

A G E N D A

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TEL 503 797 1542 | FAX 503 797 1793



**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
DATE: January 23, 2003  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

**1. INTRODUCTIONS**

**2. CITIZEN COMMUNICATIONS**

**3. CONSENT AGENDA**

3.1 Consideration of Minutes for the January 16, 2003 Metro Council Regular Meeting.

3.2 Consideration of Letter to Oregon Transportation Commission.

**4. RESOLUTIONS**

4.1 **Resolution No. 03-3269**, For the Purpose of Authorizing Metro to Issue a Call for Grants and Award Grant Funding in Partnership with the City of Portland for the Development of Sufficient Organic Waste Processing Capacity to Serve the Region.

4.2 **Resolution No. 03-3272**, For the Purpose of Adopting the Metro 2003 Legislative Oregon State and Federal Legislative Priorities.

**5. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660 (1) (d)  
FOR THE PURPOSE OF DELIBERATING WITH PERSONS  
DESIGNATED TO CONDUCT LABOR NEGOTIATIONS.**

**6. COUNCILOR COMMUNICATION**

**ADJOURN**

**Cable Schedule for Week of January 23, 2002 (TDTV)**

|   | Sunday<br>(1/26) | Monday<br>(1/27) | Tuesday<br>(1/28) | Wednesday<br>(1/29) | Thursday<br>(1/23) | Friday<br>(1/24)               | Saturday<br>(1/25) |
|---|------------------|------------------|-------------------|---------------------|--------------------|--------------------------------|--------------------|
| <b>CHANNEL 11</b><br>(Community Access Network)<br>(most of Portland area)  |                  |                  |                   |                     |                    | 2:00 PM                        |                    |
| <b>CHANNEL 30</b><br>(TDTV)<br>(Washington County, Lake<br>Oswego)  | 12:00 PM         |                  |                   | 6:30 PM<br>11:00 PM |                    | 6:30 AM<br>7:00 PM<br>11:00 PM | 3:30 PM            |
| <b>CHANNEL 30</b><br>(CityNet 30)<br>(most of City of Portland)   |                  |                  |                   |                     |                    |                                |                    |
| <b>CHANNEL 30</b><br><b>Willamette Falls Television</b><br>(West Linn, Rivergrove, Lake<br>Oswego)                            |                  |                  |                   |                     |                    |                                | 7:00 AM            |
| <b>CHANNEL 23/18</b><br><b>Willamette Falls Television</b><br>(23 -- Oregon City, West Linn,<br>Gladstone; 18 -- Clear Creek) |                  |                  |                   |                     |                    |                                | 7:00 AM            |
| <b>CHANNEL 23</b><br><b>Milwaukie Public Television</b><br>(Milwaukie)  |                  |                  |                   |                     |                    |                                |                    |

**PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES. PLEASE CALL THEM OR CHECK THEIR WEB SITES TO CONFIRM SHOWING TIMES.**

|                                    |  |                       |
|------------------------------------|--|-----------------------|
| <b>Portland Cable Access</b>       | <a href="http://www.pcatv.org">www.pcatv.org</a>           | <b>(503) 288-1515</b> |
| <b>Tualatin Valley Television</b>  | <a href="http://www.tvca.org">www.tvca.org</a>             | <b>(503) 629-8534</b> |
| <b>Willamette Falls Television</b> | <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> | <b>(503) 650-0275</b> |
| <b>Milwaukie Public Television</b> |  | <b>(503) 652-4408</b> |

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by email, fax or mail or in person to the Clerk of the Council. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Agenda Item Number 3.0

Minutes of the January 16, 2003 Regular Council meeting.

Metro Council Meeting  
Thursday, January 23, 2003  
Metro Council Chamber

Agenda Item Number 4.1

**Resolution No. 03-3269, For the Purpose of Authorizing Metro to Issue a Call for Grants and Award Grant Funding in Partnership with the City of Portland for the Development of Sufficient Organic Waste Processing Capacity to Serve the Region.**

Metro Council Meeting  
Thursday, January 23, 2003  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING METRO )  
TO ISSUE A CALL FOR GRANTS AND AWARD GRANT )  
FUNDING IN PARTNERSHIP WITH THE CITY OF )  
PORTLAND FOR THE DEVELOPMENT OF SUFFICIENT )  
ORGANIC WASTE PROCESSING CAPACITY TO SERVE )  
THE REGION )

RESOLUTION NO. 03-3269

Introduced by: Mark Williams,  
Chief Operating Officer, with  
the concurrence of David  
Bragdon, Council President

WHEREAS, Metro is obligated under the Regional Solid Waste Management Plan to increase the number and quantity of materials that are recovered and recycled in the region; and,

WHEREAS, as part of this obligation, Metro and an intergovernmental work team developed a Commercial Organics Work Plan adopted by the Metro Council via Resolution 99-2856, "for the purpose of approving a FY 1999-2000 Organic Waste Management Work Plan, and authorizing release of budgeted funds" in December, 1999, designed to increase the recovery of food waste in the region and decrease the landfilling of this resource; and,

WHEREAS, Metro has established a goal of recovering 90,000 tons per year of organic waste, 60% of which is expected to be derived from the commercial sector; and,

WHEREAS, The City of Portland currently enforces and monitors a recycling ordinance for businesses in the City and intends to add organics to the materials required to be separated for recycling by July 1, 2003; and,

WHEREAS, minimal processing capacity for these organic wastes currently exists in or near the region therefore a matching grant program has been established in partnership with the City of Portland to stimulate the development of organic waste processing to recover organic wastes otherwise destined for landfill; and,

WHEREAS, the grants are funded in the 2002-03 budget and the City of Portland has committed an additional \$300,000 to co-fund these grants; now therefore,

BE IT RESOLVED, that the Metro Council authorizes Metro to issue a call for grants and award grant funding in partnership with the City of Portland for the development of sufficient organic waste processing capacity to serve the region.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
David Bragdon, Council President

Approved as to Form:

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 03-3269, FOR THE PURPOSE OF AUTHORIZING METRO TO ISSUE A CALL FOR GRANTS AND AWARD GRANT FUNDING IN PARTNERSHIP WITH THE CITY OF PORTLAND FOR THE DEVELOPMENT OF SUFFICIENT ORGANIC WASTE PROCESSING CAPACITY TO SERVE THE REGION

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Date: January 23, 2003

Prepared by: Jennifer Erickson

### BACKGROUND

In December 1999, Council adopted the Metro Regional Organics Work Plan, which is designed to increase the diversion and recovery of food waste and soiled paper from the waste stream. This plan takes a two-track approach to organic waste management. The first track emphasizes waste prevention, donation and diversion. This is considered to be a least-cost approach as preventing the generation of the material in the first place removes the need to manage it as a waste product; an established system to collect and redistribute donated food exists in the region. The second track focuses on developing a collection and processing infrastructure to manage the organic wastes that is not suitable for donation programs. Little infrastructure currently exists to support Track 2 efforts.

Metro has established the goal of recovering at least 90,000 tons per year of organic materials (e.g., all types of food wastes including pre- and post-consumer vegetative waste, post-consumer meats, seafood and dairy and non-recyclable or food-soiled paper) from the waste stream by 2005. According to the 2000 DEQ Waste Composition Study, the region disposed of over 233,000 tons of food and soiled paper in 2000. Approximately 60% of this waste is from the commercial sector and has been the first area targeted for recovery programs.

In order to help reach the region's recovery goal, Metro and the City of Portland have jointly created this grant program to assist with the development of sufficient organic waste processing capacity to serve the region. The City of Portland has committed \$300,000 to this effort; Metro staff is in the process of developing an Intergovernmental Agreement with the City to solidify the details and procedures for program implementation. Metro has \$700,000 in grants and loans dedicated to organic waste processing system development. Together, Metro and The City have built a funding pool of \$1 million in matching grant funds.

Businesses and not-for-profit entities are eligible for this grant program. Metro has set a floor of \$50,000 and a ceiling of \$500,000 for grant requests and awards. Grant applicants are required to match grant funds dollar for dollar to ensure a serious commitment to developing the necessary permanent organic waste management system elements. Metro and the City of Portland have been approached by four potential applicants that are committed to working with us to provide a variety of environmentally sound and economically feasible organic waste processing options for the region.

At the same time, Metro is developing the mechanisms to provide organic waste reload services at Metro Central Transfer Station. Staff is working with BFI/Allied, our contracted station operator, to develop a system for the receipt and handling of organic wastes enabling a rate to be posted for receipt of the material. Metro expects that by late Summer 2003, Metro Central Transfer Station will be prepared to accept source-separated loads of organic materials from haulers for reload to an approved processing facility. In addition, the City of Portland has the authority to require that commercial haulers operating

within the city urban services boundary collect source-separated organic wastes and deliver it to facilities that meet certain requirements.

State Law and City ordinance specifically prohibit the disposal of materials source separated for recycling. Since 1996, the City has required that commercial businesses recycle. The City currently enforces and monitors the recycling ordinance and has the authority to add organics to the materials required for recycling; it plans to implement the organic waste collection requirement in mid-2003.

Previous Council Review: The Metro Regional Organics Work Plan and budget has been previously reviewed and approved by the Council via Resolution No. 99-2856, "for the purpose of approving a FY 1999-2000 Organics Waste Management Work Plan, and authorizing release of budget funds."

The Metro Council reviewed and discussed the grant application materials during the January 14, 2003, informal work session.

## **ANALYSIS/INFORMATION**

### **1. Known Opposition:**

None.

### **2. Legal Antecedents:**

Metro developed a Regional Solid Waste Management Plan (a functional plan) adopted by Council via Ordinance 95-624, "for the purpose of adopting the Regional Solid Waste Management Plan." The Metro Regional Organics Work Plan has been previously reviewed and approved by the Council via Resolution No. 99-2856.

### **3. Anticipated Effects**

This Metro/Portland cooperative grant program is designed to leverage the development of food waste processing capacity in the region. It is expected to promote business and employment growth and to help stimulate development of commercial, and eventually, residential food waste separation, collection and recovery programs throughout the region.

### **4. Budget Impacts:**

A total of \$700,000 has been approved for this program in the FY 2002-03 budget under grants and loans.

## **RECOMMENDED ACTION**

The Chief Operating Officer recommends approval of Resolution No. 03-3269.

