed Action		Action by Committee
							Total New Cost	Excise Tax Impact of new Cost	
General Fund and Related									
GENERAL 2	4/1/02	Burkholder	Houser	Provide \$80,000 for implementation of Metro's adopted affordable housing policies	General Fund Planning Fund	General Fund ending fund balance reserves	\$80,000	\$80,000	
GENERAL 3	4/1/02	McLain	Houser	Enhance the capability of the Planning & Regional Parks and Greenspaces Departments to pursue grant opportunities by providing each department with \$15,000 to procure outside grant writing assistance.	General Fund Planning Fund Regional Parks Fund	General Fund ending fund balance reserves	\$30,000	\$30,000	
GENERAL 4	4/1/02	McLain	Houser	Add \$3,000 in the Special Appropriation line item for the Water Consortium	General Fund	General Fund ending fund balance reserves	\$3,000	\$3,000	
Support Services & Miscellaneous									
HR 1	4/1/02	McLain	Houser	Adopt a portion of the add package identified as Human Resources Add-1 related to the development of the an agency-wide training program by providing \$35,000 to hire an outside consultant to conduct an assessment and inventory of Metro training needs	Support Services Fund All operating funds	Cost Allocation Plan	\$35,000	\$2,431	
ASD 1	4/9/02	Monroe	Houser	Add 1.0 FTE in Risk Management to assist with safety and loss control, emergency management and security	Risk Management Fund All operating funds	Cost Allocation Plan	\$64,500	\$13,581	
ASD 2	4/1/02	McLain	Houser	Add a full-time receptionist at the Security Desk.	Building Management Fund All operating funds	Cost Allocation Plan	\$36,500	\$22,459	
AUDITOR 1	4/9/02	Hosticka	Houser	Restore \$37,755 in temporary help and \$30,000 in contracted professional services.	Support Services Fund All operating funds	Cost Allocation Plan	\$67,755	\$13,839	
TOTAL SUBSTANTIVE AMENDMENTS							\$316,755	\$165,310	

NOTE: Excise tax impacts of amendments funded under the cost allocation plan are estimates only and do not reflect the potential cumulative impact of multiple amendments.

Impact of Councilor Amendments within the Cost Allocation Plan by Fund

Proposed Amendments	Planning	Solid Waste Revenue	Zoo Operating	General	MERC Operating	Convention Center Prjt.	Regional Parks	Open Spaces	TOTAL
HR-1 Consultant for training assessment	785	4,657	14,082	219	13,467	29	1,427	334	35,000
<i>Excise Tax Impact</i>	785	0	0	219	0	0	1,427	0	2,431
ASD-1 Additional Staff in Risk Mgmt	5,757	10,487	18,978	1,058	20,080	208	6,766	1,166	64,500
<i>Excise Tax Impact</i>	5,757	0	0	1,058	0	0	6,766	0	13,581
ASD-2 Visitor Management Receptionist	12,406	9,004	1,939	6,778	1,481	112	3,275	1,505	36,500
<i>Excise Tax Impact</i>	12,406	0	0	6,778	0	0	3,275	0	22,459
Auditor-1 Restoration of Cuts	10,401	29,779	9,093	397	13,548	155	3,041	1,341	67,755
<i>Excise Tax Impact</i>	10,401	0	0	397	0	0	3,041	0	13,839
TOTAL ALL AMENDMENTS	29,349	53,927	44,092	8,452	48,576	504	14,509	4,346	203,755
<i>Excise Tax Impact</i>	29,349	0	0	8,452	0	0	14,509	0	52,310

Department	#

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Councilor Rex Burkholder
DRAFTER John Houser, Council Analyst
DATE FILED April 1, 2002
BUDGET COMMITTEE REVIEW DATE April 1 or April 9

PROPOSED AMENDMENT Provide \$80,000 for implementation of Metro's adopted affordable housing policies. A total of \$50,000 would be provided for technical assistance to local governments to develop their Regional Affordable Housing Strategies. Many smaller jurisdictions have no affordable housing staff. These funds would be contract for technical services that would be made available to these communities. It is possible that matching funds could be available for other sources if these funds are appropriated in the Metro budget. A total of \$30,000 would be appropriated to update affordable housing need data based on 2000 Census.