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**METRO**

Attachment 1  
Resolution No. 03-3269

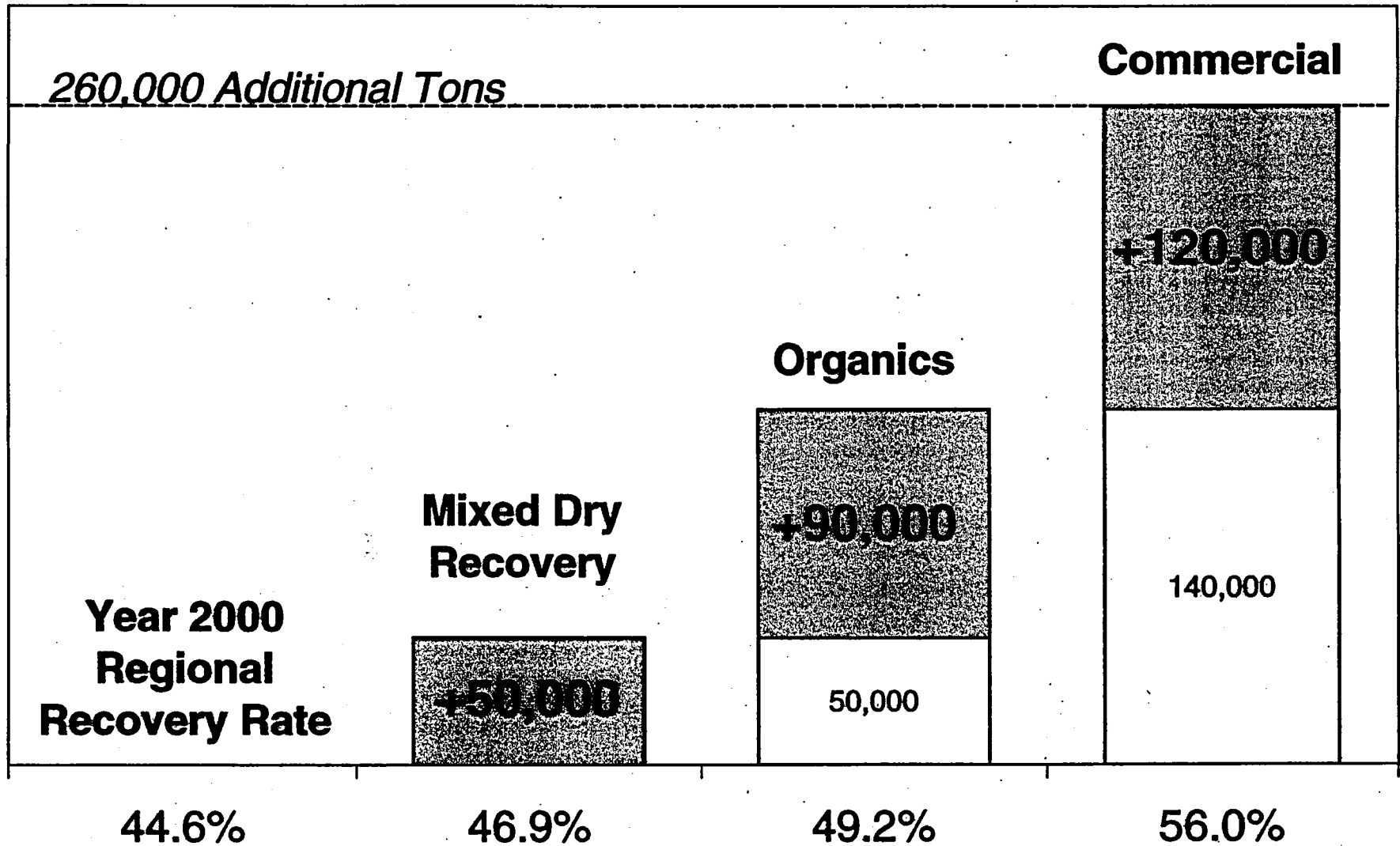
## **FACT SHEET**

### **Food Waste Recovery and Processing Capacity Development Grant Program January 2003**

- The Metro region currently recovers 54.9% of the waste generated. To reach our state-mandated recovery goal of 62% in 2005, we must recover an additional 90,000 tons of food waste and non-recyclable paper.
- Over 181,000 tons of food waste and 52,000 tons of non-recyclable paper were disposed in the Metro region in 2000. These 233,000 tons represent 20% of the region's disposed waste stream. Food waste is the single largest portion of the waste stream with no system in place for its collection and recovery.
- The Department's strategic plan speaks to targeting remaining sources of greatest material recovery potential to achieve 2005 recovery goals.
- To forward this effort, the Metro Council adopted three waste reduction initiatives in December 1999, one of which is the Organic Waste Management Plan.
- This plan has a two-track approach to recovering food wastes: 1) Waste prevention and food donation; and 2) collection and processing of food not fit for human consumption.
- The donation track has been implemented and is well established. Over \$500,000 in grant funding has been spent over the past three years to enhance the region's food donation infrastructure. A recent report to the Council showed a \$31 benefit for every \$1 spent. Outreach efforts to encourage donation will continue, but the grant program has concluded.
- Funds have been budgeted to help develop collection and processing of food waste that cannot go to food banks, but no significant programs have gone forward as of yet.
- Metro has dedicated our budgeted infrastructure funding to support the City of Portland in their efforts to secure a food waste processor.
- City efforts resulted in only one possible candidate, located 150 miles away with a high tip fee and a capacity to handle only 10,000 tons of material. Therefore the candidate did not meet our requirements.
- Since then, Metro and the City have been approached by three additional potential food waste processors, one of which is local.
- These grants are intended to keep food waste processing tip fees substantially below that of solid waste by helping to fund one-time initial capital improvements. As a result, we expect that food waste collection and processing services will cost substantially less and at a minimum, no more, than solid waste.
- The City of Portland has committed \$300,000 to this grant program and an IGA to formally secure this commitment is currently in process. Metro has \$700,000 available to support this grant.
- Grants require a dollar-for-dollar match that not only leverages private sector funds, but also requires a serious financial commitment on the part of the recipient.
- The Department would like to release the call for grant applications in order to allow for the allocation of funds by March. This would give recipients the lead-time needed to secure equipment and make improvements necessary to accommodate the food waste collection programs scheduled to commence this Fall.
- Council will review and approve all grant awards and funding allocations once initial grant applications have been screened.



# Tons of New Recovery Needed to Meet Goal



**APPLICATION MATERIALS**

**FISCAL YEAR 2002-03**  
**ORGANIC WASTE PROCESSING CAPACITY DEVELOPMENT GRANT PROGRAM**

January 14, 2003

**I. Overview:**

The Metro region has established the goal of recovering at least 90,000 tons per year of organic materials (e.g., all types of food waste including vegetative waste and post-consumer meats, seafood and dairy and non-recyclable or food-soiled paper) from the waste stream by 2005. Currently, the region disposes of over 233,000 tons of food waste and soiled non-recyclable paper annually. It is estimated that approximately 60% of this waste is from the commercial sector and 40% from residences.

The Metro region comprises 3 counties and 24 cities with a combined population of 1.5 million people. The City of Portland, the largest city within the region, has a population of roughly 500,000. Within the City of Portland urban services boundary, commercial waste is collected by 65 independent hauling companies that are licensed to provide this service. The City does not set collection rates in the commercial sector, nor does it set service territories. The City does have the authority to require that these haulers collect organic wastes and that the waste be taken to only those facilities that meet certain requirements. State Law and City ordinance specifically prohibit the disposal of materials source separated for recycling. Since 1996, the City has required that commercial businesses recycle. The City currently enforces and monitors the recycling ordinance and has the authority to add organics to the materials required for recycling; it plans to implement this requirement in mid 2003.

Other local governments within the region franchise the collection of commercial solid waste and recycling and set rates for services. None of these jurisdictions requires businesses to recycle. Instead, businesses are provided the opportunity to recycle and to choose whether or not to participate. Collection rates set by these cities and counties include the costs of recycling services. It is expected that if Metro offers a rate for source-separated organic waste at its transfer stations, local governments will work with their franchised haulers to set a rate for this service.

Metro owns and contracts for the operation of two transfer stations. These transfer stations handle roughly 60% of the putrescible solid waste generated and disposed in the region. Ninety percent of the solid waste generated overall in the region and destined for disposal is sent to the Columbia Ridge Landfill in Arlington, Oregon. Metro sets the rates for the delivery of materials to its two transfer stations. In January of 2001, Metro passed an ordinance amending its solid waste code (Chapter 5.02) to create a charge at its transfer stations for the receipt, handling transfer and processing of compostable organic wastes. Once a suitable processor for the materials is established, Metro is prepared to post a rate and begin accepting compostable organic wastes from the region's solid waste haulers.

**II. Relationship to the Regional Solid Waste Management Plan**

The Regional Solid Waste Management Plan (RSWMP) gives the metropolitan region direction for meeting solid waste needs from 1995 through 2005. It serves as a regional framework for the coordination of solid waste practices, provides the region with a prioritized program of solid waste

system improvements, establishes regional solid waste goals and objectives, and satisfies state law requiring a waste reduction plan for the Metro region.

The overall goal of the RSWMP is to “continue to develop and implement a solid waste management plan that achieves a solid waste system that is regionally balanced, environmentally sound, cost-effective, technologically feasible and acceptable to the public.”<sup>1</sup> The specific goals of the RSWMP are as follows:

**Goal 1: The Environment.** *Solid waste practices that are environmentally sound, conserve natural resources and achieve the maximum feasible reduction of solid waste being landfilled.*

**Goal 2: Education.** *Residents and businesses of the region are knowledgeable of the full range of waste management options, including waste prevention and reduction, that are available to them.*

**Goal 3: Economics.** *The costs and benefits of the solid waste system as a whole are the basis for assessing and implementing alternative management practices.*

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

**Goal 5: Performance.** *The performance of the solid waste system will be compared to measurable benchmarks on an annual basis.*

**Goal 6: Plan Consistency.** *The RSWMP shall be integrated with other Metro, state, local government, community and planning efforts and shall be consistent with existing Metro policies for managing solid waste.*

**Goal 7: Regional Waste Reduction Goal.** *The regional waste reduction goal is to achieve at least 62% recovery by 2005.*

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

**Goal 9: Sustainability.** *Secondary resource management is a self-sustaining operation.*

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

A successful applicant will provide sufficient detail to demonstrate that their approach to organic waste management reflects the region’s Regional Solid Waste Management Plan goals.

### **III. Purpose of the Grant Program:**

In order to reach the region’s recovery goal, Metro and the City of Portland have jointly developed this grant program to assist with the development of sufficient organic waste processing capacity to serve the region.

### **IV. Eligibility Criteria and Deadline:**

Businesses and not-for-profit entities are eligible for funds from this grant program.

Metro will entertain funding requests starting at \$50,000, with a maximum request limited to \$500,000. Examples of requests may include, but are not limited to:

- Funds to purchase organic waste management handling systems or equipment.

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<sup>1</sup> Regional Solid Waste Management Plan, p.5-3.

- Funds to assist with facility upgrades or improvements to accommodate the handling, reload or processing of organic wastes.

Applicants interested in this program must complete and submit the enclosed application form with all required attachments no later than 4:00 p.m., February \_\_\_\_\_, 2003. Completed applications must be delivered to:

Metro, REM Department  
600 NE Grand Avenue  
Portland, OR 97232  
Attention: Jennifer Erickson.

Applications will be evaluated and scored based on answers supplied on the application form in light of the following criteria:

- Clear and complete summary of the overall project describing specifically how the grant funds will be used including a clear goal statement, justification of need and clear benefit to the region;
- Dollar amount requested is reasonable for the proposed project;
- Time frame for the use of the grant is reasonable;
- Estimate of the amount of organic materials to be managed, diverted and processed annually (if applicable);
- Clear and complete budget forms (included with this application); and
- End-products and markets established for end-products (if applicable).

#### V. Required Match:

Applicants are required to provide a 100% match (dollar for dollar) to funds requested to demonstrate a serious commitment to the recovery of organic wastes. Metro reserves the right to determine the suitability and value of proposed matches and to request an additional or revised match that, in Metro's sole discretion, equals 100% of the grant funds requested.

#### VI. Evaluation and Award:

Applications will be reviewed and evaluated by an evaluation team using the criteria listed above and the scoring system noted below. There is no minimum or maximum number of grants to be awarded. This is a competitive process, therefore the likelihood of award is based on the number and quality of applications received and the dollar amounts requested. Metro reserves the right to deny any and all requests or to provide partial funding. If a particular question on the application form does not pertain to you, please mark it "not applicable" and provide one sentence explaining why the question does not apply. *Incomplete applications will not be considered.*

##### Scoring:

- Proven experience in handling, processing or otherwise managing wastes -- 30 points
- References from communities and regulators demonstrating the facility (if currently operating) is meeting expected performance, environmental, health and safety standards and regulations, or if planned, whether the facility is welcomed in its host community and appropriately sited and permissible -- 20 points
- Ability to begin accepting organic wastes in calendar year 2003 -- 20 points

- Facility handling or processing tonnage capacity (actual or planned) meets a significant percentage of the region's needs -- 15 points
- Approach to organic waste management reflects and demonstrates understanding of the region's Regional Solid Waste Management Plan goals – 15 points

***Please note: Grant funds may only be utilized to support handling, management and/or processing of organic wastes collected, from within the Metro region. If a processor also utilizes wastes from sources outside the region, Metro reserves the right to reduce grant funding awards proportionately. Applicants must fully comply with any and all applicable local, regional, state and federal laws, rules, regulations, ordinances, orders and permits pertaining in any manner.***

#### **VII. Reporting:**

A successful grant recipient will be required to submit four reports over the course of one year: three short quarterly progress reports as well as a final report due 30 days after completion of the project. Reports must demonstrate how the project has met the stated criteria and documents the impacts the project has had on recovery of organic waste in the region. Reporting forms detailing requirements will be supplied by Metro to the successful applicant(s).

#### **VIII. Funds Available:**

A combined total of \$1,000,000 is available for these grants.

#### **IX. Information Release and Confidentiality:**

All applicants are hereby advised that Metro may solicit and secure background information based on the information, including references and regulatory history, provided in response to this grant offering. By submitting a request for funding, all applicants agree to such activity and release Metro from all claims arising from such activity.

This paragraph shall apply to information that the applicant is submitting to Metro which the applicant considers to be confidential and proprietary and which the applicant does not want Metro to disclose to third parties. Such confidential information shall be separately contained in a sealed envelope, clearly and prominently marked "confidential information" and bearing the title and date of this grant program application, and the sealed envelope shall be attached to the rest of the application materials. To the extent permitted by law, Metro will not disclose such properly identified confidential information to any person outside Metro and the eight-member Organics Team. However, applicants should be aware that Oregon Law (ORS Chapter 192) requires public disclosure of most records deemed to be "public records." Metro cannot, therefore, guarantee to protect the confidentiality of any records submitted to Metro, even if the applicant believes them to be exempt from disclosure.

#### **Questions?**

Inquiries about this program may be directed to:

Jennifer Erickson  
Metro - REM Department  
600 NE Grand Avenue  
Portland, OR 97232  
(503) 797-1647 phone  
(503) 797-1795 fax  
ericksonj@metro.dst.or.us

**Application Forms**

**Fiscal Year 2002-03**  
**Organic Waste Processing Development Grant Program**

**A. Applicant Profile**

Legal name of business, organization, or individual: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

Federal Tax ID No.: \_\_\_\_\_

Name and title of project manager: \_\_\_\_\_

Mailing address (if different than above): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

Type of business organization (check one, if applicable):

- Corporation
- Limited Liability Corporation (LLC)
- Partnership
- Sole proprietorship
- S-Corporation
- 501(c3) Not-for-Profit
- Other \_\_\_\_\_

**Please provide a copy of your company's business plan with this application.**

Amount of grant funding requested: \_\_\_\_\_

Other Organizations/Companies involved in this project: \_\_\_\_\_

**B. Project Information:**

**1. All applicants please answer the following:**

- a) Describe the purpose of the project and the overall project you need these grant funds to support. Include all companies and organizations involved and their respective roles. Include a clear justification of need, the benefit to the region and how the grant funds will be used within the overall project. Be specific in all instances.
- b) What is the estimated time frame for the grant-funded portion of this project?
- c) From what specific source(s) will you receive food waste? What do you estimate the total amount (in tons per year) you will receive for the next five years? How are these materials currently being handled and what is their current disposition?
- d) Describe all feedstock materials and their relative proportions (including bulking agents or other process additives) that your company will accept and/or process.
- e) From what geographic area and from what types of waste generators will you source material? What percentage of your overall feedstock will be derived from inside the Metro region?
- f) What is your facility's current permit status (e.g., land use, DEQ composting permit, etc.). If you are not yet permitted to accept all food wastes, have you applied for permits and what is your estimated time frame for obtaining these permits?

**2. For applicants requesting grants for food waste processing:**

- a) What is your tip fee for each of the feedstocks you will accept? Will you pay for any of your feedstock? If so, which materials and how much will you pay?
- b) Describe the various end-products you will produce (and their ratios), and your intended markets for the end products. Have any of these markets been secured by binding agreements?

**3. For applicants requesting grants for equipment:**

- a) Describe the equipment you will purchase. Include a schematic drawing or specific product information with the name and address of the equipment manufacturer as an attachment to this application.
- b) Describe how this equipment will be used and how it fits in your overall process.
- c) If you are currently a compost operator or food waste processor, explain how the equipment will affect or alter your current system. Include information about your current operational capacity and how this equipment will affect capacity over the next three years.
- d) Who will operate and maintain the equipment? What is your contingency plan should you have an equipment failure?

**4. For applicants requesting grants for facility upgrades and site improvements:**

- a) Describe the upgrade or improvement and how it will fit with or change your facility's existing system and operations. Include specific information about the type and estimated cost of these upgrades as an attachment to this application.
- b) What is your estimated total operational capacity during your first, second and third year of accepting food wastes? (List as total for each year and break out each feedstock as a percentage of the total.) On what assumptions are these projections based?
- c) How will the upgrades you propose affect the amount of organics that are received and processed at your facility?

**C. Financial Information:**

1. What other sources of financing have you secured for this project? Please include contact information for other financial sponsors.
2. Describe in detail the match your or another organization associated with this project will provide to the funds supplied by this grant.

**D. Applicant Disclosure Information:**

1. List the names and addresses of all concerns that are parent companies, subsidiaries or affiliates of the company.
2. Year company was established \_\_\_\_\_

If a corporation, indicate state in which incorporated and year of incorporation.

3. Year present management assumed control of business \_\_\_\_\_

4. Are the company or its principals presently involved in any pending or threatened litigation which could have a material adverse effect on the company's and/or the principals' financial condition?

No \_\_\_\_\_ Yes \_\_\_\_\_ (if Yes, explain)



5. Has the company or its principals ever been involved in bankruptcy, creditor's rights, or receivership proceedings or sought protection from creditors?

No \_\_\_\_\_ Yes \_\_\_\_\_ (if Yes, explain )

6. Has management or any principal stockholder of the company been convicted of any felony?

No \_\_\_\_\_ Yes \_\_\_\_\_ (if Yes, explain )

7. Has the company or any principal been under indictment or investigation by a public agency for a violation of a state or federal statute?

No \_\_\_\_\_ Yes \_\_\_\_\_ (if Yes, explain )

8. Is the company currently in compliance with all applicable local, state and federal requirements (permit, zoning, OSHA, etc.)?

Yes \_\_\_\_\_ No \_\_\_\_\_ (if No, explain )

9. Are there currently any unpaid liens or judgments filed against the company or its principals?

No \_\_\_\_\_ Yes \_\_\_\_\_ (if Yes, explain )

**E. Project Budget:**

All applicants are required to complete the project portion of this application. Any areas which do not pertain to applicant's project may be marked "N/A". Areas where grant funding will not be supplied are marked "N/A".

1. **Personnel Services:** list principal project personnel by name directly on this form.

| Project Personnel | Hourly Rate | Est. Hours to be Spent on Project | Grant Funds Requested | Matching Resources | Total Costs |
|-------------------|-------------|-----------------------------------|-----------------------|--------------------|-------------|
| 1.                |             |                                   | N/A                   |                    |             |
| 2.                |             |                                   | N/A                   |                    |             |
| 3.                |             |                                   | N/A                   |                    |             |
| 4.                |             |                                   | N/A                   |                    |             |
| 5.                |             |                                   | N/A                   |                    |             |
| 6.                |             |                                   | N/A                   |                    |             |
| SUBTOTAL          |             |                                   |                       |                    |             |

2. **Professional Services:** (consultants, contractors, etc.).

| Consultant or Contractor | Hourly Rate | Est. Hours to be Spent on Project | Grant Funds Requested | Matching Resources | Total Costs |
|--------------------------|-------------|-----------------------------------|-----------------------|--------------------|-------------|
| 1.                       |             |                                   | N/A                   |                    |             |
| 2.                       |             |                                   | N/A                   |                    |             |
| 3.                       |             |                                   | N/A                   |                    |             |
| 4.                       |             |                                   | N/A                   |                    |             |
| 5.                       |             |                                   | N/A                   |                    |             |
| 6.                       |             |                                   | N/A                   |                    |             |
| SUBTOTAL                 |             |                                   |                       |                    |             |

3. **Capital Outlay:** List all items of equipment, land and structures and items pertaining to them, to be purchased as part of this project.

| List Capital Outlay Items | Grant Funds Requested | Matching Resources | Total Costs |
|---------------------------|-----------------------|--------------------|-------------|
| 1.                        |                       |                    |             |
| 2.                        |                       |                    |             |
| 3.                        |                       |                    |             |
| 4.                        |                       |                    |             |
| 5.                        |                       |                    |             |
| 6.                        |                       |                    |             |
| SUBTOTAL                  |                       |                    |             |

4. **Services and Supplies** - Include items not itemized in the other categories of "Personnel", "Professional Services", and "Capital Outlay", such as: permit fees, computer services, duplicating, materials/supplies, postage, publication charges, telephone, fuel, automobile mileage, travel, etc. *Note: grant funds will not be provided for telephone, fuel, mileage or travel. Applicant must provide resources to cover these expenses. These resources will be considered part of your match.*

| List Services and Supplies | Grant Funds Requested | Matching Resources | Total Costs |
|----------------------------|-----------------------|--------------------|-------------|
| 1.                         |                       |                    |             |
| 2.                         |                       |                    |             |
| 3.                         |                       |                    |             |
| 4.                         |                       |                    |             |
| 5.                         |                       |                    |             |
| 6.                         |                       |                    |             |
| 7.                         |                       |                    |             |
| 8.                         |                       |                    |             |
| 9.                         |                       |                    |             |
| 10.                        |                       |                    |             |
| 11.                        |                       |                    |             |
| 12.                        |                       |                    |             |
| 13.                        |                       |                    |             |
| 14.                        |                       |                    |             |
| 15.                        |                       |                    |             |
| SUBTOTAL                   |                       |                    |             |

5. **Project Budget Summary** - Fill in all applicable spaces, making sure to total grant funds, matching funds, and total project cost.

| Project Budget and Summary                           | Grant Funds Requested | Matching Resources | Total Costs |
|--|-----------------------|--------------------|-------------|
| A. Personnel Services                                |                       |                    |             |
| B. Professional Services                             |                       |                    |             |
| C. Capital Outlay                                    |                       |                    |             |
| D. Services and Supplies                             |                       |                    |             |
| E. Total Grant Funds Requested                       |                       |                    |             |
| F. Total Matching Resources Committed to the Project |                       |                    |             |
| G. Total Project Cost                                |                       |                    |             |



**Agenda Item Number 4.2**

**Resolution No. 03-3272, For the Purpose of Adopting the Metro 2003 Oregon State and Federal  
Legislative Priorities**

**Metro Council Meeting  
Thursday, January 23, 2003  
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE ) RESOLUTION NO. 03-3272  
METRO 2003 OREGON STATE AND FEDERAL )  
LEGISLATIVE PRIORITIES ) Introduced by Council President Bragdon

WHEREAS, the 2003 Oregon Legislature convened on Monday, January 13, 2003; and

WHEREAS, the Congress of the United States may consider legislation that is germane and have an impact on Metro; and

WHEREAS, Metro has certain legislation which it will pursue or request to be introduced into the 2003 Session of the Oregon Legislature for consideration; and

WHEREAS, the 2003 Oregon Legislature may consider other legislation which may have an impact on Metro; and

WHEREAS, Metro has hired PacWest Communications to lobby on behalf of the agency on state and federal issues; and

WHEREAS, Metro has created a list of priorities (Exhibit A) which is intended to guide Metro's involvement in the 2003 Session of the Oregon Legislature and the Congress of the United States, and provide direction to Metro's lobbyist; now therefore

BE IT RESOLVED:

That the Metro Council adopts the priorities outlined in Exhibit A, and directs its representatives to report on the status of priorities listed and additional priorities as the Congress of the United States and the 2003 Oregon Legislative Session proceeds.

ADOPTED by the Metro Council this 23rd day of January, 2003.

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David Bragdon, Metro Council President

Approved as to Form:

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Daniel B. Cooper, Metro Attorney

Exhibit "A" to Resolution No. 03-3272

2003 Metro Legislative Agenda

STATE LEGISLATURE

| <u>Priority Items for this next session</u>            | <u>Area</u>    | <u>Action</u> |
|--|----------------|---------------|
| • Transportation funding Package (Starr)               | Transpo        | support       |
| • Infrastructure finance (work with cities & counties) | Land Use       | support       |
| • UGB amendments of over 50 acres to LCDC              | Land Use       | support       |
| • Tire Recycling Bill (pre-session file)               | Environment    | support       |
| • Pool Chlorine disposal                               | Environment    | support       |
| • Self-Insurance                                       | Administrative | support       |
| • Revenue Sharing Task Force creation                  | Revenue        | support       |

Issues of Interest

- Road User Fee Task Force (monitor)
- Infill Opportunity Zones (urban design programs through ODOT)
- Portland to Eugene passenger rail
- Studded tire debate (monitor)
- Forest Legacy program (monitor)
- Conservation incentives (non-regulatory for State Goal 5)
- Oregon Tourism Investment Proposal (1% increase in Hotel/Motel tax statewide) – at the request of POVA
- Split rate tax debate (monitor)
- Legislation to Permit Enforcement of Metro Civil Orders
- PERS reform
- Urban infrastructure (schools and churches)
- Affordable Housing (regional solutions)
- Education funding package (monitor)
- Real Estate Transfer Tax (local government options)
- Electronics Recycling
- Department of Land Conservation and Development budget
- State of Oregon Transportation Growth Management Funds (monitor)
- Son of Measure 7 (monitor)

Oppose

- School siting outside of the UGB
- Zoo Parking Lot debate

### **FEDERAL PRIORITIES**

- Earmark dollars from US Fish & Wildlife for Parks and Greenspaces Department (part of a Greenspaces Package for 2003 – including CARA)
- Gresham Civic Station transportation allocation (project specific)
- Advice/support for the Regional Emergency Management Group (seeking federal funding) – at the request of Beaverton Mayor Rob Drake
- Flow Control (monitor)
- TEA-21 Reauthorization (policy)
- Computer Forensics Institute funding (from the Department of Defense) – at the request of the East Metro Economic Alliance.
- Damascus Area funding request
- Federal Environmental Protection Agency – Smart Growth Policies

### **ADDITIONAL MEASURES OR EFFORTS**

- Begin setting groundwork with the OECDD for Expo (Phase 3)
- Metro day at the Capitol – Tentative Date – March 24, 2003
- Refine objectives for regional trip to Washington DC
- Re-engage the region's legislative caucus (meet regularly)

Staff Legislative Team: Dan Cooper (Metro Attorney), Sarah Carlin Ames (Public Affairs Director), Jeff Stone (Senior Policy Advisor to the President).



## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 03-3272, FOR THE PURPOSE OF ADOPTING THE METRO 2003 OREGON STATE AND FEDERAL LEGISLATIVE PRIORITIES.**

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Date: January 17, 2003

Prepared by: Jeff Stone

## **BACKGROUND**

The Metro Council passes a list of priorities for the members of the council, its legislative team, and our lobbyist to work from during a legislative session. Regular points of contact will occur during the session with the Metro Council to determine positions of support, opposition or simply to monitor certain bills germane to the agency.