<u>AFFECTED DEPARTMENT</u> PLANNING	<u>AFFECTED FUND(S)</u> GENERAL FUND	<u>AFFECTED LINE ITEMS</u> *CONTRACTED PROFESSIONAL SERVICES (\$50,000) *VARIOUS PERSONAL SERVICES/MATERIALS AND SERVICES LINE ITEMS (\$30,000)
---	--	--

PROGRAM/STAFFING IMPACTS Department estimates that administrative costs related to the technical assistance program would be about 10% of the appropriated amount. The need update would be budgeted as a separate project including the assignment of staff and related materials and services.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

1. Metro adopted housing and affordable housing policies in January 2001. To comply with these policies, local jurisdictions are developing their own affordable housing strategies. Many jurisdictions have no in-house affordable housing staff and lack the resources to hire such staff.
2. The successful development and implementation of local affordable housing strategies is a critical element of the adopted regional policies.
3. The need data update would provide both Metro and local jurisdictions with more current data upon which to develop and implement their local strategies.

OPTIONS FOR FUNDING THIS AMENDMENT – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

The funding for the proposed amendment is intended to be one-time funding limited to FY 02-03. The general fund balance in the proposed budget includes about \$125,000 in one-time revenue. A portion of these funds would be utilized to fund the amendment.

Department	#

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Councilor Susan McLain
DRAFTER John Houser, Council Analyst
DATE FILED March 29, 2002
BUDGET COMMITTEE REVIEW DATE April 1 or April 9

PROPOSED AMENDMENT Enhance the capability of the Planning and Regional Parks and Greenspaces Department to pursue grant opportunities by providing each department with \$15,000 to procure outside grant-writing assistance.

<u>AFFECTED DEPARTMENT</u> PLANNING AND REGIONAL PARKS AND GREENSPACES	<u>AFFECTED FUND(S)</u> PLANNING AND REGIONAL PARKS	<u>AFFECTED LINE ITEMS</u> PLANNING—CONTRACTED PROFESSIONAL SERVICES REGIONAL PARKS—CONTRACTED PROFESSIONAL SERVICES
---	--	---

PROGRAM/STAFFING IMPACT: NONE

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

1. Current funding levels preclude the Planning and Regional Parks and Greenspaces Department from dedicating substantial resources to the identification and pursuit of outside grants.
2. Significant additional revenues for these departments through obtaining governmental or private grant funding.
3. Obtaining professional grant-writing assistance on a per-case basis could enhance Metro's ability to successfully compete for potential outside sources of funding.

OPTIONS FOR FUNDING THIS AMENDMENT – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

The amendment would be funded from the general fund balance. The proposed balance includes \$125,000 in one-time revenue. Using a portion of these funds to determine if funding from various grant sources could be enhanced by improving Metro's grant-writing capability would be an appropriate use for these funds.

Department	#

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Councilor Susan McLain

DRAFTER John Houser, Council Analyst

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1 or April 9

PROPOSED AMENDMENT Add \$3,000 to the Special Appropriation Line Item For the Water Consortium--increasing the total appropriation from \$15,000 to \$18,000

AFFECTED DEPARTMENT
PLANNING

AFFECTED FUND(S)
GENERAL FUND

AFFECTED LINE ITEMS
SPECIAL APPROPRIATION--WATER
CONSORTIUM

PROGRAM/STAFFING IMPACTS NONE

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

1. Metro currently supports the work of the regional water consortium through an annual contribution of \$15,000. The proposed budget includes this level of support as a special appropriation. The Council has previously recognized the value of supporting a forum for addressing the regional aspects of water supply issues.
2. The consortium has determined that the regional water supply plan should be updated. It has been estimated that Metro's share of the cost of the update is \$3,000. The proposed amendment would add this amount to the existing annual contribution.
3. The development of an updated plan will improve the consortium's ability to address regional water supply issues.
4. Given that the Metro general fund balance is projected to increase by \$128,000, funding the consortium's request from this source will have a negligible effect on the fiscal health of the fund.

OPTIONS FOR FUNDING THIS AMENDMENT – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

The amendment would be funded from the general fund balance with no other budgetary changes.

Department	#

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Councilor Susan McLain

DRAFTER John Houser, Council Analyst

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1 or April 9

PROPOSED AMENDMENT Adopt a portion of add-package identified as Human Resources Add-1 related to the development of an agency-wide training program by providing \$35,000 to hire an outside consultant to conduct an assessment and inventory of Metro training needs.