## **ANALYSIS/INFORMATION**

Prior to each state biennial legislative session, Metro prepares itself to address issues that may arise in the legislature, perceived to be related to Metro's scope of policy and operation. Metro has contracted with PacWest Communication to provide lobby assistance for state and federal issues during 2003. The Metro Council met in a work session on January 14, 2003, and spent time developing its legislative stance on priorities.

The staff legislative team has assisted with the development of these priorities and have interviewed over a dozen stakeholders around the region to coordinate a legislative priority package. This legislative team will oversee the activities of the lobbyist on a day-to-day basis and report regularly to Metro Council.

**Known Opposition – none.**

- 1. Legal Antecedents - none**
- 2. Anticipated Effects –** Priorities adopted will assist our legislative team to be proactive and successful at the State Legislature and federal process.
- 3. Budget Impacts –** There is no direct budget impact from the passage of Resolution 03-3272. All expenses incurred by the contract with PacWest Communications remains within the budget approved by the Metro Council.

## **RECOMMENDED ACTION**

Staff recommends that the Metro Council pass this resolution.

**MINUTES OF THE METRO COUNCIL MEETING**

Thursday, January 16, 2003  
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Brian Newman, Carl Hosticka, Rod Monroe, Rex Burkholder, Rod Park

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:02 p.m.

**1. INTRODUCTIONS**

There were none.

**2. CITIZEN COMMUNICATIONS**

There were none.

**3. TRANSPORTATION INVESTMENT TASK FORCE RECOMMENDATIONS**

Council President Bragdon invited Jay Waldron to the testimony table. He gave a history of the Task Force.

Jay Waldron, Chair of the Transportation Investment Task Force introduced Robin White, Steve Clark, Bill Maris, Bernie Bottomly, and Steve Corey, members of the Task Force. Last July, former Executive Officer Mike Burton called together the Task Force. They were charged with taking a look at the region's transportation issues and finding ways to fund transportation in the region. He spoke to the history and the composition of the Task Force. He said survey after survey indicated growth, livability, and congestion was at the top of the priority list for most individuals in the region. He gave an overview of transportation and trade issues in the region. There was a direct connection between the State's economy, transportation and freight mobility. The Task Force completed their task in 6 months with goals of good public policy and pragmatism. They felt these had to be projects that voters would approve which emphasized livability and compatibility. The projects focused on reducing congestion, facilitating centers and neighborhood livability. The Task Force completed their surveys and married these with public policy and political pragmatism. They brought forward five recommendations (a copy of the report is included in the meeting record). He gave an overview of those recommendations and the two proposed revenue measures.

Steve Clark, Task Force member, asked the Council for a strong recommendation of support. He talked about the projects that enhanced the community including highway, community and transit projects. They were all projects that were included in the Regional Transportation Plan (RTP). The business community must be at the table. He talked about what the business community could bring to the table. Robin White said she chaired the revenue part of the Task Force. Coming up with ways to fund the project was not easy. She gave an overview of the kind of revenue measures they considered to pay for projects. They recommended five funding mechanisms that they wanted the staff to explore. She spoke to the proposed funding measures. The Task Force

felt that these measures would have to be massaged and changed slightly as they got input from citizen, the legislature and congress. Bernie Bottomly supported the report and the process. They had to deal with what was real. They must be non-parochial. This plan would take broad involvement. Steven Corey added that they had approached this effort with a regional emphasis.

Mr. Waldron concluded by thanking Richard Brandman, Ted Leybold, Charlie Hales, Mike Hogle, Renee Castilla and Mark Ford. Council President Bragdon acknowledged Henry Hewitt, Rob Boley, Bob Short, committee members in the audience.

Councilor Monroe said it had given him a great deal of pleasure to work these individuals over the last six months. One of the most important resources they had in the region were progressive leaders, who were willing to look beyond tomorrow's bottom line toward what was good for their children and grandchildren and the development of this region over time. These individuals exemplify that kind of leadership.

Motion:

Councilor Monroe moved to accept the Transportation Investment Task Force Report and Recommendations. Councilor Hosticka seconded the motion.

Councilor Hosticka thanked the Task Force. This had been a unified effort and a good first step. He was looking forward to see what the legislature would do. He was interested in seeing Metro move forward with a regional solution. Councilor McLain noted Mr. Clark's comment about getting to the second step to make this work. She acknowledged a letter from Washington County. She reiterated that this was the beginning of the process. She supported accepting the report. Councilor Newman thanked the Task Force. It was a pleasure to receive a solution. He was largely supportive of the recommendations. He noted Mr. Waldron's comments to eliminate parochialism and the need to maintain momentum. He said the South Corridor project was in Portland as well as in Clackamas County. He didn't want anyone to think that Clackamas County was getting more than its fair share. These projects were regional in nature. We must see this package in a regional context. This package solved a lot of deferred projects. He talked about community transportation projects and asked why these projects weren't identified? Mr. Waldron said, at this point, they had just given examples. It would be up to Metro to identify the important specific projects. Councilor Newman noted that this was not intended to usurp the public process. Mr. Waldron said they wanted to deliver what the public wanted and welcomed any public process that Metro set up.

Councilor Park echoed his thanks. He invited the Task Force to come to Joint Policy Advisory Committee on Transportation (JPACT) for a similar discussion. Council President Bragdon spoke in favor of Councilor Monroe's motion. It was also an obligation to take the next step in concert with the Task Force. He spoke to recommendation #5, a further refinement of the project list. Clearly there needed to be refinement. They wanted to move this forward. He asked the Task Force to remain engaged to help in that continuing process of refining the recommendations. He asked Councilor Monroe to take the lead on this, on behalf of the Council, to continue to move this forward. He had also heard clearly the message about not being parochial. He felt this Council was not parochial. These projects belonged to all of us because we were interdependent in this region. Transportation was on the top of many people's list. Part of the problem was that people didn't realize what they were really talking about was transportation when they were talking about economic opportunities and keeping the air clean. It was his hope that Mr. Waldron would continue to serve. Mr. Waldron said the Task Force had agreed to continue to serve.

Councilor Monroe closed by thanking the Council President for his faith in him to lead the charge from here on out. He accepted the challenge. It wouldn't be easy. He would spend time in Salem and in Washington DC if necessary. They wanted to make sure that the Task Force's good efforts and hard work led to an investment in infrastructure in this region that kept this region moving. He urged support of the motion to accept the report.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

#### 4. CONSENT AGENDA

##### 4.1 Consideration of minutes of the December 12, 2002 and January 6, 2003 Regular Council Meetings.

Motion:

Councilor Park moved to adopt the meeting minutes of the December 12, 2002 and January 6, 2003, Regular Metro Council meeting. Councilor Newman seconded the motion.

Vote:

Councilors Park, Hosticka, Burkholder, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

#### 5. ORDINANCES - FIRST READING

##### 5.1 Ordinance No. 03-991, For the Purpose of Adopting Performance Measures to Monitor the Progress of Implementing the Urban Growth Management Functional Plan and Amending Title 9 (Performance Measures) of the Urban Growth Management Functional Plan.

Council President Bragdon assigned Ordinance No. 03-991 to Council.

#### 6. COUNCILOR COMMUNICATION

Councilor Park talked about the JPACT meeting this morning and the memo to the Oregon Transportation Commission (a copy of which is found in the meeting record).

Tom Kloster, Planning Department, gave an overview of the memo concerning comments on the 2004-07 Draft State Transportation Improvement Program (STIP). Comments included specifics on modernization projects, project development for future modernization projects, preservation, safety, and bridge program coordination with local jurisdictions, corridor planning contribution, I-5 Trade Corridor Transportation Demand Management (TDM), Intelligent Transportation System/Advanced Traffic Management System (ITS/ATMS) Updates, Protective Screening Budget Increase and Metropolitan Transportation Improvement Program (MTIP) Coordination.

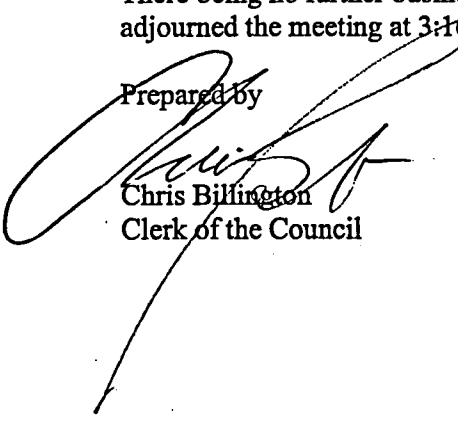
Council President Bragdon suggested if items needed to be brought forward to Council, they needed to be put on the agenda in advance. Councilor McLain asked about the modernization projects and if they were prioritized? Mr. Kloster said they were prioritized by year. Councilor Park apologized for bringing this forward at this time but thought there was a need to act on it immediately. He suggested bringing it forward next week for formal consideration.

Councilor McLain asked about bringing up the issue at the Informal Meeting. Council President said it would be officially considered at next week's regular Council meeting. Councilor McLain suggested meeting with all jurisdictions in the district. She said she would like to provide a list of Council priorities to Metropolitan Policy Advisory Committee (MPAC) for their retreat.

**7. ADJOURN**

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 3:16 p.m.

Prepared by



Chris Billington  
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JANUARY 16,  
2003**

| ITEM # | TOPIC      | DOC DATE            | DOCUMENT DESCRIPTION  | DOC. NUMBER |
|--------|------------|---------------------|---|-------------|
| 3      | REPORT     | DECEMBER<br>17,2002 | TRANSPORTATION INVESTMENT TASK<br>FORCE REPORT AND<br>RECOMMENDATIONS   | 011603C-01  |
| 3      | LETTER     | 1/15/03             | TO: METRO COUNCIL FROM: TOM<br>BRIAN, CHAIRMAN WASHINGTON<br>COUNTY BOARD OF COMMISSIONERS<br>RE: RECOMMENDATIONS OF THE<br>TRANSPORTATION INVESTMENT TASK<br>FORCE | 011603C-02  |
| 6      | DRAFT MEMO | 1/16/03             | TO: OREGON TRANSPORTATION<br>COMMISSION FROM: METRO COUNCIL<br>AND JPACT RE: COMMENTS ON THE<br>2004-07 DRAFT STIP  | 011603C-03  |

## 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 1794

**METRO**

**DATE:** January 16, 2003  
**TO:** Oregon Transportation Commission  
**FROM:** Metro Council/Joint Policy Advisory Committee on Transportation  
**RE:** *Comments on the 2004-07 Draft STIP*

The Metro Council and the Joint Policy Advisory Committee on Transportation (JPACT) appreciate the opportunity to comment on the Draft State Transportation Improvement Program (STIP) for 2004-07. Although it is Metro's responsibility to adopt the STIP in its final form as part of the Metropolitan Transportation Improvement Program (MTIP), we feel it is important to share these comments with you while it is still in draft form.

1. **Modernization Projects**

The 2007 modernization reserve account of \$12.13 million, and the Preliminary Engineering/Right of Way (PE/ROW) account of \$2.98 million are not tied to any specific project. The Oregon Department of Transportation (ODOT) staff has stated that they are waiting to understand funding levels authorized for specific projects in the federal reauthorization process before committing ODOT modernization funds. This would allow ODOT to make priority projects whole before committing any funds to lower priority or any new projects. It is likely, however, that several earmarked projects will emerge from the federal reauthorization process without adequate funding.

The Council and JPACT request ODOT take action to identify its intentions regarding the uncommitted modernization funds. One option would be to identify priorities for projects in the final STIP that will receive modernization funds that JPACT and the Council agrees to honor. Another option would be to commit to a decision process with the region for use of the modernization funds that will be adopted as an amendment to the final STIP once the federal authorization process is completed.

In addition, in December, Metro published the Draft Environmental Impact Statement for the South Corridor Project. The next step after the public hearings in February is to select the preferred alternative and identify a funding strategy. The possibility of funding from the ODOT modernization program toward the selected South Corridor preferred alternative should be considered.

2. **Project Development for Future Modernization Projects**

The Draft STIP identifies PE and ROW funds in 2004, 2005, 2006 and 2007 for Various Highways within several separate descriptions totaling more than \$30 million. ODOT should

identify specific facilities slated to enter PE or identify a process by which facilities will be identified. The opportunity to comment on which facilities will be prioritized for engineering and thus become ready to receive modernization funds should be provided.

3. **Preservation, Safety and Bridge Program Coordination with Local Jurisdictions**

Limitations in transportation funding have caused ODOT to focus scarce resources on its preservation program at the expense of modernization. In addition to the importance of pursuing new sources of funding for modernization, this significantly increases the importance to address smaller scale modernization needs out of efficiencies from and supplemental funding to programmed preservation projects.

Although coordination with local staff does currently occur on preservation projects, the emphasis of a strict preservation scope makes unclear to local staff what the scope of their comments should entail and what opportunities to suggest design issues, and coordination to leverage capital needs are available or appropriate. We suggest an increased emphasis by ODOT to establish a "rapid response" review process with affected local jurisdiction planning and engineering staff to evaluate the priority preservation projects as generated by the pavement and bridge preservation needs analysis with clear parameters for accepting comments on the project scope. In requesting this early comment and expanded scope process, we recognize the obligation for local jurisdictions to improve communication and coordination with ODOT staff.

The review should include communication by ODOT on a draft scope of the project elements and an opportunity for local comment on the scope. Comments on the scope may include request to ODOT to improve substandard conditions as part of the project, opportunity to provide additional resources for capital improvements to be included in the project or for modifications to existing road designs within the scope of the existing right-of-way to accommodate future capital improvements.

It would be important to establish the rapid review early in the design process, soon after pavement analysis and internal review establishes preservation project priority needs and prior to estimation of final costs. The process itself should afford ODOT the opportunity to reconsider the project scope. After the initial review process, ODOT staff may decide to make no changes, increase the project scope, accommodate a local capital project within the design process, or delay a preservation project and prioritize future ODOT modernization resources to the facility.

This early and quick process would be essential to keep such a process from delaying the ability of ODOT to expend preservation funds and keep pavement and bridges from deteriorating to unacceptable conditions. The Council and JPACT understand and support the need for ODOT to not unnecessarily delay the preservation of its facilities.

To accommodate such a review process, ODOT would need to communicate a policy or guidelines on the intended scope of preservation projects, including the types of substandard conditions that would be appropriate to correct in a preservation project.



The STIP stakeholder committee could help ODOT develop guidelines for implementing coordination activities with local transportation system plans and the regional transportation plan with its preservation program.

There are particular preservation projects in the Draft 2004-07 STIP that would benefit from a modified "rapid response" review of project scope. These include:

- SE Powell Boulevard; SE 6<sup>th</sup> to SE 50<sup>th</sup>. This is a pavement preservation project with bus pads and safety elements. This project began design this year and is funded for implementation in 2004. The project presents an opportunity to provide upgrades to the street section in conjunction with the overlay. Opportunities to supplement funding and identify design improvements should be explored with affected agencies. In particular, the City of Portland and TriMet are currently developing improvements along this facility.
- McLoughlin Boulevard Preservation; SE Harold – SE Naef. This is a \$5 million pavement preservation project scheduled for implementation in 2006. The ODOT design team should coordinate design of reconstruction with City of Portland and South Corridor Study staff to explore opportunities to supplement funding for any design improvements to the facility that could be completed in conjunction with the preservation project. The South Corridor Draft Environmental Impact Statement, now undergoing public review, identifies planned improvement to this segment of McLoughlin Boulevard.

Others include: OR 213; S Conway to Henrici Road, OR 224; River Road to E Portland Freeway, Sandy Boulevard safety improvements, and OR 47; Quince Street to Dist. Boundary.

#### 4. **Corridor Planning Contribution**

The Corridor Planning Program at Metro will be addressing major ODOT highway corridors to define project needs. ODOT should be making a contribution from their funding program to complete planning work affecting their facilities.

The support for corridor planning should be consistent with the regional process used to establish priorities for corridor planning efforts as adopted in Metro Resolution No. 01-3089.

#### 5. **I-5 Trade Corridor Transportation Demand Management (TDM)**

The I-5 Trade Corridor study identifies TDM programs as an important strategy in reducing travel demand. ODOT should support TDM programs in this and other corridors. The STIP should also clarify whether and how Region 1 receives funding from the statewide TDM program.

#### 6. **Intelligent Transportation System (ITS)/Advanced Traffic Management System (ATMS) Updates**

The Council and JPACT request an annual presentation at TPAC of the ITS/ATMS program to better track the status of the regional system and how future funds are proposed to be spent, similar to other program presentations.

7. **Protective Screening Budget Increase**

The increase in funding from \$1.42 million in 2004-05 to \$6.63 million in 2005-07 for protective screening of overpasses appears large without further clarification of project need. Significant progress has been made on protective screening of overpasses, particularly relative to other needs. The Council and JPACT recommend a stable level of funding for protective screening and a reallocation of the balance of the funding to other unfunded capital projects without a more clear demonstration of need at this time.

8. **MTIP Coordination**

We look forward to coordinating with you on the development of regional funding priorities through the Transportation Priorities 2004-07 (MTIP) process and further definition of projects selected as a part of the 2002-05 MTIP to be included in the STIP document. When we have completed and adopted the 2004-07 MTIP, it will be essential to accurately reflect those projects in the final STIP document.

Thank you for considering our comments.

TK/srb

2003 - 72<sup>nd</sup> Oregon Legislative Assembly—Regular Session  
Metro Review Log as of 1/22/03 3:00 PM  
[PROPOSED ] SENATE / HOUSE BILLS

| #  | Bill #  | Subject / Topic / Relating To   | Sponsor of Bill  | Title / Description   | Note | Priority | Position | Status   |
|----|---------|---|--|---|------|----------|----------|--|
| 1. | HB 2001 | Crediting Of Accounts Of Certain Members Of PERS; Creating New Provisions; and Amending ORS 238.255                       | PERS   | Prohibits Public Employees Retirement Board from crediting accounts of Tier One members with earnings in excess of assumed interest rate.   | N/A  | N        | N/A      | Public hearing held 1/16/03.   |
| 2. | HB 2035 | Mass Transit Assessments For Transportation Districts; Creating New Provisions; and Amending ORS 291.405.                 | House Interim Committee on Transportation for Lincoln County                       | Adds service districts established to provide public transportation services to list of districts eligible to receive moneys from mass transit assessments of state agencies.   | N/A  | N        | N/A      | Public hearing and work session held 1/20/03   |
| 3. | HB 2036 | Waste Tires   | House Interim Committee on Transportation for Interim Task Force on Tire Recycling | Establishes Waste Tire Recycling Board. Specifies membership and duties. Directs Governor to appoint five members to board. Establishes waste tire recycling goals.   | N/A  | 1        | Support  | Referred to Environmental and Land use with subsequent referral to Ways and Means 1/14/03. |
| 4. | HB 2037 | Waste Tires; Creating New Provisions; Amending ORS 459.775 and 459A.115; and Appropriating Money                          | House Interim Committee on Transportation for Interim Task Force on Tire Recycling | Establishes statewide recycling and recovery goal for waste tires. Modifies purposes for which Waste Tire Recycling Account may be used. Directs Environmental Quality Commission to increase per-ton fee if statewide goal for waste tires is not met. | N/A  | 1        | Support  | Referred to Environmental and Land use with subsequent referral to Ways and Means 1/14/03. |
| 5. | HB 2038 | Waste Tire Recycling Account; amending ORS 459.775  | House Interim Committee on Transportation for Interim Task Force on Tire Recycling | Directs Department of Environmental Quality to use moneys in Waste Tire Recycling Account for waste tire market development and education and outreach.   | N/A  | 1        | Support  | Referred to Transportation with subsequent referral to Ways and Means 1/14/03.             |
| 6. | HB 2041 | Transportation; Amending ORS 803.420; and Providing For Revenue Raising That Requires Approval By A Three-Fifths Majority | House Interim Committee on Transportation  | Increases registration fees for certain vehicles.   |      |          |          |  |
| 7. | HB 2097 | Public Contracts; Creating New Provisions; and Amending ORS 279.312, et. al.  | Attorney General Hardy Myers for Department of Justice                             | Requires certain conditions in public improvement contracts and bid documents. Eliminates certain conditions in other public contracts. Modifies public contract conditions relating to hours of labor.   |      |          |          |  |
| 8. | HB 2100 | Land Use Planning For High Technology Industry  | House Special Task Force on Jobs and the   | Requires local governments to adopt 20-year forecast of land and public facility needs for high technology industry. Requires corresponding   | N/A  | 1        | N/A      | Referred to Environmental and Land Use 1/14/03.  |

012303c-03

2003 – 72<sup>nd</sup> Oregon Legislative Assembly—Regular Session  
Metro Review Log as of 1/22/03 3:00 PM  
[PROPOSED] SENATE / HOUSE BILLS

| #   | Bill #  | Subject / Topic / Relating To   | Sponsor of Bill   | Title / Description  | Note | Priority | Position | Status  |
|-----|---------|---|---|--|------|----------|----------|---|
|     |         |   | Economy   | amendments to local comprehensive plans, functional plans and land use regulations to accommodate needs identified in forecast.  |      |          |          |   |
| 9.  | HB 2130 | Health Insurance For Retirees Of Local Government; Creating New Provisions; Amending ORS 243.303  | Representative Backlund   | Eliminates requirement that retired local government employees be charged health insurance premium according to certain categories   |      |          |          |   |
| 10. | HB 2131 | Governmental Finance; Creating New Provisions; and Amending ORS 190.080, 221.410, 223.230, 271.390, 286.061, 287.006, 287.012, 288.165, 288.815, 288.845, 294.326, 294.483, 295.005, 305.410, 305.580, 305.583, 305.587, 305.589, 310.140 and 328.205 | State Treasurer Randall Edwards for Oregon Municipal Debt Advisory Commission | Authorizes state and local government issuers of bonds to enter into agreement for exchange of interest rates. Declares obligation of governmental unit, backed by full faith and credit and taxing power, to be enforceable contract and commits governmental unit to raise sufficient revenue to repay obligation. Grants exclusive jurisdiction to tax court to determine whether use of proceeds of bonded indebtedness is authorized. Authorizes expenditure of revenue raised by local option tax beyond period of years during which local option tax may be levied. Modifies authority of state and local governments to issue and administer bonds. | N/A  | N        | N/A      | Referred to General Government 1/14/03.   |
| 11. | HB 2136 | Investment Maturity; Amending ORS 294.135   | State Treasurer Randall Edwards   | Clarifies maturity date restrictions of certain investments made by local governments.   |      |          |          |   |
| 12. | HB 2137 | Compensation For Loss Of Property Value Resulting From Land Use Regulation  | Joint Interim Committee on Natural Resources                                  | Allows owner of private real property to claim compensation for land use restriction or reinterpretation that limits or prohibits use of property and decreases fair market value of property by more than 10 percent. Creates exception to right to compensation for certain land use restrictions. Authorizes owner of lawfully created lot or parcel to build single-family dwelling or divide lot or parcel if owner could have built dwelling or divided lot or parcel when owner acquired lot or parcel but is prevented by land use restriction or reinterpretation enacted, adopted or applied before November 7, 2000.                              | N/A  | 1        | N/A      | Referred to Environmental and Land Use, hearing scheduled 1/21/03 8:30 am. Son of Measure 7 |
| 13. | HB 2138 | Oregon Plan; Amending ORS 541.405   | Salmon Recovery Task Force  | Defines terms for purposes of Oregon Plan  | N/A  | N        | N/A      | Referred to Water 1/14/03.  |

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[PROPOSED ] SENATE / HOUSE BILLS**

| #   | Bill #  | Subject / Topic / Relating To   | Sponsor of Bill   | Title / Description   | Note | Priority | Position | Status   |
|-----|---------|---|---|---|------|----------|----------|--|
| 14. | HB 2139 | Studded Tire Permits; and Prescribing An Effective Date   | Road User Fee Task Force  | Requires permit for use of studded tires. Establishes fees for permit based on county in which vehicle is registered. Punishes use of studded tires without permit by maximum fine of \$75. Dedicates revenue from permit fees to highway preservation. Takes effect on 91st day following adjournment sine die.  | N/A  | N        | N/A      | Referred to Transportation with subsequent referral to Revenue 1/14/03.                    |
| 15. | HB 2158 | State Government Recycling Programs; Amending ORS 182.375, 279.573, 279.621, 279.630 and 279.635; and Repealing ORS 279.640 and 279.645   | Governor Kulongoski for Oregon Dept. of Administrative Services | Revises intent of Legislative Assembly regarding state recycling programs. Authorizes Oregon Department of Administrative Services to contract as necessary for recycling of products collected for recycling by state government. Deletes requirement for separate recycling plan for Legislative Assembly. Deletes provisions concerning use of revenues or savings realized from recycling programs. | N/A  | N        | N/A      | Referred to Environmental and Land Use with subsequent referral to Ways and Means 1/15/03. |
| 16. | HB 2172 | Self-Insurance Programs Managed By Public Employees' Benefit Board; Amending ORS 243.105, 243.145, 243.167, 243.285 and 292.051   | Governor Kulongoski for Oregon Dept. of Administrative Services | Grants Public Employees' Benefit Board explicit authority to provide self-insurance programs. Permits deductions from state employees' wages to pay for self-insurance benefits under rules, procedures and directions of board.  |      |          |          |  |
| 17. | HB 2187 | Urban Renewal; Creating New Provisions; Amending ORS 310.150; and Prescribing An Effective Date   | Governor Kulongoski for Oregon Dept. of Revenue                 | Requires urban renewal revenues raised through special levy or through division of tax to be categorized as general government property taxes for purposes of constitutional limitation on property taxes. Applies to property tax years beginning on or after July 1, 2002. Takes effect on 91st day following adjournment sine die.   | N/A  | N        | N/A      | Referred to Revenue 1/20/03.   |
| 18. | HB 2213 | Highway Bonds; Creating New Provisions; Amending ORS 286.051, 286.061, 366.542, 367.010, et. al.; Repealing ORS 367.226, et. al.; Appropriating Money; and Declaring An Emergency | Governor Kulongoski for Dept. of Transportation                 | Authorizes State Treasurer to issue grant anticipation revenue bonds backed by anticipated annual apportionment of federal transportation moneys. Authorizes use of bond proceeds and federal transportation moneys. Changes or repeals provisions related to issuing and selling bonds for building and maintaining highways. Declares emergency, effective on passage.                                |      |          |          |  |