AFFECTED DEPARTMENT
HUMAN RESOURCES

AFFECTED FUND(S)
SUPPORT SERVICES

AFFECTED LINE ITEMS
CONTRACTED PROFESSIONAL
SERVICES (\$35,000)

PROGRAM/STAFFING IMPACTS NONE

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

1. Metro currently lacks a comprehensive employee training program. The Human Resources Department has recognized this need and proposed an add package to create a new position that would be responsible for conducting a training needs assessment and implementing a new agency--wide training program.
2. The proposed amendment would provide funds for the completion of a training needs assessment by an outside consultant.
3. Following completion of the needs assessment, the potential staffing and other funding needed to fund an agency-wide training program could more easily be quantified and reviewed by the Council.

OPTIONS FOR FUNDING THIS AMENDMENT – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

The amendment would be funded through an increase in Support Services Fund assessments in the cost allocation plan. The impact of the amendment on the cost allocations to specific departments is difficult to estimate until all amendments affecting the cost allocation plan are known. As proposed, the General Fund contributes about 1.5% of the transfers to the Support Services Fund for the Human Resources Department.

Department	#

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Councilor Rod Monroe

DRAFTER John Houser, Council Analyst

DATE FILED April 4, 2002

BUDGET COMMITTEE REVIEW DATE April 9

PROPOSED AMENDMENT Adopt the add-package identified as ASD Add-1 related to providing a full time position related to Risk Management to provide additional safety and loss prevention training and emergency response. The new position also would allow current staff to be redirected to assist with the agency's increasingly complex benefits management program. The cost of the add package is \$64,500.

AFFECTED DEPARTMENT
ADMINISTRATIVE SERVICES

AFFECTED FUND(S)
BUILDING MANAGEMENT

AFFECTED LINE ITEMS
PERSONAL SERVICES (\$63,000)
AND MATERIALS AND SERVICES
(\$1,500)

PROGRAM/STAFFING IMPACTS Addition of 1 FTE (Program Analyst I) to the Building Management Fund

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

1. Metro's safety and loss prevention programs have operated at minimal levels in recent years. Several safety related documents need to be updated and a more extensive employee training program is needed.
2. Recent state and federal law changes and increasing health and welfare costs have made the agency's benefit program more complex and difficult to manage. This amendment would result in an additional .5 FTE being assigned to the benefits program, which will free up some of the program manager's time to address ongoing programmatic changes.
3. The new position proposed by the amendment would be filled by a person with a security and emergency response background who could supplement Metro's current security staff.

OPTIONS FOR FUNDING THIS AMENDMENT – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

The amendment would be funded through the cost allocation program with an estimated general fund impact of \$13,500.

Department	#

PROPOSED FY 2002-03 BUDGET AMENDMENT

PRESENTER Councilor Susan McLain

DRAFTER John Houser, Council Analyst

DATE FILED March 29, 2002

BUDGET COMMITTEE REVIEW DATE April 1 or April 9

PROPOSED AMENDMENT Enhance the capability of the Planning and Regional Parks and Greenspaces Department to pursue grant opportunities by providing each department with \$15,000 to procure outside grant-writing assistance.

AFFECTED DEPARTMENT
 PLANNING AND REGIONAL
 PARKS AND GREENSPACES

AFFECTED FUND(S)
 PLANNING AND REGIONAL
 PARKS

AFFECTED LINE ITEMS
 PLANNING—CONTRACTED
 PROFESSIONAL SERVICES
 REGIONAL PARKS—CONTRACTED
 PROFESSIONAL SERVICES

PROGRAM/STAFFING IMPACT: NONE

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT

1. Current funding levels preclude the Planning and Regional Parks and Greenspaces Department from dedicating substantial resources to the identification and pursuit of outside grants.
2. Significant additional revenues for these departments through obtaining governmental or private grant funding.
3. Obtaining professional grant-writing assistance on a per-case basis could enhance Metro's ability to successfully compete for potential outside sources of funding.

OPTIONS FOR FUNDING THIS AMENDMENT – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

The amendment would be funded from the general fund balance. The proposed balance includes \$125,000 in one-time revenue. Using a portion of these funds to determine if funding from various grant sources could be enhanced by improving Metro's grant-writing capability would be an appropriate use for these funds.