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| #   | Bill #  | Subject / Topic / Relating To   | Sponsor of Bill                                 | Title / Description   | Note | Priority | Position | Status  |
|-----|---------|---|---|---|------|----------|----------|---|
| 19. | HB 2218 | Flat Fees; Amending ORS 319.690, 366.507, et. al., 376.390, 825.020, et. al. and Repealing ORS 825.480 and 825.482  | Governor Kulongoski for Dept. of Transportation | Repeals option for certain persons to pay flat fees instead of weight-mile tax.   | N/A  | N        | N/A      | Referred to Transportation 1/20/03.                                   |
| 20. | HB 2219 | Railroad-Highway Crossings; Creating New Provisions; and Amending ORS 824.236   | Governor Kulongoski for Dept. of Transportation | Requires that Department of Transportation and railroad company be given notice when railroad-highway crossing provides only access to land that is subject of land use decision, limited land use decision or expedited land division.                             | N/A  | N        | N/A      | Referred to Transportation 1/20/03.                                   |
| 21. | HB 2220 | Transportation Facility Planning By Department Of Transportation; Creating New Provisions; and Amending ORS 197.015 and 197.825   | Governor Kulongoski for Dept. of Transportation | Excepts certain transportation facility planning by Department of Transportation from definition of land use decision.  | N/A  | N        | N/A      | Referred to Transportation 1/20/03.                                   |
| 22. | HB 2250 | Emergency Services; Creating New Provisions; and Amending ORS 195.260, 401.025, et. al., 453.307, 453.342, et. al., 465.505, 466.635, 469.533, 824.088 and 837.035 and Sections 12, 13, 14, 15, 16, 17 and 18, Chapter 533, Oregon Laws 1981, and Sections 1, 3, 4, 5, 6 and 9, Chapter 740, Oregon Laws 2001 | Governor Kulongoski for Dept. of State Police   | Creates Department of Emergency Management. Transfers duties, functions and powers from Office of Emergency Management of Department of State Police to Department of Emergency Management. Abolishes Office of Emergency Management of Department of State Police. | N/A  | N        | N/A      | 1 <sup>st</sup> Reading; referred to Speaker's Desk 1/14/03.          |
| 23. | HB 2253 | Division Of State Lands Fees; Amending ORS 196.810, 196.815 and 196.850   | Governor Kulongoski for Division of State Lands | Modifies and restructures schedule of fees for Division of State Lands removal and fill program. Exempts habitat restoration projects from removal and fill permit fees. Subjects emergency authorizations for removal and fill to permit fee                       | N/A  | N        | N/A      | Referred to Water with subsequent referral to Ways and Means 1/20/03. |

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| #   | Bill #  | Subject / Topic / Relating To   | Sponsor of Bill  | Title / Description  | Note | Priority | Position | Status   |
|-----|---------|---|--|--|------|----------|----------|--|
|     |         |   |  | structure. Allows 45 days to submit payment after emergency authorization. Establishes fee for action taken under general authorization. Declares emergency, effective July 1, 2003.   |      |          |          |  |
| 24. | HB 2267 | Tourism; Creating New Provisions; Amending ORS 285A.255, et. al. and 305.824; Repealing ORS 285A.270, 285A.273, 285A.276 and 285A.285; Appropriating Money; Prescribing An Effective Date; and Providing For Revenue Raising That Requires Approval By A Three-Fifths Majority. | Governor Kulongoski for Economic and Community Development Dept. | Establishes state transient lodging tax. Continuously appropriates moneys for tourism marketing programs. Prohibits new or increased local transient lodging taxes. Excepts new or increased local transient lodging taxes used for tourism promotion or tourism-related facilities. Converts Oregon Tourism Commission to semi-independent state agency status. Revises duties and purposes of commission. Modifies composition of commission. Transfers state transient lodging tax revenues from State Treasury to account managed by commission. Takes effect on 91st day following adjournment sine die.  |      |          |          |  |
| 25. | HB 2293 | Wetlands; Creating New Provisions; and Amending ORS 196.620   | Former Rep. Al King  | Allows local governments and riparian landowners to create and use mitigation banks. Authorizes local governments to compensate riparian landowners.   |      |          |          |  |
| 26. | HB 2300 | Economic and Community Development Department; creating new provisions; amending ORS 285A.090, et. al., and section 19, chapter 607, Oregon Laws 1987; and repealing ORS 285A.343 and section 20, chapter 607, Oregon Laws 1987   | Governor Kulongoski  | Expands duties of Economic and Community Development Department to include advising local governments on telecommunications development. Modifies requirements for and uses of certain economic development grant and loan funds. Removes requirement for independent evaluation of business assistance services to small businesses. Renames Oregon Ports Advisory Council to Oregon Ports Representation Group. Changes membership requirements. Increases debt limit requirement for loans from Oregon Port Revolving Fund. Deletes cap on loan amount. Repeals sunset on transfers from Oregon Port Revolving Fund to Port Planning and Marketing Fund. Authorizes Employment Department to release certain employment information to Economic and Community Development Department. | N/A  | 1        | N/A      | 1 <sup>st</sup> Reading; referred to Speaker's desk 1/15/03. |

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| #   | Bill #  | Subject / Topic / Relating To   | Sponsor of Bill  | Title / Description  | Note | Priority | Position | Status   |
|-----|---------|---|--|--|------|----------|----------|--|
| 27. | HB 2310 | Security Measures; Amending ORS 192.660   | Rep. Williams for League of Oregon Cities  | Authorizes governing body of public body to discuss security measures in executive session.  |      |          |          |  |
| 28. | HB 2336 | Hazardous Substances; Amending ORS 453.402, 453.414, 465.381, 466.357, 468.220 and 468.501; and Repealing ORS 465.003, et. al.  | Rep. Butler  | Repeals Toxics Use Reduction and Hazardous Waste Reduction Act.  | N/A  | 1        | N/A      | 1 <sup>st</sup> Reading; referred to Speaker's desk 1/15/03. |
| 29. | HB 2345 | Bonds   | Gov. Kulongoski for Oregon Dept. of Administrative Services                                      | Limits proceeds from and issuance of general obligation bonds during 2003-2005 biennium. Limits proceeds from and issuance of direct revenue bonds and pass through revenue bonds during 2003-2005 biennium. Allocates amounts to various agencies for private activity bonds. Declares emergency, effective July 1, 2003.   | N/A  | N        | N/A      | 1s Reading; referred to Speaker's desk 1/17/03.              |
| 30. | HB 2367 | Highway Funding; Creating New Provisions; Amending ORS 319.020, 319.530, 366.524, 818.225, 825.476 and 825.480; and Providing For Revenue Raising That Requires Approval By A Three-Fifths Majority | AAA of Oregon, Associated Oregon Industries, Oregon Concrete and Aggregate Producers Association | Increases certain vehicle related taxes. Dedicates part of proceeds to payment of highway user bonds for bridge and highway modernization work and rest of proceeds to be split among cities, counties and state.  | N/A  | N        | N/A      | 1 <sup>st</sup> Reading; referred to Speaker's desk 1/17/03. |
| 31. | HB 2369 | Farm Dwellings In Exclusive Farm Use Zones; Amending ORS 215.213 and 215.283  | Rep. T. Smith  | Requires Land Conservation and Development Commission to adopt certain rules for authorization of dwellings in areas zoned for exclusive farm use. Provides that, when establishing standards for authorization of dwelling in conjunction with farm use, commission must adopt rules that take into consideration capability of lot or parcel, including size and soil class, agricultural activities on adjacent lots or parcels and other relevant factors. | N/A  | N        | N/A      | 1 <sup>st</sup> Reading; referred to Speaker's desk 1/17/03. |
| 32. | HB 2375 | Public Employee Retirement; and Declaring An Emergency  | Rep. Kruse   | Provides that person who establishes membership in Public Employees Retirement System on or after effective date of Act has no contract rights in system. Declares emergency, effective on passage.  |      |          |          |  |



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| #   | Bill #  | Subject / Topic / Relating To                                     | Sponsor of Bill          | Title / Description  | Note | Priority | Position | Status |
|-----|---------|---|--------------------------|--|------|----------|----------|--------|
| 33. | HB 2400 | Benefits Payable To Members Of Public Employees Retirement System | Committee on PERS        | Allows active or inactive member of Public Employees Retirement System to transfer amounts credited to member in Public Employees Retirement Fund to any new defined contribution plan established by Legislative Assembly after January 1, 2003. Provides that upon transfer by member, Public Employees Retirement Board transfers to credit of member under new plan additional amount equal to ___ percent of account, to be paid from employer contributions. Specifies that member making transfer is entitled only to benefits provided under new defined contribution plan.  |      |          |          |        |
| 34. | HJR 9   |   | Rep. Shetterly, Williams | Proposes amendment to Oregon Constitution relating to proposed initiative amendments to Constitution. Directs ballot for initiative amendments to Constitution to allow voters to approve, reject or direct proposed initiative amendment to Legislative Assembly. Allows Legislative Assembly to refer, reject or take no action on proposed initiative amendment, or to refer alternative proposed law or constitutional amendment to people. Directs Secretary of State to place proposed initiative amendment to Constitution on ballot if Legislative Assembly rejects or takes no action on proposed initiative amendment or refers alternative law or alternative constitutional amendment to people. Specifies that if both proposed initiative amendment to Constitution and referred alternative law or referred alternative constitutional amendment appear on ballot in same election, measures must be identified as alternatives to each other. Further specifies that if both measures are approved by vote of people, only measure receiving highest number of affirmative votes is enacted. Provides for modification of certain effective date provisions contained in proposed initiative amendments to Constitution. Refers proposed amendment to people for their approval or rejection at next regular general election. |      |          |          |        |

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| #   | Bill # | Subject / Topic / Relating To  | Sponsor of Bill  | Title / Description   | Note | Priority | Position | Status  |
|-----|--------|--|--|---|------|----------|----------|---|
| 35. | SB 017 | Rights Of Persons With Disabilities To Public Services   | Joint Interim Committee on Judiciary for Oregon Advocacy Center                | Makes public bodies and officers, employees and agents of public bodies subject to action under Title II of Americans with Disabilities Act.  |      |          |          |   |
| 36. | SB 040 | Independent Contractors; Amending ORS 576.306 and 670.600  | Joint Interim Committee on Judiciary for the Oregon State Bar Taxation Section | Modifies factors used to determine status of worker as employee or independent contractor.  |      |          |          |   |
| 37. | SB 061 | Taxation By Units Of Local Government; and Prescribing An Effective Date   | Sen. Beyer for Oregon Restaurant Assoc.  | Prohibits unit of local government from imposing industry-specific sales tax. Permits collection of otherwise prohibited tax if ordinance or other law imposing tax took effect or became operative before January 1, 2003. Takes effect on 91st day following adjournment sine die.  |      |          |          |   |
| 38. | SB 062 | Taxation By Units Of Local Government; and Prescribing An Effective Date   | Sen. Beyer for Oregon Restaurant Assoc.  | Prohibits unit of local government from imposing sales tax on meals prepared and sold inside boundaries of unit of local government. Permits collection of otherwise prohibited tax if ordinance or other law imposing tax took effect or became operative before January 1, 2003. Takes effect on 91st day following adjournment sine die. |      |          |          |   |
| 39. | SB 073 | Family Leave; Creating New Provisions; and Amending ORS 659A.156, 659A.159, 659A.162 and 659A.165                                      | Joint Interim Committee on Judiciary for Sen. Courtney                         | Requires granting of school activity leave to full-time employees in same manner as provided for family leave. Requires granting of 25 hours of school activity leave within one-year period but not exceeding three hours per month. Requires that employee give notice of leave to employer. Sunsets January 1, 2008.                     |      |          |          |   |
| 40. | SB 082 | Use Of State-Owned Lands; Creating New Provisions; and Amending ORS 274.040  | Sen. Messerle, Rep. Verger   | Requires Division of State Lands to grant easement or license over submersible lands to person with permit from Water Resources Director if proposed use in permit is for irrigation or domestic use.   |      |          |          |   |
| 41. | SB 083 | Fees For Pilot Programs Of Department Of Transportation; Amending Section 3, Chapter 862, Oregon Laws 2001; & Prescribing An Effective | Sen.-Elect Starr for Road User Fee Task Force                                  | Authorizes Department of Transportation to structure fees for certain pilot programs to take account of highway congestion. Takes effect on 91st day following adjournment sine die.  | N/A  | N        | N/A      | Referred to Transportation and Economic Development, then to Revenue 1/16/03. |

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| #   | Bill # | Subject / Topic / Relating To  | Sponsor of Bill  | Title / Description   | Note | Priority | Position | Status  |
|-----|--------|--|--|---|------|----------|----------|---|
|     |        | Date   |  |   |      |          |          |   |
| 42. | SB 096 | Public Agencies; Creating New Provisions; and Amending ORS 279.015, 279.027, 279.322, 279.323 and 279.722                              | Sen. Beyer   | Exempts contracts between certain public agencies from competitive bid and proposal requirements. Requires bid submitted to public contracting agency by state agency to include all costs associated with bid.   |      |          |          |   |
| 43. | SB 161 | Vending Facilities On Public Property; Creating New Provisions; and Amending ORS 346.520   | Gov. Kulongoski for the Commission for the Blind             | Prohibits state agencies from charging Commission for the Blind for costs of rent or utilities for vending facilities operated by commission.   |      |          |          |   |
| 44. | SB 188 | Fees For Vehicle Title Transactions; Amending ORS 803.090  | Gov. Kulongoski for Dept. of Transportation                  | Changes title fees for certain vehicles.  | N/A  | N        | N/A      | Referred to Transportation and Economic Development 1/20/03.                |
| 45. | SB 196 | Hazardous Waste; Creating New Provisions; Amending ORS 466.068, 466.165 and 466.990; Appropriating Money                               | Gov. Kulongoski for Dept. of Environmental Quality           | Establishes Hazardous Waste Technical Assistance Fund. Specifies that certain penalties collected by Department of Environmental Quality be deposited into fund. Directs fund to be used for technical assistance and information program. Requires generators of hazardous waste to pay one-time processing fee for obtaining United States Environmental Protection Agency identification number. Directs Department of Environmental Quality to enter into negotiations with United States Environmental Protection Agency for purpose of gaining acceptance of technical assistance services as part of authorized program. Sets annual fee for hazardous waste generators based on metric tons of waste generated. Declares emergency, effective on passage. | N/A  | N        | N/A      | Referred to Agriculture and Natural Resources, then Ways and Means 1/20/03. |
| 46. | SB 215 | Economic Development; Creating New Provisions; Amending ORS 285A.206, 285B.050, et. al.; Repealing ORS 285B.153, 285B.374 and 285B.377 | Gov. Kulongoski for Economic and Community Development Dept. | Eliminates requirements to preserve portions of Oregon Business Development Fund for loans to certain small businesses. Eliminates requirement for local government approval of loan application. Authorizes Economic and Community Development Department to transfer specified amounts to certain loan loss reserve accounts. Repeals authority to issue bonds for certain projects secured in part by Oregon Economic and Community Development Fund.  | N/A  | N        | N/A      | Referred to Business and Labor.   |

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| #   | Bill # | Subject / Topic / Relating To   | Sponsor of Bill                                    | Title / Description  | Note | Priority | Position | Status  |
|-----|--------|---|--|--|------|----------|----------|---|
| 47. | SB 223 | Local Budget Law; Creating New Provisions; Amending ORS 190.083, 294.311 and 294.316; and Repealing ORS 294.930 | Gov. Kulongoski for Dept. of Revenue               | Excludes intergovernmental entities and councils of governments from Local Budget Law, unless entity or council proposes to impose property tax. Eliminates Department of Revenue oversight of council of governments budget process. Applies to fiscal years and budget periods beginning on or after July 1, 2004. | N/A  | N        | N/A      | Referred to Revenue 1/20/03.  |
| 48. | SB 243 | Discontinuance Of Cemeteries; Amending ORS 97.440 and 97.450  | Gov. Kulongoski for State Parks & Recreation Dept. | Modifies notification requirement for discontinuance of certain cemeteries. Requires prior approval of Oregon Pioneer Cemetery Commission for discontinuance of pioneer cemeteries.  | N/A  | N        | N/A      | Introduction and 1 <sup>st</sup> Reading; referred to President's desk 1/16/03. |
| 49. | SB 251 | Applicability Of Needed Housing Requirements Based On Population Of City; Amending ORS 197.296                  |  | Applies provisions related to needed housing within urban growth boundary to cities outside metropolitan service district with population of fewer than 25,000.  |      |          |          |   |

**197.299 Metropolitan service district analysis of buildable land supply; schedule for accommodating needed housing; extension of schedule.** (1) A metropolitan service district organized under ORS Chapter 268 shall complete the [initial] inventory[, determination] and analysis required under ORS 197.296(3) [not later than January 1, 1998, and conduct the inventory and analysis] at least every [five] seven years [thereafter] after December 20, 2002.

**197.626 Expanding urban growth boundary and designating urban reserve area subject to periodic review.** [A] If Metro, or any city with a population of 2,500 or more within its urban growth boundary, [that] amends [the] its urban growth boundary to include more than 100 acres in the case of Metro or more than 50 acres in the case of a city, or [that] designates urban reserve areas under ORS 195.145<sub>2</sub>, shall submit the amendment or designation to the Land Conservation and Development Commission in the manner provided for periodic review under ORS 197.628 to 197.650.

# Senate Bill 906

Sponsored by Senator BROWN (at the request of Metro)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Reduces number of covered employees and retirees required for self-insurance of health insurance by individual public body.

## A BILL FOR AN ACT

1  
2 Relating to requirements for self-insurance of health insurance by individual public bodies; amending  
3 ORS 731.036.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 731.036 is amended to read:

6 731.036. The Insurance Code does not apply to any of the following to the extent of the subject  
7 matter of the exemption:

8 (1) A bail bondsman, other than a corporate surety and its agents.

9 (2) A fraternal benefit society that has maintained lodges in this state and other states for 50  
10 years prior to January 1, 1961, and for which a certificate of authority was not required on that  
11 date.

12 (3) A religious organization providing insurance benefits only to its employees, which organiza-  
13 tion is in existence and exempt from taxation under section 501 (c) (3) of the federal Internal Re-  
14 venue Code on September 13, 1975.

15 (4) Public bodies, as defined in ORS 30.260, that either individually or jointly establish a self-  
16 insurance fund for tort liability in accordance with ORS 30.282.

17 (5) Public bodies, as defined in ORS 30.260, that either individually or jointly establish a self-  
18 insurance fund for property damage.

19 (6) Cities, counties, school districts, community college districts, community college service dis-  
20 tricts or districts, as defined in ORS 198.010 and 198.180, that either individually or jointly insure  
21 for health insurance coverage, excluding disability insurance, their employees or retired employees,  
22 or their dependents, or students engaged in school activities, or combination of employees and de-  
23 pendents, with or without employee or student contributions, if all of the following conditions are  
24 met:

25 (a) The individual or jointly self-insured program meets the following minimum requirements:

26 (A) In the case of an individual public body program, the number of covered employees and re-  
27 tired employees aggregates at least [*1,000*] 500 individuals; and

28 (B) In the case of a joint program of two or more public bodies, the number of covered em-  
29 ployees and retired employees aggregates at least 1,000 individuals, or the annual contributions to  
30 the program aggregate at least \$500,000;

31 (b) The individual or jointly self-insured health insurance program includes all coverages and

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in boldfaced type.

1 benefits required of group health insurance policies under ORS chapter 743;

2 (c) The individual or jointly self-insured program must have program documents that define  
3 program benefits and administration;

4 (d) Enrollees must be provided copies of summary plan descriptions including:

5 (A) Written general information about services provided, access to services, charges and sched-  
6 uling applicable to each enrollee's coverage;

7 (B) The program's grievance and appeal process; and

8 (C) Other group health plan enrollee rights, disclosure or written procedure requirements es-  
9 tablished under ORS chapter 743;

10 (e) The financial administration of an individual or jointly self-insured program must include the  
11 following requirements:

12 (A) Program contributions and reserves must be held in separate accounts and used for the ex-  
13 clusive benefit of the program;

14 (B) The program must maintain adequate reserves. Reserves may be invested in accordance with  
15 the provisions of ORS chapter 293. Reserve adequacy must be annually calculated with proper  
16 actuarial calculations including the following:

17 (i) Known claims, paid and outstanding;

18 (ii) A history of incurred but not reported claims;

19 (iii) Claims handling expenses;

20 (iv) Unearned contributions; and

21 (v) A claims trend factor; and

22 (C) The program must maintain adequate reinsurance against the risk of economic loss in ac-  
23 cordance with the provisions of ORS 742.065 unless the program has received written approval for  
24 an alternative arrangement for protection against economic loss from the Director of the Depart-  
25 ment of Consumer and Business Services;

26 (f) The individual or jointly self-insured program must have sufficient personnel to service the  
27 employee benefit program or must contract with a third party administrator licensed under ORS  
28 chapter 744 as a third party administrator to provide such services;

29 (g) The individual or jointly self-insured program shall be subject to assessment in accordance  
30 with ORS 735.614 and former enrollees shall be eligible for portability coverage in accordance with  
31 ORS 735.616;

32 (h) The public body, or the program administrator in the case of a joint insurance program of  
33 two or more public bodies, files with the Director of the Department of Consumer and Business  
34 Services copies of all documents creating and governing the program, all forms used to communicate  
35 the coverage to beneficiaries, the schedule of payments established to support the program and,  
36 annually, a financial report showing the total incurred cost of the program for the preceding year.  
37 A copy of the annual audit required by ORS 297.425 may be used to satisfy the financial report filing  
38 requirement; and

39 (i) Each public body in a joint insurance program is liable only to its own employees and no  
40 others for benefits under the program in the event, and to the extent, that no further funds, in-  
41 cluding funds from insurance policies obtained by the pool, are available in the joint insurance pool.

42 (7) All ambulance services.

43 (8) A person providing either or both of the services described in this subsection in connection  
44 with motor vehicles. The exemption under this subsection does not apply to an authorized insurer  
45 providing such services under an insurance policy. This subsection applies to the following services:

1 (a) Towing service.

2 (b) Emergency road service, which means adjustment, repair or replacement of the equipment,  
3 tires or mechanical parts of a motor vehicle in order to permit the motor vehicle to be operated  
4 under its own power.

5 (9)(a) A person described in this subsection who, in an agreement to lease or to finance the  
6 purchase of a motor vehicle, agrees to waive for no additional charge the amount specified in par-  
7 agraph (b) of this subsection upon total loss of the motor vehicle because of physical damage, theft  
8 or other occurrence, as specified in the agreement. The exemption established in this subsection  
9 applies to the following persons:

10 (A) The seller of the motor vehicle, if the sale is made pursuant to a motor vehicle retail in-  
11 stallment contract.

12 (B) The lessor of the motor vehicle.

13 (C) The lender who finances the purchase of the motor vehicle.

14 (D) The assignee of a person described in this paragraph.

15 (b) The amount waived pursuant to the agreement shall be the difference, or portion thereof,  
16 between the amount received by the seller, lessor, lender or assignee, as applicable, which repres-  
17 ents the actual cash value of the motor vehicle at the date of loss, and the amount owed under the  
18 agreement.

19



# Senate Bill 964

Sponsored by Senator GEORGE (at the request of Metro)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Designates calcium hypochlorite as hazardous waste. Prohibits declassifying calcium hypochlorite as hazardous waste. Excludes generator of calcium hypochlorite from conditionally exempt generator status.

## A BILL FOR AN ACT

1  
2 Relating to calcium hypochlorite; amending ORS 465.003, 466.005 and 466.015.

3 Be It Enacted by the People of the State of Oregon:

4 **SECTION 1.** ORS 465.003 is amended to read:

5 465.003. As used in ORS 465.003 to 465.034:

6 (1) "Commission" means the Environmental Quality Commission.

7 (2) "Conditionally exempt generator" means a generator *[who]* that generates less than 2.2  
8 pounds of acute hazardous waste as defined by 40 C.F.R. 261, or who generates less than 220 pounds  
9 of hazardous waste in one calendar month. "Conditionally exempt generator" does not include  
10 a generator that generates any amount of calcium hypochlorite.

11 (3) "Department" means the Department of Environmental Quality.

12 (4) "Director" means the Director of the Department of Environmental Quality.

13 (5) "Facility" means all buildings, equipment, structures and other stationary items located on  
14 a single site or on contiguous or adjacent sites and owned or operated by the same person or by  
15 any person who controls, is controlled by or under common control with any person.

16 (6) "Fully regulated generator" means a generator who generates 2.2 pounds or more of acute  
17 hazardous waste as defined by 40 C.F.R. 261, or 2,200 pounds or more of hazardous waste in one  
18 calendar month.

19 (7) "Generator" means a person *[who]* that, by virtue of ownership, management or control, is  
20 responsible for causing or allowing to be caused the creation of hazardous waste.

21 (8) "Hazardous waste" has the meaning given that term in ORS 466.005.

22 (9) "Large user" means a facility required to report under section 313 of Title III of the Super-  
23 fund Amendments and Reauthorization Act of 1986 (P.L. 99-499).

24 (10) "Person" means individual, the United States, the state or a public or private corporation,  
25 local government unit, public agency, partnership, association, firm, trust, estate or any other legal  
26 entity.

27 (11) "Small-quantity generator" means a generator *[who]* that generates between 220 and 2,200  
28 pounds of hazardous waste in one calendar month.

29 (12) "Toxic substance" or "toxics" means any substance in a gaseous, liquid or solid state listed  
30 pursuant to Title III, Section 313 of the Superfund Amendments and Reauthorization Act of 1986,  
31 or any substance added by the commission under ORS 465.009. "Toxic substance" does not include

NOTE: Matter in boldfaced type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in boldfaced type.

1 a substance used as a pesticide or herbicide in routine commercial agricultural applications.

2 (13)(a) "Toxics use reduction" means in-plant changes in production or other processes or oper-  
3 ations, products or raw materials that reduce, avoid or eliminate the use or production of toxic  
4 substances without creating substantial new risks to public health, safety and the environment,  
5 through the application of any of the following techniques:

6 (A) Input substitution, which refers to replacing a toxic substance or raw material used in a  
7 production or other process or operation with a nontoxic or less toxic substance;

8 (B) Product reformulation, which refers to substituting for an existing end product, an end  
9 product which is nontoxic or less toxic upon use, release or disposal;

10 (C) Production or other process or operation redesign or modifications;

11 (D) Production or other process or operation modernization, which refers to upgrading or re-  
12 placing existing equipment and methods with other equipment and methods;

13 (E) Improved operation and maintenance controls of production or other process or operation  
14 equipment and methods, which refers to modifying or adding to existing equipment or methods in-  
15 cluding, but not limited to, techniques such as improved housekeeping practices, system adjustments,  
16 product and process inspections or production or other process or operation control equipment or  
17 methods; or

18 (F) Recycling, reuse or extended use of toxics by using equipment or methods that become an  
19 integral part of the production or other process or operation of concern, including but not limited  
20 to filtration and other methods.

21 (b) "Toxics use reduction" includes proportionate changes in the usage of a particular toxic  
22 substance by any of the methods set forth in paragraph (a) of this subsection as the usage of that  
23 toxic substance changes as a result of production changes or other business changes.

24 (14) "Toxics use" means use or production of a toxic substance.

25 (15) "Toxics user" means a large user, a fully regulated generator or a small-quantity generator.

26 (16)(a) "Waste reduction" means any recycling or other activity applied after hazardous waste  
27 is generated that is consistent with the general goal of reducing present and future threats to public  
28 health, safety and the environment and that results in:

29 (A) The reduction of total volume or quantity of hazardous waste generated that would other-  
30 wise be treated, stored or disposed of;

31 (B) The reduction of toxicity of hazardous waste that would otherwise be treated, stored or  
32 disposed of; or

33 (C) Both the reduction of total volume or quantity and the reduction of toxicity of hazardous  
34 waste.

35 (b) "Waste reduction" includes proportionate changes in the total volume, quantity or toxicity  
36 of a particular hazardous waste in accordance with paragraph (a) of this subsection as the gener-  
37 ation of that waste changes as a result of production changes or other business changes.

38 (c) "Waste reduction" may include either on-site or off-site treatment where such treatment can  
39 be shown to confer a higher degree of protection of the public health, safety and the environment  
40 than other technically and economically practicable waste reduction alternatives.

41 **SECTION 2.** ORS 466.005 is amended to read:

42 466.005. As used in ORS 453.635 and 466.005 to 466.385 and 466.992, unless the context requires  
43 otherwise:

44 (1) "Commission" means the Environmental Quality Commission.

45 (2) "Department" means the Department of Environmental Quality.

1 (3) "Director" means the Director of the Department of Environmental Quality.

2 (4) "Dispose" or "disposal" means the discharge, deposit, injection, dumping, spilling, leaking or  
3 placing of any hazardous waste into or on any land or water so that the hazardous waste or any  
4 hazardous constituent thereof may enter the environment or be emitted into the air or discharged  
5 into any waters of the state as defined in ORS 468B.005.

6 (5) "Facility" means all contiguous land, structures, other appurtenances and improvements on  
7 the land used for treating, storing or disposing of hazardous waste. "Facility" may consist of one  
8 or more treatment, storage or disposal operational units.

9 (6) "Generator" means the person, who by virtue of ownership, management or control, is re-  
10 sponsible for causing or allowing to be caused the creation of a hazardous waste.

11 (7) "Hazardous waste" does not include radioactive material or the radioactively contaminated  
12 containers and receptacles used in the transportation, storage, use or application of radioactive  
13 waste, unless the material, container or receptacle is classified as hazardous waste under paragraph  
14 (a), (b) or (c) of this subsection on some basis other than the radioactivity of the material, container  
15 or receptacle. Hazardous waste does include all of the following which are not declassified by the  
16 commission under ORS 466.015 (3):

17 (a) Discarded, useless or unwanted materials or residues resulting from any substance or com-  
18 bination of substances intended for the purpose of defoliating plants or for the preventing, destroy-  
19 ing, repelling or mitigating of insects, fungi, weeds, rodents or predatory animals, including but not  
20 limited to defoliants, desiccants, fungicides, herbicides, insecticides, nematocides and rodenticides.

21 (b) Residues resulting from any process of industry, manufacturing, trade or business or gov-  
22 ernment or from the development or recovery of any natural resources, if such residues are classi-  
23 fied as hazardous by order of the commission, after notice and public hearing. For purposes of  
24 classification, the commission must find that the residue, because of its quantity, concentration, or  
25 physical, chemical or infectious characteristics may:

26 (A) Cause or significantly contribute to an increase in mortality or an increase in serious irre-  
27 versible or incapacitating reversible illness; or

28 (B) Pose a substantial present or potential hazard to human health or the environment when  
29 improperly treated, stored, transported, or disposed of, or otherwise managed.

30 (c) Discarded, useless or unwanted containers and receptacles used in the transportation, stor-  
31 age, use or application of the substances described in paragraphs (a) and (b) of this subsection.

32 (d) Calcium hypochlorite.

33 (8) "Hazardous waste disposal site" means a geographical site in which or upon which hazardous  
34 waste is disposed.

35 (9) "Hazardous waste storage site" means the geographical site upon which hazardous waste is  
36 stored.

37 (10) "Hazardous waste treatment site" means the geographical site upon which or a facility in  
38 which hazardous waste is treated.

39 (11) "Manifest" means the form used for identifying the quantity, composition, and the origin,  
40 routing and destination of hazardous waste during its transportation from the point of generation  
41 to the point of disposal, treatment or storage.

42 (12) "PCB" has the meaning given that term in ORS 466.505.

43 (13) "Person" means the United States, the state or a public or private corporation, local gov-  
44 ernment unit, public agency, individual, partnership, association, firm, trust, estate or any other le-  
45 gal entity.

1 (14) "Store" or "storage" means the containment of hazardous waste either on a temporary basis  
2 or for a period of years, in a manner that does not constitute disposal of the hazardous waste.

3 (15) "Transporter" means any person engaged in the transportation of hazardous waste by any  
4 means.

5 (16) "Treat" or "treatment" means any method, technique, activity or process, including but not  
6 limited to neutralization, designed to change the physical, chemical, or biological character or  
7 composition of any hazardous waste so as to neutralize the waste or so as to render the waste  
8 nonhazardous, safer for transport, amenable for recovery, amenable for storage, or reduced in vol-  
9 ume.

10 **SECTION 3.** ORS 466.015 is amended to read:

11 466.015. The Department of Environmental Quality shall:

12 (1) Provide for the administration, enforcement and implementation of ORS 466.005 to 466.385  
13 and 466.992 and may perform all functions necessary:

14 (a) To insure the proper management of hazardous waste by generators;

15 (b) For the regulation of the operation and construction of hazardous waste treatment, storage  
16 and disposal sites; and

17 (c) For the permitting of hazardous waste treatment, storage and disposal sites in consultation  
18 with the appropriate county governing body or city council.

19 (2) Coordinate and supervise all functions of state and local governmental agencies engaged in  
20 activities subject to the provisions of ORS 466.005 to 466.385 and 466.992.

21 (3) After notice and public hearing pursuant to ORS 183.310 to 183.550, declassify as hazardous  
22 waste those substances described in ORS 466.005 (7), except for calcium hypochlorite, which the  
23 Environmental Quality Commission finds, after deliberate consideration, taking into account the  
24 public health, welfare or safety or the environment, have been properly treated or decontaminated  
25 or contain a sufficiently low concentration of hazardous material so that such substances are no  
26 longer hazardous.

27

BEFORE THE METRO COUNCIL

|                                     |   |   |
|-------------------------------------|---|---|
| FOR THE PURPOSE OF ADOPTING THE     | ) | RESOLUTION NO. 03-3272A                 |
| METRO 2003 OREGON STATE AND FEDERAL | ) |   |
| LEGISLATIVE PRIORITIES              | ) | Introduced by Council President Bragdon |

WHEREAS, the 2003 Oregon Legislature convened on Monday, January 13, 2003; and

WHEREAS, the Congress of the United States may consider legislation that is germane and have an impact on Metro; and

WHEREAS, Metro has certain legislation which it will pursue or request to be introduced into the 2003 Session of the Oregon Legislature for consideration; and

WHEREAS, the 2003 Oregon Legislature may consider other legislation which may have an impact on Metro; and

WHEREAS, Metro has hired PacWest Communications to lobby on behalf of the agency on state and federal issues; and

WHEREAS, Metro has created a list of priorities (Exhibit A) which is intended to guide Metro's involvement in the 2003 Session of the Oregon Legislature and the Congress of the United States, and provide direction to Metro's lobbyist; now therefore

BE IT RESOLVED:

That the Metro Council adopts the priorities outlined in Exhibit A, and directs its representatives to report on the status of priorities listed and additional priorities as the Congress of the United States and the 2003 Oregon Legislative Session proceeds.

ADOPTED by the Metro Council this 23rd day of January, 2003.

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David Bragdon, Metro Council President

Approved as to Form:

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Daniel B. Cooper, Metro Attorney

Exhibit "A" to Resolution No. 03-3272

2003 Metro Legislative Agenda

STATE LEGISLATURE

| <u>Priority Items for this next session</u>            | <u>Area</u>    | <u>Action</u> |
|--|----------------|---------------|
| • Transportation funding Package                       | Transpo        | support       |
| • Infrastructure finance (work with cities & counties) | Land Use       | support       |
| • UGB amendments of over 50 acres to LCDC              | Land Use       | support       |
| • Tire Recycling Bill (pre-session file)               | Environment    | support       |
| • Pool Chlorine disposal                               | Environment    | support       |
| • Self-Insurance                                       | Administrative | support       |
| • Revenue Sharing Task Force creation                  | Revenue        | support       |

Issues of Interest

- Road User Fee Task Force (monitor)
- Infill Opportunity Zones (urban design programs through ODOT)
- Portland to Eugene passenger rail
- Studded tire debate (monitor)
- Forest Legacy program (monitor)
- Conservation incentives (non-regulatory for State Goal 5)
- Oregon Tourism Investment Proposal (1% increase in Hotel/Motel tax statewide) – at the request of POVA
- Split rate tax debate (monitor)
- Legislation to Permit Enforcement of Metro Civil Orders
- PERS reform
- Urban infrastructure (schools and churches)
- Affordable Housing (regional solutions)
- Education funding package (monitor)
- Real Estate Transfer Tax (local government options)
- Electronics Recycling
- Department of Land Conservation and Development budget
- State of Oregon Transportation Growth Management Funds (monitor)
- Takings Legislation (monitor)
- Urban uses outside the UGB

Oppose

- Prohibition or pre-emption of local government revenue options
- Zoo Parking Lot debate

### **FEDERAL PRIORITIES**

- Earmark dollars from US Fish & Wildlife for Parks and Greenspaces Department (part of a Greenspaces Package for 2003 – including CARA)
- Gresham Civic Station transportation allocation (project specific)
- Advice/support for the Regional Emergency Management Group (seeking federal funding) – at the request of Beaverton Mayor Rob Drake
- Flow Control (monitor)
- TEA-21 Reauthorization (policy)
- Computer Forensics Institute funding (from the Department of Defense) – at the request of the East Metro Economic Alliance.
- Damascus Area funding request
- Federal Environmental Protection Agency – Smart Growth Policies

### **ADDITIONAL MEASURES OR EFFORTS**

- Begin setting groundwork with the OECDD for Expo (Phase 3)
- Metro day at the Capitol – Tentative Date – March 24, 2003
- Refine objectives for regional trip to Washington DC
- Re-engage the region's legislative caucus (meet regularly)

**Staff Legislative Team:** Dan Cooper (Metro Attorney), Sarah Carlin Ames (Public Affairs Director), Jeff Stone (Senior Policy Advisor to the President).